

Schools and Universities in the Italian Multi-level Governance System**

I Education and Decentralisation

This study intends to provide some reflections on the public education service – provided by schools and universities – which has been heavily affected by the cuts made in recent years, relegating Italy to the lowest positions among the member States of OECD and the European Union, with regard to the percentage of public spending on education.¹ In the past twenty years, the continuous decline in investment in this field has significantly aggravated the various problems affecting education in Italy.

The critical aspects discussed here are linked only in part to the effects of the economic crisis and the national policies implemented over the last decade to contain public deficits; they are also related to some unresolved knots of Italian regionalism and complex dynamic of territorial decentralisation.

The problems of this public service are also due to the fact – as we will demonstrate in the following pages – that education is delivered through a ‘widespread’ decision making-process, involving many institutional bodies other than the State, in a ‘galaxy’ of responsibilities and competences, without the necessary coordination; this has a negative impact on the operation of the school system, weakening its effectiveness and slowing down its overall development.

As we will see, education has lost its original ‘national’ connotation, by increasingly assuming more, over the last two decades, a ‘decentralised’ character and a ‘multilevel’ articulation, as the result of the growing involvement of the territorial authorities in this sector, as well as of the educational institutions. Nevertheless, this process has been achieved in

* Prof. Dr. Patrizia Magarò, Università degli Studi di Genova, Dipartimento de Giurisprudenza.

** This note is based on a lecture presented at the conference ‘Public Services and Autonomies in the Member States of the EU’ held in Budapest, June 19-20, 2017 and generously co-financed by the Ministry of Justice of Hungary and the Hungarian Competition Authority.

¹ See OECD, *Education at a Glance 2016: OECD Indicators* (OECD Publishing 2016, Paris) 222, DOI: <http://dx.doi.org/10.1787/eag-2016-en>. See also Eurostat press release, 22 March 2016, <http://ec.europa.eu/eurostat/documents/2995521/7214399/2-22032016-BP-EN.pdf/596b9daa-b9d6-415d-b85a-b41174488728>.

a fragmented and haphazard regulatory framework, through reforms often lacking in coherence and overall strategic vision.

Education is configured by the 1948 Italian Constitution as a 'public service'²: it sets out the State's duty both to 'lay down general rules for the education' and to provide this service to citizens, through the establishment of 'State schools of all branches and grades.'³

Cultural promotion is carried out by guaranteeing freedom of teaching, free access to school education without discrimination, free compulsory education⁴ and recognising the right of pupils lacking financial resources to receive education.

There is no State monopoly on education, as the right of private individuals or organisations to create school institutions (and to obtain parity recognition, according to the law requirements) is guaranteed.⁵

However, it is up to the State to define the content of education and the outline of the complex organization specifically aimed at providing this service to citizens.

The Italian educational system continued to be characterised by an accentuated national centralisation until almost the end of the 1990s.

Traditional Italian local authorities – municipalities and provinces – already existing in the old Kingdom of Italy, continued to assume, in the new republican legal order, instrumental administrative competences in education-related matters (it was up to them to bear the costs of maintaining buildings and operating schools).

Leaving aside, for the moment, the question of universities – to which we will devote some reflections later – and focusing on school education, it is worth mentioning that this public service should have been run within a deeply changed territorial organisational system, based on promoting autonomy and decentralisation (according to article 5 of the Constitution) and on the presence of a new, important level of government, in addition to the traditional local authorities.

The 1948 Italian Constitution, with an innovative solution in the comparative panorama after the second world war, provided in fact for the creation of an intermediate territorial authority, the 'region', which was conferred with legislative power but only in some matters

² See Carlo Marzuoli, 'Istruzione: libertà e servizio pubblico' in Carlo Mazzuoli (ed), *Istruzione e servizio pubblico* (Il Mulino 2003, Bologna) 11.

³ See article 33, paragraph two, of the Italian Constitution.

⁴ Education is compulsory for ten years. After the eight-year first cycle of education, the final two years of compulsory education can be undertaken at a State upper secondary school or in a three or four-years vocational education and training course, under the specific competence of regions.

⁵ This study does not cover the aspects related to private education; we limit ourselves to observe that, according to art. 33, paragraphs three and four, of the Constitution, 'entities and private persons have the right to establish schools and institutions of education, at no cost to the State. The law, when setting out the rights and obligations for the non-state schools which request parity, shall ensure that these schools enjoy full liberty and offer their pupils an education and qualifications of the same standards as those afforded to pupils in state schools.' These '*scuole paritarie*' can issue certifications with the same legal value as those of State schools; they can receive funding from the State as well as from regions and other territorial authorities.

strictly listed and in accordance with the fundamental principles laid down in state legislation (in line with the logic of the so-called 'shared' legislative power).⁶

Regions were not established operationally until 1970 (with a delay of more than twenty years after the entry into force of the Constitution), and in the first phase of their activity they did not contribute to the public education system to a significant degree. For this reason, the traditional vision, of education as a primary state function and configuring the school system as an essential part of the central and peripheral national administration, seemed to be confirmed.

A significant turnaround took place in the second half of the 1990s, in a context marked by profound political and institutional changes, when a period of wide reforms of the State administration began, giving concrete effect to the principles of autonomy and decentralisation, formally enshrined in the Constitution but in practice not yet fully implemented.

Between 1997 and 1998, through several legislative reforms but without modifying the Constitution, the implementation of a kind of 'administrative federalism' started, with the transfer of administrative functions from the State to regions and local authorities.

Going beyond the idea that the State should be considered the only authority with competences in the educational public sector, the existence of a 'polycentric' system started to become clear; territorial authorities are now asked to assume responsibilities of public relevance and general interest, on the basis of the subsidiarity principle.

The administrative powers of local authorities have progressively been extended. Municipalities and provinces continue to provide construction, operating utilities and maintenance of buildings, but the implementing rules of the 'administrative federalism' have assigned them additional competences, previously carried out by the State, in the field of education.⁷

Provinces (in relation to secondary education) and municipalities (for the other grades)⁸ have assumed several tasks concerning opening, merging and closing schools, according to the programming tools. They have to develop organisational plans for the network of educational institutions, oversee school bodies in their territory, and suspend classes in serious and urgent cases. Furthermore, local authorities, also in agreement with school administrations, launch initiatives related to adult education and provide educational and

⁶ In this study we are taking into account only ordinary regions, but it should be remembered that there are five regions in Italy with a special form of autonomy, whose competencies have been regulated through constitutional laws. With regards to education, different powers have been foreseen in the statutes of special autonomous regions, which were created in the period between 1946 and 1950 (Sicily, Sardinia, Aosta Valley, Trentino Alto-Adige) and, in 1963, Friuli Venezia Giulia. Sicily and the provinces of Trent and Bolzano have been granted a large autonomy concerning primary schools, whereas Aosta Valley and the two provinces of Trentino Alto-Adige have also competences in the field of language teaching, related to the curriculum as well.

⁷ See in particular the Legislative Decree no. 11 of 1998, *Conferimento di funzioni e compiti amministrativi dello Stato e agli enti locali, in attuazione del capo I della legge 15 marzo 1997, n. 59*.

⁸ See Law n. 23 of 1996, *Norme per l'edilizia scolastica*.

professional guidance services as well as organisational support services (transport, school canteen), paying particular attention to students with disabilities and developing measures to preventing pupils from leaving the school system early and promoting health education.

Regions have been mainly endowed with administrative functions concerning the planning of integrated vocational education and training, as well as of educational networks (within the limits of the available human and financial resources), on the basis of provincial plans and of local authority proposals. Moreover, it is up to the regions to plan school building interventions, to fix the school calendar and to grant contributions (which may be added to those set out at national level) to private schools.

The state has residual functions related to specifying the criteria and parameters for the organisation of the educational system, to evaluating it and to setting and allocating the financial resources charged to the national budget and to the recruiting and assigning staff. The state has competences in supporting school activities and with regard to relations with regional administrations, local authorities, universities and training agencies.

The public service of education must therefore be provided through a coordinated exercise of functions by all territorial authorities of the Republic (regions, municipalities and provinces, together with metropolitan cities, as we will see later), in a system which has found a new constitutional enshrinement, by means of the major revision of 2001.

II Challenges in Territorial Governance of Education

Another period of Italian regionalism started with the entry into force of constitutional law no. 3 of 2001, which amended the entire Title V of the second part of the Constitution, devoted to the territorial organisation of the Republic.

Metropolitan cities have been introduced by the Constitution (even if they were operationally established only in 2015). Following federalist suggestions, a new articulation of powers regarding the different territorial levels of government was created.

With regard to the legislative function, the new article 117 of the Constitution expressly mentions the matters of 'exclusive' competence of the State and, in a subsequent list, which regions – as in the past – can legislate, in accordance with the general rules laid down in national laws. A residual legislative power is reserved for regions (and State intervention is formally precluded).

Compared with the previous constitutional framework, the reform introduced some significant innovations concerning education, and the regional role has been extended in this field; however, 'education' is a matter which needs to be considered while taking different types of competences into account.

The state has exclusive legislative power only in some aspects of education; other aspects fall into 'concurring' legislation (namely the state lays down fundamental principles and regions draft and implement detailed plans based on them); moreover, further aspects fall under the residual – and exclusive – competence of regions.

However, it should be noted that regions have not really been able to build a territorial education system after the reform; in the past few years some tendencies that can be seen as contrary to the spirit of the reform have emerged and grown, pushing towards what has been described as a ‘comeback of centralisation’⁹, and which have partly called into question the new distribution of responsibilities among the state, regions and local authorities.

First, it should be noted that a critical aspect of education in Italy continues to be represented by overregulation, which has built up over the years and is very complex, patchy and haphazard.

The overabundance of national rules almost never express a long-term strategic vision on education and they are often drafted without adequate cooperation with all territorial authorities and full respect for their autonomy, thus allowing the central government to maintain a strong role in educational processes.

Moreover, the complexity of the new distribution of powers has soon revealed the difficulty of a precise delimitation of the field of intervention reserved for the state and regions. This has contributed to increase the already high level of litigation before the Constitutional Court, which had to bring the fragmented competences on education into a framework characterised by ‘a complex intertwining in the same matter of general rules, fundamental principles, regional laws and administrative acts.’¹⁰ However, the constitutional jurisprudence did not really slow down the state’s tendency to undermine competences from progressively passing to the regions.

The main reason for there having been so many disputes between the two institutional levels is the persistent absence of an effective forum for consultation and composition by the various interests involved. A constructive relationship between state and regions cannot be considered in the current Italian Parliament, despite many efforts made, in 2006 and 2016, to amend the Constitution. The Senate is still waiting to be transformed definitively into a real chamber with territorial representation, overcoming the Italian atypical equal bicameralism.

An interesting possibility introduced in the Constitution in 2001 has not even been applied so far.

Art. 116 makes it possible for the 15 ordinary regions to have ‘additional forms and special conditions of autonomy’ concerning some matters, amongst which is education. This mechanism, which could open up the Italian constitutional system to a more ‘asymmetric regionalism’, following the Spanish model, is now claimed by Lombardia and Veneto, which are organising a consultative referendum to start this procedure.

Another important problem is the key importance of the financial aspect in the concrete provision of the education service.

⁹ A. M. Sandulli, *Il Sistema nazionale di istruzione* (Il Mulino 2003, Bologna) 89. See also Erik Longo, ‘Fine di una materia. Spunti ricostruttivi e note critiche sul fragile decentramento dell’istruzione’ [2015] ISSiRFA <<http://www.issirfa.cnr.it/erik-longo-fine-di-una-materia-spunti-ricostruttivi-e-note-critiche-sul-fragile-decentramento-dell-istruzione-maggio-2015.html>>, accessed 18 July 2017.

¹⁰ See *Corte costituzionale* (Italian Constitutional Court), Decision no. 13 of 2004.

The implementation of the 2001 reform should have also constitutionally covered so-called ‘fiscal federalism’, which was intended to reshape the financial relations between the state and territorial authorities, by giving greater revenue and spending autonomy to municipalities, provinces, metropolitan cities and regions.

However, the new dynamic of fiscal federalism only started in earnest in 2009.

The implementation of this still ongoing process has been affected by the worsening of the economy. The many regional and local finance reform rules have been repeatedly amended, not in order to improve the system’s functionality, but just for fiscal consolidation. This issue has introduced some substantial elements of ‘centralisation’ related to the control of revenue and spending decisions of autonomous territories.

A complex financial equalisation system is now being completed – the conclusion of this process is planned for 2021 – but it is clear that it has so far been unable to guarantee adequate financial resources, to fully cover the costs of their fundamental functions, to all territorial authorities.

Local authorities play a strategic role in the provision of education services, but there is a growing number of municipalities which have been forced to reduce services significantly (or to increase prices considerably) for young children, foreign pupils and students with disabilities or to cut back school canteen services, the provision of free schoolbooks, etc.

Social and territorial inequalities have increased. What is particularly marked is the disadvantage of the southern regions and the islands, where there is the highest concentration of families suffering social exclusion and the child poverty rate is much higher than in the rest of the country. Efforts for the cultural and social integration of students without Italian citizenship have also been inadequate so far.

Nevertheless, it should be remembered that the efficiency and cost-effectiveness of public services do not seem to be helped by the problem of Italian municipal fragmentation. There are 8,048 municipalities or communes in Italy and are typically small in size; smaller communes in particular find it difficult to plan and manage their fundamental functions.

Inter-communal coordination and cooperation are still feeble and informal; this is due to the strong localism, the weak role played by regions and a constantly evolving process of reorganising the tasks of local authorities.

In recent years, national laws actually intervened several times in order to regulate local government competencies, not only due to economic emergency but also to reduce the ‘costs of politics’ (politicians).

The most recent reform of local authorities, for instance, is considered by many as an expression of a ‘recentralising’ logic. In 2014, ten metropolitan cities, with planning and territorial management functions, were introduced by a national law in the ordinary regions¹¹ (which replaced an equal number of provinces the following year). The remaining provinces

¹¹ See Law no. 56 of 2014, *Disposizioni sulle città metropolitane, sulle province, sulle unioni e fusioni di comuni*. Four other metropolitan cities have subsequently been created in the regions by a special statute, which are not covered in this study.

have been transformed into second-tier ‘large area’ territorial authorities, with ‘fundamental functions’ in some specific fields; their organisation was expressly given as ‘transitional’, while waiting for constitutional reform in order to decide their concrete future. Regions have been called to reorganize the ‘non-fundamental’ functions of provinces through specific laws.

The Italian Court of Auditors has recently observed that provinces live today in ‘an objective condition of uncertainty which affect their constitutional prerogatives’;¹² due to the reorganisation of the local government system taking place in a climate of great vagueness about the fate of provinces. While awaiting their definitive abolition, foreseen in the constitutional revision bill of April 2016, the government’s plans were rejected by the people in a referendum.

Unlike the 2001 constitutional law – marked by a strong ‘federalist’ impetus – the constitutional reform rejected by the referendum on 4th December 2016¹³ was approved in a context of deep crisis and delegitimisation of territorial authorities, after numerous judicial investigations concerning cases of corruption and waste of resources, which occurred at all peripheral levels of government (but especially concerning regions).

Provinces were abolished *tout court*, without reconfiguring the system of local authorities (despite the many problems of the new recently created metropolitan cities) and the regional system appeared generally weakened.

In short, the declared intention of opening a new virtuous phase of Italian regionalism was disavowed by a logic of substantial (re)centralisation.

In such a chaotic context, it is not always possible to identify exactly the responsibilities of regional and local authorities, and so sometimes administrative courts have had to intervene.

Sound forms of inter-institutional collaboration would be very opportune, for instance in school buildings, the multilevel governance of which involves State, regions and local authorities.

This issue has unfortunately now assumed the characteristic of a real ‘national emergency’. Recent surveys have highlighted that 65% of schools were been built before the entry into force of the anti-seismic legislation of 1974. More than half are in seismic areas, often without having the necessary technical certifications.¹⁴ Attention should be drawn to the fact that

¹² Corte dei Conti, Sezione delle Autonomie, ‘Audizione sulla finanza delle Province e delle Città metropolitane presso la Commissione Parlamentare per l’attuazione del federalismo fiscale, 23/2/2017, 4’ <http://www.corteconti.it/export/sites/portalecdc/_documenti/controllo/sez_autonomie/2017/audizione_finanza_province_citta_metropolitane.pdf>, accessed 18 July 2017.

¹³ In April 2016, Italian Parliament approved a Constitutional Law concerning ‘Provisions for overcoming equal bicameralism, reducing the number of Members of Parliament, limiting the operating costs of the institutions, the suppression of the CNEL and the revision of Title V of Part II of the Constitution’, available at: <http://www.gazzettaufficiale.it/eli/id/2016/04/15/16A03075/sg>. A constitutional referendum was held on 4th December 2016 and 59.11% of voters rejected this reform.

¹⁴ See Legambiente, ‘Ecosistema Scuola. XVII Rapporto di Legambiente sulla qualità dell’edilizia scolastica, delle strutture e dei servizi’ [2016], 15, <https://www.legambiente.it/sites/default/files/docs/ecosistema_scuola_2016_xvii_rapporto.pdf>, accessed 18 July 2017.

Italy is one of the most endangered Mediterranean countries, due to the frequency of earthquakes and to the intensity that some of them have achieved.

With regard to school buildings, the executive powers and responsibilities shared by the various territorial authorities require a strategic planning approach and effective coordination, which should avoid overlapping tasks and allow timely building maintenance (over the last three years, 117 schools have collapsed).

III Centralism and Autonomy in Higher Education

A worrying aspect of the (failed) constitutional reform of 2016 concerned the autonomy of the universities, a subject that deserves to be mentioned briefly.

In order to understand the scope of innovations the reform was seeking to introduce, it is worth remembering, first of all, that in 1946 little attention was paid in the Constituent Assembly to the autonomy of school administrations and universities, even though this latter is enshrined in art. 33, which guarantees the freedom of the arts and sciences – which may be freely taught – and states that ‘higher education institutions, universities and academies have the right to establish their own regulations, within the limits laid down by the law of the State’.

It was not until late 1980s that a process began, rich in significant innovations but also in contradictory elements, that placed the debate on university autonomy and its multifaceted contents at the centre of attention.

Full self-government for universities was finally implemented under Law no. 168 of 1989, which laid down the fundamental principles regarding academic autonomy and reorganised ministerial functions in the field of higher education and scientific research, through the creation of the Ministry of Education, University, Scientific and Technological Research (MIUR), a department whose structure and denominations has undergone several variations, also related to the changing political situation).

This law defined the relations between universities and the new Minister quite clearly. The Minister has been assigned a function of promoting research, planning university development and devising the general strategic guidelines of the system, defining resource allocation criteria, coordinating academic education and Italian research with the European and international projects; it was also up to the Minister to exercise some control over the main acts adopted by universities.

The reform of 1989 stated that university autonomy has a didactic, scientific, organisational, financial and accounting nature, adding that the academic institutions ‘establish their autonomous system with their own statutes and regulations’.

However, the discipline of fields, particularly relevant for the life of academic institutions, was later established by the State, both through numerous laws (as permitted by the Constitution) and a heavy, continuous flow of regulations which have made the normative

reference framework progressively more disorganised, fragmentary and heterogeneous, also reproducing the old ministerial centralization prior to the 1989 reform.¹⁵

The strict state control on universities, even today (e.g. with reference to the didactic system, study qualifications, definition of the fields of teaching and research, academic tenure, etc.) appears partly contrary to the autonomist choice made in 1989.

The Conference of Italian University Rectors has long brought some issues deemed urgent to Government's attention, requesting the adoption of appropriate measures.

The financial autonomy of universities is considered particularly problematic, as it is constantly limited by national public finance decisions. The simplification of administrative procedures in strategic areas such as planning the curriculum, the research evaluation system and accounting appears to be essential, in order to sustain efforts for innovation and change in universities.

The choice, contained in the 2016 constitutional reform, to reserve legislative competence on 'university education' as well as on 'strategic planning of scientific and technological research' exclusively to the state also raised concerns.

Many people were of the opinion that this new feature would have placed a heavy burden on university autonomy, by putting this latter 'to the service of the changing and contingent future Governments' willingness.¹⁶ Such a fear appeared even more well-founded, in view of some questionable decisions taken in the same period by the Italian government, in the field of university teaching staff recruitment (then considered by the Council of State as seriously undermining the university autonomy).

The people's rejection of the constitutional revision law has prevented, *inter alia*, a virtuous circle, begun after 2001, which – albeit slowly – has progressively led to a greater interaction between universities and territorial context of reference, precisely in the field of scientific research and technological innovation, from being broken. The 2001 reform of Title V of the second part of the Constitution had in fact strengthened this relationship, trying to include universities in the 'regional' education system as well.

In this respect, it should be noted that there were only 26 Italian universities in the early 1900s, while today they are 97 (including online ones, whose relationship with their seat seems weak and fluid), a number corresponding to almost one academic institution per province. Despite universities becoming increasingly widespread, their relationship with territorial authorities has never been historically characterised by intense and institutionalised forms of cooperation such as those existing in other European countries with strong political decentralisation.

Until 2001, there was no trace in the Constitution of regional legislative competencies in the field of higher education; administrative responsibilities for educational assistance have

¹⁵ Gilberto Capano, Marino Regini, *Come cambia la governance. Università italiane ed europee a confronto* (Fondazione CRUI 2015, Roma) 9–10.

¹⁶ Umberto Izzo, 'L'autonomia dell'Università al tempo della riforma costituzionale' [2016], <<https://www.roars.it/online/lautonomia-delluniversita-al-tempo-della-riforma-costituzionale/>>, accessed 18 July 2017.

however allowed regions to provide, alongside the state, public education services, in terms of guaranteeing the right to study.

Over the years, regions have thus developed disciplines concerning the right to university studies; they have urged Parliament to adopt framework legislation to lay down some fundamental principles ensuring uniform treatment to students all over the country, regardless of the location of the specific university attended.

The state has the task of exercising the functions of directing, coordinating and programming measures concerning the right to university studies, while regions 'activate interventions aimed at removing economic and social barriers' to manifest this right (e.g. through canteen, housing, transport services or scholarships, healthcare, career counselling, etc.).

In 2001, Parliament decided not to explicitly mention universities among the areas of shared competence, listed in art. 117 Const., referring, however, to 'scientific and technological research and support for innovation in sectors of production'. This was a significant innovation, the implementation of which first advanced with difficulties both at national and regional level, but it has assumed a more concrete appearance and an important role over time.

As there is a very strict link between high level teaching and research activities, the inclusion of scientific and technological research in the shared legislation has had positive effects in the same field of higher education, as regions have tried, through the research discipline, to extend their engagement to the development of aspects closely related to the life of universities.

Cooperation between universities and regions has then received significant impetus from specific framework agreements (especially in 2005 and 2012), jointly signed by the Conference of Rectors of the Italian Universities and the Conference of Presidents of Regions and Autonomous Provinces. In these documents, attention has been drawn to the need to stimulate the synergy between the two 'systems of autonomy', to improve the efficiency and quality of academic education and research, by fully integrating higher education into a regional programming strategy.

Particularly important is the support that regions can offer to internationalisation in the field of training, research and culture, an indispensable process for developing cooperation networks across territories, universities and Italian and European enterprises through joint actions and the implementation of specific projects.

To make sure that this commitment could be profitable, regional authorities are required to assume an effective coordinating role between universities and local SMEs, stimulating, with appropriate economic incentives and the necessary planning, a simultaneous and positive growth of both systems.

In defining the programming framework for supporting the cultural, economic and social development of their respective territories, most regions have approved, in recent years, special laws to promote scientific research, enhance interaction between universities and regional production systems and supporting higher education, technology transfer and innovation.

Such synergy is today indispensable to increase the attractiveness of university systems and regional territories – as is the case with other foreign countries – and to carry out joint initiatives enabling access to European funding, encouraging the employment of graduates, strengthening the relationships between the scientific and productive world and supporting territorial economic development.

The statutes of Italian universities have been greatly modified in recent years, to adapt their organisation and academic governance to the principles and guiding criteria laid down by a 2010 reform law. This new phase also offered the opportunity to reinforce their links with their territories and there are many who believe that a dynamic of ‘regionalisation of universities’ has started, by means of the different rules at peripheral level.¹⁷

The constitutional reform, finally rejected by the people, could have called into question this virtuous process, prefiguring further constraints (in addition to those closely related to the need for national coordination) on the ability of universities to develop autonomously innovative processes and good administrative practices.

It should not be disregarded that universities have progressively expanded and consolidated links with territorial autonomies, but they still live their everyday life in a system of relationships, in which the role of the state remains largely dominant, without there being any signs of its possible downsizing in the near future.

As we have already seen with regard to schools, universities in Italy are a key driver of socio-economic growth too but, compared to what happens in other European countries, there is a tendency to ‘centralise’ decision-making process as if such institutions should still be considered as peripheral articulations of the state, destined to guarantee a generic right to higher education, in a homogeneous manner across the whole nation.

A distribution of competences aimed at enhancing the peripheral level has not generated, in other national systems characterised by strong administrative and political decentralisation, a push to the ‘fragmentation’ of education into a multiplicity of local subsystems. The culture of autonomy seems instead to have impelled the positive development of coordinating forms, both vertical (between the national and peripheral level) and horizontal (between local authorities and universities).

The development lines of the regional and local system in Italy have unfortunately never been detailed so far in the light of a project shared by all political forces; for this reason, decentralisation has not grown on a basis of incremental dynamics, as with almost all European countries, but has followed a winding path. Any recognition of progressive and significant degrees of autonomy to regional and local authorities has always been followed by phases of different intensity, during which an attempt to reverse the process was made or a substantial recentralisation of competences was achieved.

¹⁷ See for example Enrico Carloni, ‘Il rapporto tra le Università e il territorio alla luce dei nuovi statuti di autonomia’ [2012] *Istituzioni del Federalismo* 311–335, 312.

The building of a sound 'system of autonomies' would primarily require state willingness to reform itself, transforming its own mechanisms and apparatus but, above all, it calls for fully sharing the idea that decentralisation should not be a mere 'bureaucratic' transfer of competences between institutions. This is particularly true in the field of higher education, to which we have devoted our critical attention in these pages.