

Public Administration and Creeping Crises: Insights From COVID-19 Pandemic in Italy

American Review of Public Administration
2020, Vol. 50(6-7) 621–627
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DOI: 10.1177/0275074020941735
journals.sagepub.com/home/arp



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Abstract

The COVID-19 pandemic has demonstrated that a new and unforeseen threat easily outmatched political-administrative systems currently in place. Our commentary on the Italian case contributes to the call for public administration scholars to incorporate crisis management into the main research agendas of the field. We focus on regulatory capacity that is needed to tackle the effects of COVID-19. Under crisis conditions of radical urgency and uncertainty, the Italian regulatory policy has been based on temporary, fast-track procedures. The latter have been regularly applied when Italian governments confront with natural disasters and prompt action is ensured by a repertoire of extraordinary measures running in parallel to burdensome ordinary procedures. We discuss the implications of this “two-track” approach for governance capacity and legitimacy. We also extrapolate existing trends and engage with projection of future developments.

Keywords

crisis management, regulatory policy, administrative burden, red tape, governance capacity

Italy was the first European country to experience hotspots of COVID-19 infection and is still reporting one of the highest number of deaths in the world. According to the Johns Hopkins Coronavirus Resource Center, with 31,368 deaths as of May 15, 2020, Italy has the third highest death toll in the world after those of the United States and the United Kingdom. Italy was the precursor in Europe with regard to the introduction of nationwide mitigation measures (social distancing, isolation of confirmed or suspected cases, and closure of schools and universities) that led to the suspension of all nonessential production throughout the country from late March to early May 2020. Activities deemed to be non-essential, including those run by public administrations, were permitted to continue operating provided remote working arrangements were in place. Public finance suffered a major blow from the COVID-19 crisis. The government is planning a budget deficit of 10.4% of the GDP this year, and public debt is expected to rise to 155.7% of the GDP from a pre-COVID forecast of 135.2% (Italian Ministry of Economy and Finance, 2020).

The COVID-19 crisis has demonstrated that a new and unforeseen threat easily outmatched the Italian political-administrative system currently in place. Our commentary on the effectiveness of early response in Italy contributes to the call for public administration scholars to incorporate crisis management into the field’s main research agendas (Boin & Lodge, 2016). The COVID-19 outbreak highlighted that turbulence might be a normal and enduring yet unrecognized feature of public governance (Ansell & Trondal, 2018). The time has come for public administration scholars to develop

findings and theoretical insights that reflect the context of contemporary governance in which public administrations face creeping crises, those slow-moving and ever-developing threats that require sustained attention and effective intervention if they are to be controlled (Boin et al., 2020). New administrative capabilities are necessary for governments to anticipate and manage these crises competently (Roberts, 2020). The repercussions of coherent responses to crises are more than operational as consistent actions do not allow serious threats to further erode already undermined legitimacy (Carter & May, 2020).

Our commentary focuses on the governance capacity that is needed to bring creeping crises under control. To our understanding, governance capacity includes the formal structural and procedural features of the administrative apparatus but also the informal elements, that is, how these features work in practice (Christensen et al., 2016, p. 888). We will pay special attention to regulatory capacity, which crisis management literature has tackled less frequently than other types of capacity, such as coordination and analysis. Yet, regulation affects the availability of tools to fight the disease.

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Furthermore, regulation frames the ability of public administration to maintain critical services even in a lockdown situation. Regulatory issues are also at the heart of economic and social recovery (Organisation for Economic Co-operation and Development [OECD], 2020). In particular, previous research has provided insight into the potential consequences of administrative burdens, highlighting the organizational origins and behavioral implications of poor regulatory policies (Moynihan et al., 2015; Peeters, 2020). These implications are relevant now more than ever considering that the red tape and delays administrative procedures place on businesses and citizens, onerous before the COVID-19 outbreak, could turn a pandemic into an economic and social catastrophe.

Prior to the onset of the COVID-19 pandemic, Italy had been exposed to a wide range of natural hazards. Civil protection response mechanisms have become fairly efficient and professional, but the experience built from a century of disasters has not yet created equally qualified relief and recovery mechanisms. While the country has been waiting decades for effective reforms aimed at simplifying ordinary administrative procedures, governments usually have opted for exceptional measures to deal with disasters: extraordinary powers and procedures, “fast-track” measures, and temporary solutions. Most measures are recurrent, but they are generally applied with differences in terms of scope and recipients after each disaster’s occurrence. In many cases, these ad hoc and presumably temporary solutions have lasted decades and have proven to be ineffective and vulnerable to red tape and corruption (Ozerdem & Ruffini, 2013).

Exceptional administrative procedures typically applied to natural disasters have been re-proposed to tackle the effects of the pandemic. We argue that the adoption of ad hoc measures as a conservative crisis management strategy in the face of the pandemic poses severe risks for governance. Pandemics are cases of transboundary crises that are extreme in scale (Baekkeskov, 2015), meaning that red tape and bureaucratic delays in the government response can result in a prolonged nationwide deadlock. In the case of the Italian government’s response to COVID-19, these risks were further enhanced by the suspension of all terms, including preemptory ones, relative to ordinary administrative proceedings between late February and mid-May.

We elaborate on how history has connected patterns of natural disaster crisis management to the response to the COVID-19 pandemic. In doing so, we draw not only on the literature but also on our experience as practitioners who have been providing the Italian Department for Public Administration with advice on regulatory policy issues. Drawing on this experience, we follow the problem orientation of policy sciences that includes an analysis of unfolding phenomena and the projection of future developments (Lasswell, 1970).

The next section outlines this study’s background, that is, the historical trajectory of the Italian administrative system.

We then dissect the coexistence of the suspension of ordinary administrative proceedings and fast-track special procedures focused on responding to the COVID-19 outbreak before discussing the implications for Italy’s public administration. In the final section, we formulate propositions that advance our understanding of the regulatory reform that is needed to cope with creeping crises.

The Italian Path to the Pandemic

A contradiction between the economy’s success and the public sector’s backwardness marked the first decades of the Italian Republic that was established after World War II. This contradiction resulted in the accumulation of years of budget deficits complemented by chronic public dissatisfaction with the management of administrative procedures. Not only were those procedures countless, but they also entailed considerable rigidity (given the large number of statutes that ruled each procedure), heavy administrative burdens, and very long delays.

The contradiction between the private and the public spheres became untenable in the early 1990s, when a severe fiscal crisis combined with a nationwide judicial investigation into political corruption, resulting in the disappearance of many political parties that had ruled the country for decades. In the context of accelerating European integration, the pressure to increase economic competitiveness while restoring the budget made administrative reform a key commitment of Italian governments. Two repertoires of reform measures have been developed since the early 1990s: across-the-board cuts aimed at reducing public spending in the short-term and modernization efforts aimed at introducing New Public Management principles and tools in most areas of the public sector (Di Mascio et al., 2013).

The cutback repertoire proved to be effective in containing government spending, and this positively fed back on the response that followed the 2008 global crisis. That crisis intensified pressures from the European Union that contributed to making the redress of fiscal imbalances only one of the imperative reactions to the sovereign debt crisis (Kickert & Ongaro, 2019). Conversely, New Public Management-inspired reforms have suffered from major implementation gaps since the late 1990s, when it became apparent that tumultuous changes in government were associated with poorer performance (Di Mascio & Natalini, 2014). After the early 1990s breakdown, the Italian party system was restructured along a bipolar pattern of short-lived, flimsy governing coalitions, implying that political leaders disregarded the less visible implementation activities because the leaders were well aware of the likelihood of a short cycling (Mele & Ongaro, 2014).

The focus of political leadership on the most visible stages of the administrative reform policy cycle, that is, the setting of agendas and adoption of laws, has been intensified by the intermittent presence of populist parties in government over

Table 1. Response to COVID-19 and Regulatory Policy in Italy: Health Sector Enhancement Provisions.

Areas	Actors	Participants	Procedures (main features)
Recruitment	Ministry of Health Local Health Authorities Regions Ministry of defense National Institute for Insurance against Accidents at Work National School of Administration	Doctors (surgeons) Nurses Veterinarians Family doctors Other healthcare professionals Trainees of the National School	Shorter duration, online procedures, simplified provisions for publicity, simplified submissions and evaluations, in some cases, exemptions from some professional requirements
Procurement	Government Public administrations CONSIP (Central purchasing body) Department of Civil Protection Emergency Commissioner National Anticorruption Authority	Prospective contractors	Procurement procedures in derogation from Procurement Code provisions; “Flexible” approach: deadlines reduced, simplified procedures without negotiation and notice, possible direct award, suppression of ex ante assessment by Court of Auditors; advance payment

the first two decades of the 2000s. Under governments led by Silvio Berlusconi, the established disregard for implementation activities was complemented by a lack of expertise in governing, a typical feature of populist parties in government (Peters & Pierre, 2019). The lack of expertise has also marked the more recent governments led by current Prime Minister Giuseppe Conte and supported by populist parties from 2018 to 2020.

These governments exhibited dissatisfaction with the complexity of administrative reforms, and the government rhetoric about waste and underperformance within the public sector has not been matched with sustained action and consistent emphasis on changing patterns of governance: New Public Management recipes have been replaced with more direct solutions like the fight against absenteeism and the introduction of tighter ex ante anticorruption controls that have further reduced administrative discretion. As a result, the legalistic conception of public administration typical of the Napoleonic system in Southern Europe has been further entrenched with little attention, if any, paid to the effectiveness of policies.

The focus on simpler solutions has also been a key feature of Italian regulatory policy. A limited number of particularly burdensome administrative procedures has been identified via successive rounds of surveys and online public consultations without a mature, evidence-based system of regulatory impact assessment and retrospective review having been set up (Natalini, 2010). As a result, Italy was still ranked third to last among OECD countries in the 2020 Ease of Doing Business Index (World Bank, 2019). More broadly, the capacity shortage of the Italian bureaucracy is highlighted by underperforming indicators on eGovernment (European Commission, 2019) and the shrinkage of employment in general government as a percentage of total employment. As a result of reiterated short-term cost-cutting measures, in 2017, the latter indicator amounted to 13.4 against 17.7 of the OECD average, and public employees’

average age increased from 43.5 to 50.7 years between 2001 and 2018, according to an annual survey by the Italian Ministry of Economy and Finance (2019).

The Two-Track Approach to Crisis Management

Based on the modest number of intensive care unit (ICU) beds and the scarcity of personal protective equipment for health care staff, Italy went into the pandemic underprepared (Capano, 2020). The government thus faced two challenges: on one hand, to strengthen the health care system via recruitment and procurement and, on the other, to provide relief amid lockdown. The government tackled both challenges by opting for a “two-track” approach: a fast track ensured by special procedures and a slow track resulting from the suspension of nonurgent procedures for the duration of the emergency.

As for the enhancement of the health sector (see Table 1), the government introduced special recruitment procedures that opened simplified calls for specific profiles by central administrations involved in emergency management and allowed regional and local health authorities to open their own simplified calls according to their needs. Special procurement procedures have revolved around the appointment of an Emergency Commissioner to act on the government’s behalf. General norms have been waived, and large powers have been entrusted to the commissioner that bypassed the tight enforcement system of the ordinary framework (utmost transparency, frequent controls, and harsh sanctions). This approach aimed to overcome ordinary procedural hurdles that were deemed unfit to guarantee a timely supply of equipment and facilities.

Regarding the relief packages, dozens of single procedures have been bundled together, with benefits distributed to a plethora of recipients. This approach reproduced the shortcomings of the historical fragmentation of economic

Table 2. Response to COVID-19 and Regulatory Policy in Italy: Relief Provisions.

Funds	Actors	Recipients	Benefits	Total funding (state level)	Procedure (main features)
Redundancy fund for small firms	National Institute of Social Security Regions Banks Employers of the private sector <i>Procedures for enterprises with >5 employees also involve:</i> Ministry of Labor Trade unions	Employees who enjoy no other ordinary benefits (approximately 3 million people)	Redundancy fund (covering 80% of the wage) for the duration of suspension, up to 9 weeks	3.3 billion euros for 2020 Resources are distributed from central government to regions	Online procedure, regional fragmentation. 7–8 phases (depending on enterprise size)
“Guarantee Italy” Fund for enterprises	Italian Credit Export Agency Banks Enterprises <i>Procedures for enterprises with >5,000 employees also involve:</i> Ministry of Economy	Enterprises based in Italy (all sizes and types), including freelancers and sole proprietorships	State guarantees for short-term funding (credits and loans etc.) at favorable conditions, up to 6 years	200 billion euros (of which, 30 billion allocated for small and medium-sized enterprises)	Online procedures only where available by banks, standardization ongoing. 6–7 phases (depending on enterprise size)

assistance that hinder transparency: On one hand, this makes it difficult to steer and oversee the implementation of multiple procedures, and on the other, this makes it difficult for recipients to understand what benefits they should apply for. For the sake of conciseness, we focused on the two major subsidiary interventions, a redundancy fund for workers laid off by small firms and a guarantee fund for businesses, the features of which are summarized in Table 2.

These two subsidiary provisions have reached only a small share of the potential recipients so far because procedures are long and often burdensome. The principle of “once only” is envisaged by the two provisions, but it is not in place because public administrations do not share data sets. There is also a wide diversity in the recipients’ level of digital knowledge, with a significant portion of citizens who are not familiar with e-government services. Moreover, the government has multiple portals and digital identities, further increasing regulatory fragmentation and complexity. As a result, intermediaries have maintained their traditional roles at the interface between public administration and recipients to the detriment of those who are most in need and cannot delegate their interactions with public offices to specialists. Furthermore, subsidiary procedures include private banks, whose involvement is unavoidable given the lack of liquid state assets. This implies further fragmentation because banks decide how to collect information from recipients in the absence of a uniform framework set by the government.

The Effects of Crisis Management

The two-track approach to managing the COVID-19 crisis has a number of implications for Italian public administration.

First, Italy experienced a devolution of powers to regional governments concerning health and economic assistance in the late 1990s. This decentralization program has not improved intergovernmental coordination, and this legacy puts the uniformity of response and relief at risk. Emergency regulations provide for special interventions to be funded by the central government, and it could not be otherwise because the fiscal dimension of crisis management is agreed upon at the European level. Regions were given large implementing powers in the distribution of funds, but their performance has been not uniform so far.

Second, the urgency of the crisis has left behind the ex ante control of requirements that are the hallmark of the Italian legal setting. It has been simply impossible to speed up ex ante controls in a context in which data sets are still not interoperable. Therefore, special procedures have postponed controls for the sake of urgency. However, Italian officials are not familiar with ex post controls, and this capacity gap presents severe fraud and corruption risks.

Third, the lack of familiarity with ex-post auditing is one of the main reasons behind the sequential nature of crisis management, meaning that response and relief took place in several rounds. In particular, relief packages have been amended to adjust special procedures to counteract the unanticipated effects of previous rounds as well as to meet needs that have evolved at a fast pace. The sequential nature of emergency packages has further increased the fragmentation and opacity of the regulatory framework and may well imprison policy makers because regulatory complexity makes it difficult to take into account the cumulative effects of the piecemeal approach.

Finally, the suspension of ordinary proceedings underlines the policy makers’ lack of confidence in the capacity of

the Italian administrative system. In light of staff shortages and the limited digitization of back- and front-office of administrative procedures, policy makers put a halt to ordinary proceedings to prevent crisis management from overburdening the public sector. However, this slowdown may well pave the way for a severe backlog, stifling recovery.

Conclusion

Our analysis focused on Italy, a country that has been on the frontline of the pandemic since it exploded there in late February 2020 and where no attention has been paid to the challenges of building a resilient society against the background of emerging threats. Prior to the onset of the COVID-19 outbreak, Italian governments have carried out mainstream administrative reforms, which suffered from major implementation gaps. The entrenchment of across-the-board cuts in the aftermath of the 2008 global crisis has further hindered prospects for governance capacity in the long run. Most of the measures deployed in response to the COVID-19 crisis were rolled out as temporary and ad hoc solutions that have been around for some time in the aftermath of natural disasters. None of these solutions has yet enjoyed widespread success, but now they are being applied anew to an unprecedented crisis like the COVID-19 pandemic.

The Italian government's regulatory choices have thus been influenced by its legacy of coping with previous crises. This is hardly surprising if we make reference to previous studies highlighting that the more a particular historical analogy fits the standard operating procedures of the entity a policy maker belongs to, the more likely its use by that policy maker (Brändström et al., 2004, p. 208). Under crisis conditions of radical urgency and uncertainty, policy response so far has been based on extraordinary procedures. These have been applied regularly when governments confronted crises and prompt action is ensured by a repertoire of special measures running in parallel to the well-established organizational and procedural fragmentation of the Italian administrative system.

Uncertainties exist regarding the duration and termination of policy decisions aimed at reducing immediate societal threats (Weible et al., 2020). These include questions about how the policy decisions will be terminated and which of these measures will be kept or reiterated. Alongside the decision to take action is the choice to not act or delay action. In this conclusive section, we extrapolate existing trends and project future developments. We sketch three scenarios for governance based on the assumption that Italy is in the early stages of what is going to become a series of cascading crises (health, economic, and fiscal, at the least) along the lines of what happened after the eruption of the 2008 banking crisis (Kickert, 2012). Italy was still struggling to recover from the fiscal and economic wounds inflicted by that crisis when it entered a new phase of turbulence that might follow three different paths.

In the first scenario, the two repertoires of fast-track procedures and delayed ordinary proceedings remain on different planes running in parallel with a significant delay of ordinary action. The protraction of the conservative strategy could well turn into an organizational decline of Italian public administration if the health, economic, and fiscal crises mutually reinforce each other and this series of cascading crises is handled by further restricting public resources via rounds of proportional cutbacks as happened in the aftermath of previous fiscal crises. In this scenario, governance is barely capable of addressing urgent demands caused by the crises, and the system lacks capacity to make its ordinary actions less burdensome.

The second and the third scenarios concern crisis exploitation, that is, the purposeful utilization of crisis-type rhetoric to significantly alter institutional arrangements (Boin et al., 2009). In the second scenario, the political system is criticized for the lack of any discretionary exercise of power, and its reaction to this crisis of legitimacy leads to an expansion of the fast-track repertoire to perform an ever-increasing range of actions. It remains to be seen whether a diffused and protracted reduction of administrative discretion will turn into a restoration of capacity and legitimacy. First, it restricts opportunities to participate in the decision-making process and to enhance transparency and reason-giving obligations. Second, in countries, like Italy, featuring a historical fragmentation of decision-making processes, multiple actors are likely to perceive the politicization and centralization of decision-making as a threat to their established roles in policy processes, and this will reduce their willingness to cooperate to the lowest term, eventually leading to a stalemate.

In the third scenario, the exposure to and the impacts from the series of cascading crises leads to a higher level of adaptation, meaning that administrative reforms are finally implemented, drawing on sound evidence-based analyses to make the government prepare for and deal with turbulence as the "new normal." Decision-makers are supported by new structures and processes that enhance their ability to anticipate new threats. Regulatory policies are tailored to avoid mounting interdependence, with improved channels for providing economic assistance to citizens and businesses. As highlighted by previous research in the field of crisis management, an organization's risk perception positively mediates the effects of its experience with extreme events on its adaptive capacity building (Zhang et al., 2018). This makes the role of public administration research all the more important to make sense of the patterns of the challenges and provide policy makers with the cognitive understanding that longer-term investment in capacity is necessary for enhanced resilience.

Finally, we reprise the limitations of this commentary that has been an inevitably superficial treatment of a major, uniquely complex chain of events given the space constraints and temporal proximity of the topic studied. As such, it represents an unconventional form of research that unfolds

along with the events it studies and which may help the practitioner, all the more so in a situation where uncertainties exist, such as regarding the management of the effects of the COVID-19 outbreak. A very worthwhile extension of our commentary would be to probe more deeply into variations in “composite vulnerability” across countries (Lodge & Hood, 2012). Prior to the onset of the COVID-19 crisis, countries exhibited different levels of vulnerability to different threats (fiscal, demographic, and ecological, among others), and it is likely that in each country, the response to the pandemic has been shaped by the interaction between the specific combination of pressures arising from different threats.

Authors' Note

The article is the result of a common undertaking. However, the introductory and conclusive sections can be directly attributed to Fabrizio Di Mascio, sections “The Italian Path to the Pandemic” and “The Effects of Crisis Management” to Alessandro Natalini, and section “The Two-Track Approach to Crisis Management” to Federica Cacciatore.

Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

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