



**Department of Political Science**

**Master's degree in Policies and Governance in Europe**

**Chair: Corruption as a Policy Problem**

**Fighting Local Corruption: Assessing the Italian Model of Municipal  
Dissolution**

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# Abstract

This thesis examines the effectiveness of the Italian model of municipal dissolution for mafia infiltration to fight corruption at the local level. It examines the benefits of municipal dissolution, what its expected goals are, how effective it is to fulfill such objectives, its limits and its impact on the democratic process.

The paper compares the Italian model to other legislative tools in other countries, namely France, the United Kingdom, Spain and Mexico. The thesis will highlight how, despite several similarities with other countries, the Italian Model is unique, mostly due to its history with organized crime. The relationship between Mafia and the Italian state, the conflicts and the subsequent deals, will be thoroughly analyzed within this thesis, to explain why the Italian legislative system had deemed necessary to adopt such an invasive legislative solution to fight local corruption.

Finally, after explaining all the limits of the Italian model of municipal dissolution, this thesis tries to formulate solutions to improve the current system, and tackle its most dysfunctional aspects.

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## Introduction

Corruption at the local level represents one of the most persistent threats to democratic governance and administrative integrity (Rose-Ackerman, 2016). Local governments are particularly exposed to forms of clientelism, patronage, and organised criminal influence because of their proximity to citizens, their control over public procurement, and the relative weakness of oversight mechanisms compared to central administrations (Bardhan 2022). For these reasons, many states have developed special instruments to address situations in which ordinary administrative or judicial controls prove insufficient to guarantee legality.

Within the broader literature on corruption control, scholars have long debated the effectiveness of state interventions aimed at restoring institutional integrity (Mungiu-Pippidi, 2015). Some approaches emphasise the importance of strengthening transparency, accountability, and administrative capacity, while others focus on coercive or extraordinary measures designed to interrupt situations of systemic corruption (Klitgaard, 1988). These tools range from enhanced auditing powers and judicial supervision to, in more extreme cases, the temporary suspension of local self-government. Such measures raise a fundamental tension between two core principles of democratic governance: the protection of legality and the preservation of electoral autonomy.

The Italian case represents one of the most distinctive and far-reaching examples of this type of intervention. Since 1991, the Italian legal system has allowed the central government to dissolve municipal councils when concrete evidence suggests mafia infiltration or criminal conditioning. The measure, currently regulated by Article 143 of the Consolidated Law on Local Authorities (Art. 143 TUEL), entails the removal of elected bodies and the appointment of an extraordinary commission to administer the municipality for a fixed period. This mechanism, conceived as a preventive and exceptional instrument, reflects the historical depth of the relationship between organised crime and local political structures in certain regions of the country (Mocetti, Ruzzica 2023).

Despite its widespread use (Italian Ministry of the Interior, 2022) over the past three decades, the effectiveness of municipal dissolution remains a matter of debate (Occhiuzzi 2019). While the measure is often praised for its capacity to restore formal legality and administrative order, critics argue that it may produce limited long-term results, particularly in territories characterised by structural socio-economic vulnerabilities and entrenched criminal networks. Moreover, the

suspension of elected institutions raises important questions regarding democratic representation, proportionality, and the risk of over-centralisation. (Baraldi et al., 2024)

This thesis seeks to contribute to these debates by evaluating the Italian model of municipal dissolution as a public policy instrument against corruption and organised crime at the local level. Rather than addressing the issue from a purely legal or normative perspective, the study adopts an analytical approach that combines institutional analysis, comparative evidence, and empirical data.

The central research question guiding this study is:

To what extent does the Italian model of municipal dissolution for mafia infiltration constitute an effective instrument for countering corruption at the local level, and what are its main strengths and limitations compared to alternative approaches adopted in other countries?

In order to answer this question, the thesis adopts a qualitative and comparative research design. The analysis is based on three main sources of evidence. First, it examines the Italian legal and administrative framework governing municipal dissolution, focusing on its institutional logic, procedural structure, and intended objectives. Second, it draws on official data and parliamentary reports concerning the number, distribution, and outcomes of dissolution measures in recent years, in order to identify patterns and recurrent problems. Third, it compares the Italian model with selected cases from other democratic systems, including France, Spain, the United Kingdom, and Mexico, with the aim of situating the Italian experience within a broader spectrum of state responses to local corruption and criminal influence.

The comparative approach does not seek to identify direct equivalents to the Italian mechanism, as no country employs an identical instrument. Instead, it focuses on the different strategies adopted to address similar risks, such as judicial supervision, administrative oversight, or targeted interventions in local governance. This perspective allows for a more nuanced assessment of the Italian model, highlighting both its distinctive features and its potential limitations.

The thesis is structured as follows:

Chapter 2 outlines the Italian model of municipal dissolution, examining its legal framework, historical rationale, procedural structure, and intended goals, as well as the main critical debates surrounding its application.

Chapter 3 places the Italian experience in a comparative perspective by analysing selected cases from other countries, with the aim of identifying alternative approaches to the problem of corruption and criminal infiltration at the local level.

Chapter 4 assesses the effectiveness of the Italian mechanism by examining available empirical data, territorial patterns, and the recurring challenges observed in dissolved municipalities.

Chapter 5 develops a set of policy implications and recommendations, drawing on both the Italian experience and the comparative findings.

The final section presents the overall conclusions of the study.

By combining legal analysis, comparative perspectives, and empirical evidence, this thesis aims to provide a balanced assessment of municipal dissolution as an instrument of corruption control, highlighting both its necessity in high-risk contexts and its limits as a long-term strategy for institutional resilience.

## **Chapter 2 – The Italian model of Municipalities dissolution**

The dissolution of municipal councils, followed by the appointment of government commissioners, has served as a tool against corruption and mafia infiltration since 1991, when it was introduced by Decree-Law No. 164 of 31 May 1991, later converted into Law No. 221 of 22 July 1991. The decree was adopted following a surge of public indignation triggered by the heinous killing of the butcher Giuseppe Grimaldi, who was decapitated and publicly desecrated by his killers in the main square of Taurianova, during a local mafia feud. (Redazione Calabria News 24, 2025)

The legislation provides that the dissolution measure may be adopted when concrete, unambiguous and significant evidence emerges of direct or indirect links between local administrators and mafia-type criminal organisations, or when forms of external conditioning are detected, capable of altering the decision-making process of the elected and administrative bodies.

The verification of such conditions is carried out by an investigative commission (*commissione d'accesso*) appointed by the Prefect, which, within three months (extendable), submits its findings in a report to the Prefect and to the Provincial Committee for Public Order and Security, which also includes the Public Prosecutor. The Prefect then forwards a report to the Ministry of the Interior, which, following deliberation by the Council of Ministers, proposes the dissolution to the President of the Republic, who may enact it by decree.

Following the presidential decree, an extraordinary commission composed of three members — usually senior civil servants or magistrates — is appointed to administer the municipality. This commission exercises the same powers as the Municipal Council, the Mayor and the Executive Board (Giunta) during the period of extraordinary administration. (Art. 143 TUEL)

### **2.1 The link between Mafia and politics and the rationale behind municipal dissolution**

The need for such an extraordinary mechanism arises from the structural interconnection between organised crime and political power in Italy (Vannucci, 2019). Mafia-type organisations have historically consolidated their influence not only through coercion or economic control, but also through alliances with segments of the political and administrative system, which provided them with legitimacy and protection. Particularly after World War II, this relationship underwent a profound transformation: mafia shifted from playing an ancillary role to establishing a symbiotic and mutually

beneficial partnership with political actors, becoming an integral part of local governance dynamics in several regions. (Sergi, 2015)

The so-called *First Italian Republic*, an unofficial term referring to the period between the foundation of the Republic in 1948 and the collapse of the traditional party system in the early 1990s, witnessed the consolidation of ties between the Mafia and Italian public authorities. This was also facilitated by the extensive use of violence by criminal clans, which culminated in the so-called *Mafia Wars* (*Guerre di mafia*), two violent conflicts that took place in Sicily during the second half of the twentieth century. The rapid rise to power of Mafia organizations, constellated by several assassinations of prosecutors, law enforcement officers and politicians, culminated in the so-called “*Trattativa Stato-Mafia*” (State-Mafia negotiations), allegedly held in 1992. This episode further revealed the fragile boundaries between State institutions and criminal power. According to judicial investigations and parliamentary reports, high-ranking officials were suspected of engaging in informal contacts with Cosa Nostra in an attempt to halt the terrorist campaign that followed the murders of judges Giovanni Falcone and Paolo Borsellino. (Dalla Chiesa, 2010)

Although the judicial truth remains contested, the affair profoundly shocked Italian public opinion, exposing the risk that even central institutions could become entangled with criminal interests.

Beyond the structural link between organised crime and politics, scholars have highlighted how mafia organisations historically embedded themselves in local society through forms of political exchange. In southern regions such as Calabria, Sicily and Campania, the so-called “*political-mafia exchange*” (Dalla Chiesa, 2010; Sciarrone, 2011) allowed criminal groups to provide electoral support, clientelistic networks and social control in exchange for administrative tolerance or the allocation of public contracts. This symbiosis blurred the boundaries between legitimate representation and criminal influence, eroding the autonomy of local institutions and undermining citizens’ trust in the state.

These developments highlight how the boundaries between legitimate and illegitimate power in Italy have often been blurred, creating the conditions that justify the existence of extraordinary administrative measures. While the 1991 decree introduced the possibility of dissolving local councils infiltrated by organised crime, the detailed procedures and legal safeguards were later codified in the Consolidated Law on Local Authorities (*Testo Unico degli Enti Locali* – TUEL). The current framework, established by Articles 143 to 146 of Legislative Decree No. 267 of 2000, defines both the substantive conditions and the procedural steps required for dissolution. The following section outlines the legal structure and practical implementation of this mechanism, which together shape the Italian model of state intervention in cases of mafia infiltration.

## **2.2 Procedure and legal application**

The power to dissolve local councils has long existed in Italian law, but its application to mafia infiltration derives from a specific set of legal conditions. Initially, Article 39 of Law No. 142 of 1990 allowed for dissolution in cases of “*serious reasons of public order.*” The growing penetration of organised crime into local administrations, which produced severe administrative dysfunctions and posed a threat to public security, prompted the legislator to create a more detailed and preventive mechanism.

Today, the measure is governed by Article 143 of Legislative Decree No. 267 of 2000 (the Consolidated Law on Local Authorities – TUEL). The article provides that the dissolution of a local

council may be ordered when “*concrete, univocal and significant evidence*” reveals either direct or indirect connections between elected officials and mafia-type criminal organisations, or forms of external conditioning capable of influencing administrative decisions. A direct connection implies the active participation of local administrators in criminal dynamics, whereas an indirect connection refers to cases of complicity or tolerance. *Conditioning*, on the other hand, includes more subtle forms of pressure or coercion exerted by organised crime, where officials, though not criminally involved, are unable to resist external interference in their decision-making.

To justify dissolution, these circumstances must produce two specific consequences:

1. a distortion in the formation of the political or administrative will of local bodies, affecting their impartiality and proper functioning; and
  2. a serious and lasting threat to public security.
- The link between these elements must be logically and explicitly demonstrated in the government’s reasoning.

The measure therefore has a preventive nature: it does not aim to punish individual responsibility but to remove criminal interference and protect the integrity of local government, ensuring the regular functioning of democratic institutions.

The mechanism operates within the constitutional framework established by Article 97 of the Italian Constitution, which guarantees the principles of good administration and impartiality. The dissolution procedure is designed to safeguard these principles when local self-government has been distorted by criminal conditioning. Central to this balance is the role of the Prefect, who serves as the Government’s representative at the provincial level and acts both as an administrative supervisor and as a guarantor of public order. In the dissolution process, the Prefect’s discretion is therefore functional to ensuring that the intervention remains technical rather than political in nature.

Over the years, scholars and practitioners have expressed concerns about the potential politicisation of dissolution decisions, given their profound impact on local democratic representation. In response to these concerns, the 2009 reform (Law No. 94/2009) strengthened procedural guarantees by setting stricter time limits and transparency requirements, thus reinforcing the objectivity of the Prefect’s inquiries and the neutrality of the Ministry’s final decision. The reform also consolidated judicial oversight, enabling administrative courts to verify the logical coherence and proportionality of dissolution decrees without undermining the Government’s preventive function.

The scope of application is defined in Article 146 TUEL, which extends the procedure to provinces, consortia of municipalities, local health authorities, special municipal or provincial agencies, mountain and island communities, and unions of municipalities, wherever compatible with their governance structures. However, the law does not explicitly mention *publicly owned companies* or *mixed-capital enterprises*. This omission has led to interpretative debates about whether similar mechanisms could be applied to *in-house* companies directly controlled by municipalities, whose activities often mirror those of public agencies. The absence of a specific instrument for these entities is considered a regressive step in the fight against criminal infiltration.

The procedure itself unfolds through several administrative stages. It begins with an investigative phase led by the Prefect, who collects information (often following police reports, press investigations or parliamentary inquiries) to identify signs of criminal influence. When sufficient evidence emerges, the Prefect appoints a Commissione d’accesso—a three-member investigative commission with full

inspection powers—under delegation from the Minister of the Interior. The commission has three months, extendable once, to complete its inquiry and submit a detailed report.

Following this, the Prefect evaluates the findings within 45 days, consulting the Provincial Committee for Public Order and Security, which includes the competent Public Prosecutor. If the Prefect considers dissolution justified, a report is sent to the Minister of the Interior, who may, within three months, propose dissolution to the Council of Ministers. The decision is then enacted by Presidential Decree, which must specify the evidence supporting the decision and is transmitted to Parliament for oversight.

Once the decree is issued, all elected bodies—the Mayor, Council and Executive Committee—are removed from office, and an extraordinary commission of three civil servants or magistrates takes over administration. The duration of the extraordinary management is 12 to 18 months, extendable up to 24 months in complex cases.

The 2009 reform (Law No. 94/2009) refined Article 143 by formalising investigative time limits and introducing greater transparency requirements for both the Prefect and the Ministry of the Interior, in order to prevent excessive procedural delays and ensure the neutrality of decisions.

Overall, this multi-layered procedure seeks to balance the protection of legality with the autonomy of local self-government, reflecting the exceptional nature of a measure that allows the State to intervene directly in elected institutions.

The procedural architecture outlined above illustrates the exceptional degree of oversight and institutional coordination required to implement Article 143 TUEL. Yet, beyond its complex legal design, the dissolution mechanism also embodies a broader political and administrative rationale. Understanding the intended goals of this measure—its preventive, corrective, and symbolic dimensions—is essential to grasp why the Italian State continues to rely on such an extraordinary instrument to safeguard local governance from criminal influence.

## **2.3 Intended goals of the measure**

The dissolution of municipal councils for mafia infiltration was designed as an extraordinary and preventive tool of public administration, rather than as a punitive sanction. Its main purpose is to stop an ongoing risk to the integrity of local government once “*concrete, unambiguous and relevant elements*” suggest that the administration has been influenced by organized crime. For this reason, measures have a preventive rather than retributive nature.

The first and most immediate goal is to restore legality and allow the local administration to function normally again, by re-establishing transparent procedures and ensuring that public services continue to operate. In this perspective, dissolution and the following commissarial management are part of the same process: removing the compromised body and rebuilding a functioning administration under government supervision.

A second goal is to protect democratic institutions in exceptional situations. When criminal networks penetrate local politics, the democratic system itself is threatened. In such cases, Parliament authorizes the Government to use extraordinary powers to separate politics from criminal influence and to restore citizens' confidence in the rule of law.

The measure also has a rehabilitative dimension. Beyond cutting the criminal link, the State aims to rebuild the administrative capacity of the municipality during the period of extraordinary management, so that the intervention is not just suppressive but also remedial.

Finally, recent debates have stressed the need for more proportional and flexible solutions. In situations where a full dissolution is not necessary, alternative measures — such as temporary tutors, commissioners *ad acta*, corrective plans or stricter reporting duties — may help resolve the problem more quickly and bring the entity back to normal. These options follow the principles of subsidiarity, adequacy and differentiation, turning the intervention into a more targeted and restorative tool instead of a one-size-fits-all remedy. (Dalla Chiesa, 2010)

In legal doctrine, the dissolution mechanism has been widely interpreted through the lens of preventive administration (*amministrazione di prevenzione*), a distinctive feature of the Italian legal tradition that allows the State to act before criminal liability is established. This approach aligns with the constitutional principle of *good administration* under Article 97 (Art. 97 Cost.), as the measure aims to preserve the functionality and impartiality of public offices rather than to punish individuals.

Italian administrative jurisprudence has consistently affirmed this interpretation. The Consiglio di Stato—Italy's highest administrative court—has repeatedly stressed that dissolution under Article 143 TUEL does not entail a finding of culpability, but rather seeks to “remove a factual situation of risk” and to restore the integrity of governance (Cons. Stato, decisions No. 5643/2015; No. 1711/2019). The TAR Lazio, in its judgment No. 4031/2016, similarly noted that the provision “serves the public interest in preventing administrative paralysis and maintaining citizens' trust in democratic institutions.” These decisions underscore the measure's preventive and institutional—not punitive—character.

The measure also carries a strong symbolic dimension. Beyond its administrative outcomes, it represents the visible assertion of the State's authority in territories where legality has been compromised. (Dalla Chiesa, 2010) The replacement of elected bodies with an extraordinary commission conveys a message of institutional regeneration, signalling that public institutions remain capable of self-correction. However, this symbolism entails delicate political costs: while dissolution can reaffirm legality, it temporarily suspends democratic representation and risks alienating local communities if perceived as an act of central imposition. (Occhiuzzi, 2019)

In this sense, the Italian model oscillates between two imperatives: the need to guarantee legality and the duty to preserve local autonomy. Its effectiveness therefore depends not only on the quality of investigations and the efficiency of commissarial management, but also on the State's capacity to accompany extraordinary administration with credible support for institutional rebuilding and civic participation.

## **2.4 Critical Issues and Debates Surrounding the Dissolution Mechanism**

Despite its preventive logic and its central role in Italy's strategy against mafia infiltration, the dissolution of municipal councils remains one of the most debated and controversial instruments of Italian administrative law. Over more than three decades of implementation, scholars, courts and

parliamentary commissions have repeatedly highlighted structural weaknesses which continue to fuel an intense debate about its democratic legitimacy, legal precision and overall effectiveness. (Dalla Chiesa, 2010)

A first and widely discussed issue concerns the absence of procedural participation for local authorities during the dissolution process. Article 143 TUEL does not provide mayors, councillors, or municipal executives with any formal opportunity to take part in the investigation or to respond to the allegations that may lead to their removal. This omission generates a tension with general principles of administrative law, particularly the right to be heard and the constitutional requirement of good administration under Article 97. The problem is amplified by the preventive nature of the measure: as repeatedly affirmed by administrative courts, including the TAR Lazio (TAR Lazio, Roma, Sez. I, 13 February 2017, n. 2454) and the Consiglio di Stato (Cons. Stato, Sez. III, 3 March 2016, n. 882; 6 April 2018, n. 2143), dissolution does not require evidence of criminal liability but only a coherent set of indicators suggesting that the administration may be conditioned by criminal influence. This reduced standard of proof—often expressed in the jurisprudential notion of “more probable than not”—makes the lack of adversarial guarantees particularly sensitive. Scholars warn that removing elected representatives without any procedural participation risks producing a democratic deficit, especially in territories already characterised by fragile institutional trust. Participation would not only reinforce legitimacy but also improve fact-finding, since administrators are often best placed to contextualise irregularities or explain local constraints. The 2022 Parliamentary Antimafia Commission proposed introducing some structured form of hearing during the *accesso* phase, arguing that this would allow a better balance between the demands of legality and the principle of democratic representation. (XVIII Legislature, Final Report, 7 September 2022)

A second fundamental criticism concerns the indeterminacy of the legal concepts used in Article 143, particularly the references to “direct or indirect links” with mafia organisations and “forms of conditioning” of administrative decisions. These expressions are intentionally broad, reflecting the need for flexibility in responding to a multifaceted and adaptive criminal phenomenon. Yet their vagueness raises concerns about legal certainty, consistency of application and predictability for local authorities. The lack of precise statutory definitions grants a wide margin of discretion to prefectures and to the Ministry of the Interior, increasing the risk of uneven or politically sensitive application. In response, administrative jurisprudence has developed an open catalogue of “symptomatic indicators”—such as recurrent contact with criminal actors, electoral support from clans, anomalies in procurement, discretionary or unlawful concessions, and structural illegality within the administration—to guide the evaluation of risk. Although this judicial elaboration provides some interpretive guidance, it does not fully resolve concerns about the breadth of administrative discretion. Several scholars therefore advocate for a partial legislative codification of risk indicators, which would respect the preventive nature of the measure while ensuring greater legal certainty. (Fiandaca, 2012)

A further critical point concerns the risk of politicisation, arising from the highly centralised and discretionary character of the dissolution procedure. The prefect exercises significant investigative and evaluative powers, the Ministry of the Interior retains full discretion in deciding whether to propose dissolution, and the final decision is adopted collectively by the Council of Ministers and formalised by the President of the Republic. Although this multi-layered structure is designed to ensure neutrality, critics note that it inevitably exposes the process to political sensitivities. Administrative courts review dissolution decrees only for manifest illogicality or procedural defects, not for the substantive accuracy of factual assessments (Cons. Stato, Sez. III, 3 March 2016, n. 882; 6 April 2018, n. 2143). This limited judicial review reinforces the importance of strong procedural

guarantees at the executive stage—precisely where, as noted, participation is lacking. The 2009 reform strengthened transparency and imposed strict timelines in order to reduce the risk of political misuse, but concerns about the potential for politicisation persist, particularly in highly contentious local contexts. (Dalla Chiesa. 2010)

Another area of critique focuses on insufficient attention to municipal bureaucracies. While Article 143 is primarily oriented toward the removal of elected bodies, investigations often reveal that the most entrenched and operationally significant collusion with organised crime occurs within the administrative structure: procurement offices, technical departments, and long-tenured civil servants. Although Article 143 allows for the suspension of compromised employees, this power is merely facultative, not obligatory. As a result, the dissolution may eliminate the political leadership but leave intact administrative networks that facilitated illicit practices. This asymmetry undermines the long-term effectiveness of the intervention. In several municipalities subsequently dissolved multiple times, the recurrence of infiltration can be traced to bureaucratic continuity rather than political relapse. Scholars and the Antimafia Commission have therefore proposed strengthening the measures applicable to the administrative apparatus, including mandatory suspension of compromised staff, temporary replacement via mobility or external recruitment, and specialised task forces to support the extraordinary commission's work. (XVIII Legislature, Final Report, 7 September 2022)

More broadly, critics question the overall effectiveness of the dissolution mechanism. Empirical data indicate that nearly 400 municipalities have been dissolved since 1991, with numbers increasing in recent years rather than decreasing. Several municipalities have been dissolved more than once, indicating structural vulnerabilities that the measure alone is not able to resolve. Extraordinary commissions, despite their technical expertise, often face severe resource constraints, limited administrative cooperation, and high expectations from local communities. In some cases, the period of extraordinary administration leads not to institutional strengthening but to administrative paralysis, delays in public services, or the postponement of strategic decisions. These limitations weaken the capacity of dissolution to generate lasting improvements in governance and may contribute to a cycle of instability, especially in socio-economically fragile areas.

Finally, the dissolution mechanism also carries a symbolic dimension, which can produce ambivalent effects. On the one hand, it represents a strong and visible assertion of the State's presence in territories where legality has been compromised, reaffirming that democratic institutions are capable of self-correction. On the other hand, if not accompanied by long-term support, civic engagement initiatives, and administrative strengthening, the measure can be perceived as a punitive intervention imposed from outside, potentially reinforcing local distrust and weakening the bond between citizens and institutions.

Taken together, these critical issues reveal that dissolution, although indispensable within the Italian anti-mafia framework, is not a self-sufficient remedy. Its legitimacy and effectiveness depend on continuous refinement of procedural guarantees, clearer legislative criteria, stronger attention to the administrative structure of local governments, and sustained support to rebuild institutional capacity after extraordinary administration. Only through a balanced approach can the dissolution mechanism fully realise its intended preventive and restorative functions.

## **2.5 Concluding remarks: balancing legality, autonomy and the evolving nature of infiltration**

The Italian system of municipal dissolution stands out as one of the most advanced and ambitious administrative mechanisms developed in Europe to safeguard local institutions from criminal

interference. Its preventive logic, the central role assigned to the Prefect, and the multi-layered system of institutional oversight reflect a long historical experience in which mafia-type organisations have demonstrated a capacity not only to exert coercion, but to embed themselves within political, bureaucratic and economic networks. In this sense, the dissolution mechanism does not operate in isolation: it represents the culmination of a broader national strategy that includes criminal law, preventive measures, administrative controls and public procurement regulations. Its exceptional character derives precisely from the fact that it intervenes when these ordinary tools have proven insufficient to shield local governments from criminal conditioning.

Over more than thirty years of application, the strengths of the mechanism have become evident. Dissolution provides the State with a rapid and legally structured means to interrupt situations of infiltration that may not yet meet the threshold of criminal liability but nevertheless compromise the impartial, transparent and efficient functioning of public administration. The extraordinary commission, in turn, allows for a complete reorganisation of local structures, often addressing areas of chronic weakness—such as procurement, urban planning or financial management—where criminal networks tend to concentrate their influence.

At the same time, these very features highlight the inherent tension that characterises the mechanism. Dissolution inevitably suspends the democratic mandate conferred by voters, replacing elected representatives with appointed commissioners. Even when justified, this interruption of democratic representation raises questions about proportionality, accountability and the relationship between central authority and local autonomy. Public perception plays a crucial role: in some communities dissolution is seen as a necessary act of protection; in others, as an imposition from above that risks penalising the entire political community for the actions or omissions of a small group of individuals.

A further source of debate concerns the evidentiary threshold required to justify dissolution. The preventive nature of the measure does not demand proof of criminal responsibility; rather, it relies on a set of “concrete, univocal and relevant” indicators that must be interpreted within their local context. While this flexibility is necessary to capture complex patterns of influence, it also exposes the mechanism to criticism for its potential indeterminacy and for the risk—perceived or real—of uneven application across territories.

These elements suggest that the dissolution mechanism, although indispensable, cannot be considered a static instrument. The evolution of organised crime, increasingly oriented towards economic infiltration and the manipulation of administrative processes, requires continuous reflection on the adequacy, proportionality and precision of the legal framework. The reforms introduced in 2009, which strengthened transparency and procedural guarantees, represented an important step in this direction, but the debate on further adjustments remains open both among scholars and within Parliament.

Understanding these strengths and limitations is essential before examining how other countries address similar challenges. The following chapter adopts a comparative perspective, analysing the tools developed in different jurisdictions to protect local institutions from corruption and criminal interference. This comparison provides the conceptual basis for evaluating the effectiveness of the Italian model, which will be discussed in the subsequent sections.

## **Chapter 3 – Comparative models of State intervention in local governments**

### 3.1 Introduction

Italy is one of the very few European countries in which the central government can directly remove a local administration on the basis of criminal infiltration. In most jurisdictions, interventions of this type follow different logics: some are grounded in the traditional supervision of administrative legality, others focus on corruption, others still are activated when local authorities become unable to guarantee basic standards of governance or public safety. For this reason, a comparative perspective is essential to understand what makes the Italian model distinctive and to evaluate whether similar concerns are addressed elsewhere through alternative legal tools.

This chapter analyses four national contexts that offer particularly useful points of comparison: France, Spain, the United Kingdom and Mexico. Each of these countries has developed mechanisms that allow national or regional authorities to step into local government under exceptional circumstances, but the nature of these circumstances and the rationale behind the interventions differ significantly. France relies on a long-established system of administrative oversight exercised by the *préfet*. Spain has introduced procedures that allow the dissolution of local councils in cases of entrenched corruption or serious breaches of legality. In the United Kingdom, central authorities intervene when an authority is judged unable to meet minimum standards of governance, especially in the management of public services. Mexico, finally, provides an example of a federal system confronted with severe forms of organised criminal violence, where state and federal governments may replace municipal administrations when local institutions become unable to ensure public security.

Taken together, these cases illustrate a range of possible approaches through which national authorities can replace or override local governments. They also help to clarify the position of the Italian mechanism within a broader international landscape: whether it aligns with existing models, whether it departs from them, and to what extent the challenges it addresses are shared across countries or specific to the Italian context.

### 3.2 France

In France, the relationship between central authorities and local administrations is structured around a strong tradition of administrative tutelle and hierarchical oversight, which makes the French model of intervention deeply different from the Italian anti-mafia dissolution mechanism. Although France does not possess an instrument equivalent to Article 143 TUEL, the French State retains broad supervisory powers allowing it to intervene in cases of severe administrative dysfunction, corruption, mismanagement of public funds or breaches of republican principles. The closest institutional analogue is the *mise sous tutelle* and the dissolution or suspension of municipal councils under the *Code général des collectivités territoriales* (CGCT), particularly Articles L2121-6 and L2121-7, which empower the central government to remove elected bodies and appoint a temporary administrator when “serious irregularities” threaten the proper functioning of local democracy. However, the French system is designed around the assumption that threats to municipal integrity stem from maladministration or clientelism rather than infiltrations by criminal organisations. For this reason, dissolution is extremely rare and framed as a last-resort option, activated when the council is unable to function, violates budgetary rules or behaves in a manner incompatible with republican legality.

Practically, the Prefect—the State representative at the departmental level—plays a crucial role, acting as both supervisor and guarantor of legal compliance. Prefects can refer cases to the *Conseil des ministres* when they identify structural corruption, illegal procurement practices or persistent violations of financial rules. Before reaching the stage of dissolution, the French system heavily relies on preventive and corrective tools, such as administrative audits conducted by the *Chambre régionale des comptes*, budgetary rebalancing plans imposed by the Prefect, and mandatory compliance orders (*injonctions*). This multistep approach demonstrates the French preference for graduated intervention: the objective is not to interrupt democratic life, but to guide the administration back into legality. Dissolution becomes thinkable only when elected officials obstruct audits, refuse to adopt a balanced budget, or engage in systematic breaches of transparency obligations. Even in these cases, the French doctrine emphasises that the measure must remain proportionate, temporary and strictly justified by legal necessity.

Notwithstanding the absence of a mafia-related dissolution tool, the French legal system has confronted significant corruption scandals that have tested the adequacy of its oversight mechanisms. Cases such as the *affaire des marchés publics d'Île-de-France*, the scandals involving municipal contracting in Marseille, or the corruption investigations targeting mayors in the Mediterranean region (notably in Nice, Toulon and Montpellier) demonstrated how entrenched patronage networks, though not “mafia” in the Italian sense, can distort local governance and foster opaque distribution of public contracts. These episodes prompted debates on whether the French State should adopt a stronger extraordinary intervention tool comparable to Italy’s, especially in regions where narco-trafficking and organised criminal groups (notably in Marseille and Corsica) have increasingly attempted to influence procurement processes and local elites. Nevertheless, French legal culture remains sceptical about mechanisms that suspend democratic representation, preferring criminal prosecution and judicial control over administrative substitution.

The rarity of municipal dissolution in France confirms this institutional philosophy. Between 1982 and 2022, only a handful of councils were dissolved by decree, usually due to persistent budgetary illegality or internal paralysis, not corruption. A notable example occurred in 2018 in the municipality of Corbeil-Essonnes, historically affected by clientelistic networks and corruption cases tied to local political figures. While the council was not dissolved for mafia infiltration, the scandal spurred public debate on the State’s inability to intervene earlier and more decisively. Another illuminating case is Marseille, where severe irregularities in housing, procurement and urban planning led to successive audits, judicial investigations and arrests of municipal officials; yet, despite the gravity of the dysfunctions, the State chose not to dissolve the council, demonstrating the high political and legal threshold required for such an intervention.

Recent reforms illustrate how the French system is adapting rather than replacing its model. The 2016 *Loi Sapin II* strengthened anti-corruption governance, imposed compliance obligations on local administrations, expanded the powers of the *Agence Française Anticorruption* (AFA) and created more robust whistleblowing protections. The AFA regularly audits municipalities, issuing binding recommendations and assisting the Prefect in identifying structural corruption risks. Although these mechanisms do not replicate Italy’s extraordinary dissolution, they represent an evolving ecosystem of preventive tools designed to reduce the need for drastic measures. At the same time, academic and parliamentary debates continue to discuss the possibility of introducing stronger administrative controls in areas characterised by high levels of organised criminality, particularly in Corsica and the Mediterranean coast, where homicides, extortion and infiltration attempts by drug-trafficking organisations have increased.

Overall, the French model does not offer a direct analogue to the Italian dissolution mechanism; instead, it reflects a governance philosophy centred on administrative correction, judicial repression of corruption and minimal interference with democratic mandates. This approach highlights important comparative insights: while Italy privileges a preventive, extraordinary administrative response capable of acting without judicial certainty, France prioritises judicial intervention, financial oversight and proportional corrective measures. For the purposes of this study, the French case demonstrates an alternative conception of State intervention: one that seeks to preserve local autonomy as far as possible, even at the cost of slower or less visible reactions to systemic corruption. This divergence underscores the distinct legal cultures shaping anti-corruption policy in Europe and provides a valuable benchmark for evaluating the specificity and potential limits of the Italian model.

### **3.3 Spain**

The Spanish experience with corruption at the local level develops along a trajectory that differs substantially from the Italian one, yet it offers a useful comparative lens to understand how democratic systems react when municipal administrations become vulnerable to systemic risks. Spain, similarly to France, does not possess a mechanism comparable to the Italian dissolution procedure under Article 143 TUEL, and local councils cannot be suspended or replaced solely on the basis of infiltration or external conditioning. Nevertheless, the country has faced several major corruption scandals, especially during the construction and real-estate boom that marked the 1990s and early 2000s. These scandals revealed how competences in urban planning, procurement and land management created ideal conditions for clientelistic networks and illicit exchanges between elected officials, private developers and, at times, criminal groups.

During the 2000s the scale of municipal corruption became particularly visible. The most emblematic case was “Operación Malaya” in the city of Marbella. After years of investigations showing a pervasive system of political corruption, illicit enrichment and large-scale misappropriation of public assets, the Spanish central government took an extraordinary step in 2006 and removed Marbella’s entire municipal council. This action did not arise from a preventive institutional framework similar to Italy’s, but rather from the government’s residual power to restore legality when an administration has collapsed. The case exposed the vulnerabilities of Spain’s model of municipal autonomy, particularly in an environment marked by rapid urbanisation and abundant opportunities for collusion between political actors and private economic interests.

Academic literature portrays Spain’s local corruption as a phenomenon linked less to organised crime than to patterns of political patronage, urban speculation and insufficient administrative oversight. Jiménez and Villoria (2010) emphasise the persistent weakness of local integrity systems, pointing to insufficient transparency, deficient procurement controls and a political culture that often tolerated discretionary decision-making. In a similar vein, Drápalová and Di Mascio (2020) argue that the success or failure of anti-corruption efforts in Spanish municipalities depends largely on the quality of local political leadership, the professionalisation of administrative structures and the presence of autonomous watchdog bodies rather than on strong central intervention.

Institutionally, Spain relies on criminal prosecution, administrative sanctions, internal auditing bodies and a growing body of transparency legislation. A significant step forward was the adoption of the 2013 Transparency and Good Governance Law (Ley de Transparencia, Acceso a la Información Pública y Buen Gobierno), which strengthened obligations for openness and introduced sanctions for misuse of public resources. Despite these improvements, enforcement remains uneven across regions, and several scholars note that Spain still lacks a preventive mechanism capable of intervening before corruption becomes systemic. Unlike Italy’s risk-based system, Spain tends to respond only once

criminal conduct has been established or when governance has already collapsed, as in the Marbella case.

Nevertheless, Spain also offers examples of municipalities that have succeeded in reducing corruption through strong political commitment, participatory governance and administrative reforms. Drápalová and Di Mascio highlight cases such as Sant Cugat del Vallès and Getxo, where long-term integrity policies based on competitive procurement, digitalisation and collaborative oversight helped build resilient local governments. These experiences demonstrate that corruption is not inevitable and that institutional integrity can be cultivated through sustained administrative capacity and local leadership.

Overall, the Spanish case illustrates the consequences of operating without a preventive, administrative tool similar to Italy's dissolution mechanism. Spain's reactive approach often allows corruption to advance significantly before intervention becomes possible. The comparison with Italy therefore reveals two distinct models: a judiciary-centred system that intervenes after corruption has materialised, and a preventive system that seeks to protect institutions before the damage becomes irreversible. This contrast is essential for assessing the strengths and weaknesses of the Italian model, particularly with regard to proportionality, democratic legitimacy and the long-term resilience of local governance.

### **3.4 United Kingdom**

The United Kingdom provides a remarkably different model of state intervention in local administrations, one that relies on strong oversight mechanisms rather than the dissolution of elected bodies. The British tradition of local governance combines broad municipal autonomy with rigorous supervision from central authorities, especially when an authority fails to meet essential standards of legality, transparency or administrative performance. Unlike Italy, the United Kingdom does not operate on a preventive logic aimed at stopping criminal infiltration before it materialises. Instead, British interventions are triggered by the collapse of governance, the deterioration of public services or the inability of a council to comply with its statutory obligations.

The cornerstone of this system is the Best Value framework established by the Local Government Act 1999. Under this legislation, local authorities must demonstrate that they provide services efficiently, transparently and in a manner consistent with the public interest. When they fail to do so, the central government has the power to order an external inspection to determine whether the authority has breached its duties. These inspections, often entrusted to independent audit firms or senior public officials, examine procurement procedures, financial management, internal controls, governance standards and the conduct of elected officials. If the inspection uncovers "serious or persistent failures", the Secretary of State may intervene directly.

State intervention takes the form of the appointment of commissioners, who assume control of specific functions within the council. This mechanism is deliberately targeted: rather than suspending the entire elected body, the government temporarily transfers authority over problematic sectors, such as procurement, regeneration, financial management or governance. The elected council remains in place, but its decision-making power in certain areas is suspended until the commissioners have stabilised the situation. This model reflects a philosophy of proportional supervision, where the intervention is calibrated to the gravity of the dysfunction without interrupting democratic representation more than necessary.

Several high-profile cases illustrate how this system operates. The intervention in Tower Hamlets in 2014 marked one of the most significant challenges to local democracy in recent British history. An external audit revealed irregularities in public grant distribution, procurement practices compromised by political interference and severe breaches of impartiality. The government responded by installing commissioners with extensive powers over governance, financial controls and procurement, thereby neutralising the most compromised functions while leaving the council formally intact. A similar logic was applied in Rotherham in 2015, where the catastrophic handling of child protection issues exposed systemic governance failures. The government placed most local functions under commissioner control for several years, demonstrating that the mechanism is triggered not only by corruption but by any collapse of administrative capacity. More recently, the 2020 intervention in Liverpool City Council followed a best-value inspection that revealed pervasive governance failures in property management and regeneration projects. The government again appointed commissioners with oversight powers, focusing on rehabilitating the authority rather than dissolving its political structure.

Academic analyses of British local governance emphasise that the system is guided by pragmatic institutional concerns. The objective is not to prevent criminal infiltration in a strict sense, but to preserve the integrity, efficiency and legality of public administration. According to scholars such as Tony Travers and Colin Copus, British interventions are justified when institutional performance deteriorates to the point of undermining public trust, irrespective of whether criminal organisations are involved. This contrasts sharply with the Italian framework, where the central problem is the preventive need to sever any potential link between public authority and organised crime.

A crucial element distinguishing the British model from the Italian one is the multi-step escalation of interventions. Before any commissioners are appointed, the government must first conduct an independent inspection, publish the findings and demonstrate that the council has failed to meet its legal obligations. Only then can targeted functions be temporarily removed from local democratic control. This structure allows the State to maintain oversight while preserving the continuity of representation, reducing the democratic trauma associated with more invasive measures such as dissolution.

The British experience therefore shows that democratic systems can develop robust and effective oversight tools without resorting to a complete removal of elected institutions. By relying on external inspections, progressive supervision and the temporary delegation of powers to commissioners, the United Kingdom is able to restore legality and administrative capacity while safeguarding local democracy. This approach contrasts with the Italian model's reliance on full dissolution, demonstrating that alternative mechanisms can achieve similar preventive and corrective goals through less disruptive means. The proportionality and flexibility of the British system represent a valuable point of comparison for evaluating potential reforms and identifying more adaptable strategies for protecting local governance from dysfunction or improper influence.

### **3.5 Mexico**

Mexico represents one of the most complex and revealing cases for understanding how criminal organisations infiltrate local governments and how the State responds when municipal authorities become compromised. Unlike European democracies, Mexico faces a form of organised crime that often behaves as a parallel sovereign actor, with the capacity to co-opt, intimidate or directly replace political authorities. This structural vulnerability is rooted in the country's federal system, which grants significant autonomy to municipalities while simultaneously limiting their financial resources and security capacities. The combination of institutional fragility, chronic underfunding and pervasive criminal violence has created a political ecosystem in which local governments frequently become

the primary point of contact between the State and criminal groups. Scholars such as Guillermo Trejo and Sandra Ley have shown that cartels deliberately target municipalities because they provide access to police forces, public works, land-use permissions, infrastructure contracts and strategic information, all of which are crucial for maintaining territorial control and economic operations.

The Mexican State does not possess a formal equivalent of Italy's municipal dissolution mechanism. However, it has developed a series of ad hoc interventions in response to extreme cases of infiltration, collusion or administrative collapse. These interventions operate through a combination of federal and state-level powers, most notably the capacity of governors to assume control over municipal functions when public order is severely compromised. In practice, the mechanism resembles a de facto takeover rather than a legally codified dissolution. Governors may remove local police forces, replace municipal security structures, appoint interim administrators or request the intervention of federal security agencies, including the army and the National Guard. This structure has produced a hybrid system that combines administrative supervision, emergency security measures and political intervention, often without the transparent procedural guarantees typically found in European oversight mechanisms.

Several emblematic cases illustrate the dynamics of collusion and state intervention in Mexico. The most internationally known is the case of Iguala, in the state of Guerrero, where the disappearance of forty-three students from the Ayotzinapa Rural Teachers' College in 2014 exposed a deeply compromised municipal administration. The mayor, José Luis Abarca, and the municipal police were directly linked to the criminal group Guerreros Unidos, which had effectively captured the local government apparatus. The federal government responded by arresting the mayor, dissolving the municipal police, deploying federal forces and placing the city under a form of emergency administration. Although the municipality was not formally dissolved, its entire security and administrative structure was replaced, highlighting the extraordinary vulnerability of local governance in regions where cartels act as parallel authorities. The case of Iguala became a turning point in the national debate, revealing how cartels could infiltrate the electoral process, control public security forces and operate with near-total impunity at the municipal level.

Other states exhibit similar patterns. In Michoacán, for example, the federal government intervened repeatedly between 2006 and 2015, replacing local police forces and appointing temporary administrators in municipalities controlled by the Knights Templar cartel. In Tamaulipas, one of the regions most affected by organised crime, governors have repeatedly taken over security and administrative functions in municipalities where local authorities were found to be collaborating with criminal organisations such as the Gulf Cartel or Los Zetas. The intervention in the municipality of Apatzingán, where the local government openly cooperated with criminal groups, prompted the federal executive to place the area under military control and initiate a federal investigation into collusion between municipal officials and cartel leaders. These interventions demonstrate that the Mexican system relies heavily on the discretionary use of executive powers rather than on a standardised, legally bounded procedure akin to the Italian dissolution framework.

Academic literature has repeatedly emphasised the structural factors that render Mexican municipalities particularly vulnerable to criminal penetration. These include the absence of professionalised local police forces, the high turnover of municipal administrations due to short electoral cycles, limited financial autonomy, weak internal controls and the capacity of criminal groups to deploy coercion and selective violence against local officials. Research by Osorio and others has highlighted how competition between cartels amplifies violence in municipalities, making local governance unstable and exposing elected officials to significant risks. In many regions, mayors

face a stark choice between cooperation and assassination. This dynamic creates what scholars call violent clientelism, a system in which criminal groups use a combination of selective violence, intimidation and co-optation to extract compliance from local authorities.

Mexico has attempted to strengthen institutional resilience through various reforms. The 2008 criminal justice reform, the creation of the National Anticorruption System in 2015 and the gradual militarisation of public security have all been presented as measures to stabilise local governance. However, these interventions remain unevenly applied and often insufficient. The OECD Integrity Review of Mexico (2017) underscored the need for more systematic oversight mechanisms, noting that the absence of a unified national framework for intervening in compromised municipalities leaves responses fragmented and highly dependent on political discretion. The National Anticorruption System has created new transparency obligations and oversight bodies, yet these institutions lack enforcement capacity in regions where criminal organisations exert territorial control. As a result, administrative and anticorruption mechanisms often remain ineffective precisely in the areas where they are most needed.

The Mexican model highlights the direct relationship between territorial control and the ability of the State to enforce legality. While Italy’s dissolution mechanism is designed to sever collusion before it becomes structurally embedded, Mexico intervenes only after governance has collapsed or when violence reaches intolerable levels. The absence of a formal dissolution procedure reflects both the extreme complexity of Mexico’s security context and the limits of the State’s capacity to reconstitute municipal authority once it has been compromised. Unlike the British system, which deploys targeted functional interventions, or the Italian system, which employs preventive administrative measures, Mexico relies on emergency executive authority, often backed by military support. This approach underscores a structural paradox: the regions most affected by criminal infiltration are often those where institutional capacity is weakest and where the State is least able to guarantee sustained oversight.

Taken together, the Mexican experience offers a counterpoint to European models by illustrating the consequences of chronic institutional fragility and the absence of stable oversight instruments. It demonstrates that without a clear legal framework for responding to compromised municipal governments, interventions tend to be reactive, inconsistent and heavily dependent on political considerations. It also underscores the importance of preventive administrative mechanisms in contexts where criminal organisations actively seek to capture local state structures. In comparative perspective, Mexico reveals how the dissolution of municipal governance can occur even in the absence of a formal dissolution mechanism, and how the restoration of legality is particularly challenging when criminal groups exert territorial dominance. This case therefore provides a valuable analytical contrast for understanding the strengths and limitations of the Italian model and for reflecting on the importance of timely, institutionalised interventions in safeguarding local democracy.

### 3.6 Comparative analysis conclusions

<b>Country</b>	<b>Type of intervention</b>	<b>Authority in charge</b>	<b>Triggering Conditions</b>	<b>Effect on elected bodies</b>	<b>Duration</b>	<b>Preventive or punitive logic</b>
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Italy	Dissolution of municipal council under Art. 143 TUEL	Central government (Prefect, Ministry of Interior, Council of Ministers, President of the Republic)	Evidence of mafia infiltration or criminal conditioning	Full removal of mayor, council and executive; replacement by extraordinary commission	12–18 months, extendable to 24	Preventive, institutional
France	Administrative supervision, judicial intervention, or mayoral removal in extreme cases	Prefect and administrative courts; criminal courts for corruption cases	Serious administrative irregularities, corruption, or criminal convictions	Usually individual sanctions: council normally remains in place	Case-dependent	Mainly punitive and judicial
Spain	Dissolution of municipal councils in exceptional cases (e.g. links to criminal or anti-constitutional activities)	Central government with parliamentary involvement	Serious threats to constitutional order or proven criminal links	Full dissolution of council and new elections or interim administration	Temporary, until new elections	Exceptional, constitutional safeguard
United Kingdom	Central government intervention and appointment of commissioners	Secretary of State for Levelling Up, Housing and Communities	Systemic governance failure, corruption, or mismanagement	Council formally remains, but powers transferred to appointed commissioners	Variable, until performance improves	Corrective, managerial
Mexico	Dissolution of municipal authorities or appointment of provisional administrations by state authorities	State governments or state congresses	Political crises, criminal infiltration, or breakdown of public order	Political crises, criminal infiltration, or breakdown of public order	Until new elections or stabilization	Political and security-driven

The comparative overview presented in this chapter highlights how different institutional systems address corruption and criminal infiltration at the local level through markedly distinct approaches. France relies on exceptional and case-specific state interventions aimed at restoring administrative

legality, Spain privileges judicial and transparency-based responses that activate only once corruption has fully materialised, and the United Kingdom adopts a graduated model of oversight based on performance failures rather than criminal risk. Mexico, by contrast, illustrates the consequences of systemic institutional fragility, where the absence of a stable preventive framework often leads to emergency interventions once local governance has already collapsed.

Taken together, these cases reveal that there is no single model for protecting local democracy from corruption. Instead, national responses reflect broader constitutional traditions, state capacity and the nature of the threats faced. The Italian model of municipal dissolution stands out for its preventive logic and its focus on severing criminal influence before it becomes irreversible. At the same time, the comparison underscores the tensions inherent in such an approach, particularly regarding proportionality, democratic legitimacy and long-term institutional recovery.

This comparative perspective provides the analytical foundation for the next stage of the analysis. By moving beyond legal design and institutional intent, the following chapter assesses whether the Italian dissolution mechanism effectively achieves its stated goals in practice. Examining empirical data on dissolved municipalities, recidivism rates and the outcomes of commissarial management will allow for a more nuanced evaluation of the strengths and limitations of this extraordinary instrument.

## **Chapter 4 – Assessing the effectiveness of municipal dissolution**

The effectiveness of the dissolution of municipal councils for mafia infiltration represents one of the most debated aspects of the Italian anti-mafia framework. While the legal rationale and institutional design of the measure are well established, its actual capacity to achieve the intended goals remains contested. The central question is whether the dissolution mechanism succeeds in restoring legality, preventing renewed criminal influence and strengthening local governance in the medium to long term, or whether it merely produces temporary administrative normalization without addressing the structural conditions that enable infiltration.

Assessing effectiveness in this context is particularly complex. Unlike criminal sanctions, the dissolution of a municipal council is a preventive and administrative measure, whose outcomes cannot be evaluated solely through judicial indicators such as convictions or indictments. Its impact must instead be assessed through a combination of institutional, administrative and political variables, including the duration and quality of commissarial management, the recurrence of dissolution in the same municipalities, the capacity of local administrations to regain autonomy after extraordinary administration, and the broader effects on public trust and democratic participation.

This chapter adopts a multidimensional approach to evaluate the effectiveness of the Italian dissolution mechanism. First, it examines quantitative indicators related to the frequency of dissolutions, geographical distribution and rates of recidivism, drawing on data from the Ministry of the Interior and parliamentary reports. Second, it analyses the outcomes of commissarial management, focusing on its capacity to restore administrative functionality and interrupt entrenched networks of influence. Third, it considers the unintended consequences of dissolution, including democratic costs, administrative stagnation and the risk of institutional dependency on extraordinary governance.

By combining empirical evidence with insights from the existing literature on corruption control and administrative prevention, this chapter aims to move beyond a purely normative assessment. Rather than asking whether dissolution is legally justified, the analysis focuses on whether it works in practice, and under which conditions it may contribute to durable improvements in local governance.

This evaluation provides the empirical foundation for the policy implications discussed in the following chapter.

## **4.1 Defining effectiveness in anti-corruption interventions**

Assessing the effectiveness of anti-corruption measures at the local level is a complex task, particularly when the intervention under examination is administrative and preventive rather than criminal or punitive. In the case of the dissolution of municipal councils for mafia infiltration, effectiveness cannot be reduced to a single indicator, nor can it be inferred automatically from the formal legality of the measure. Instead, it requires a broader and more nuanced understanding of what such interventions are expected to achieve in practice.

The general literature on corruption control has long stressed that the effectiveness of anti-corruption policies cannot be measured solely through observable enforcement outcomes, such as prosecutions or convictions. As highlighted by Rose-Ackerman and Palifka, corruption is not only a legal problem but an institutional one, embedded in governance structures, incentives and informal networks. From this perspective, an intervention may be formally correct and legally justified while failing to produce lasting improvements in administrative integrity or public trust. Similarly, Mungiu-Pippidi argues that many anti-corruption strategies generate short-term compliance without altering the structural conditions that allow corruption to persist, thus creating the illusion of effectiveness without substantive change.

These considerations are particularly relevant for preventive administrative measures. Unlike criminal sanctions, which are designed to punish individual wrongdoing, preventive tools aim to reduce risk, disrupt harmful patterns and restore institutional functionality before irreparable damage occurs. The OECD's work on public integrity frameworks emphasises that effectiveness in this field should be understood in terms of resilience: the ability of institutions to resist undue influence, to recover after disruption and to operate according to principles of transparency, impartiality and accountability. From this viewpoint, an anti-corruption intervention is effective not simply when it removes corrupt actors, but when it strengthens the administrative system against future capture.

Applying this framework to the Italian case requires moving beyond simplistic metrics. Counting the number of dissolved municipalities, for example, provides information about the frequency of state intervention but says little about its success. A high number of dissolutions may indicate active enforcement, but it may also signal persistent structural weaknesses or repeated failures to address the underlying causes of infiltration. Similarly, the absence of criminal convictions following dissolution does not necessarily imply ineffectiveness, given the preventive nature of the measure and the lower evidentiary threshold required for its adoption. As Treisman and Kaufmann have shown in their work on governance indicators, the reliance on easily quantifiable measures often obscures deeper institutional dynamics that unfold over longer time horizons.

In the Italian context, official sources such as the reports of the Ministero dell'Interno and the ANAC tend to frame effectiveness primarily in terms of restored legality and administrative normalisation. These documents highlight improvements in procurement procedures, financial management and internal controls during periods of commissarial administration. While such outcomes are relevant, they capture only part of the picture. They do not, by themselves, indicate whether the municipality will remain resilient once elected governance is restored, nor whether criminal influence has been permanently displaced or merely suspended.

For this reason, a more comprehensive definition of effectiveness must include both short-term and long-term dimensions. In the short term, effectiveness may be assessed through the capacity of commissarial management to stabilise the administration, ensure continuity of public services and re-establish minimum standards of legality and transparency. In the longer term, however, effectiveness depends on whether the intervention contributes to durable institutional change. This includes the professionalisation of the bureaucratic apparatus, the reconfiguration of local political incentives and the ability of newly elected administrations to govern without falling back into patterns of dependency or collusion.

Finally, it is important to distinguish between legal effectiveness and substantive effectiveness. Italian administrative jurisprudence has consistently affirmed the legitimacy of dissolution under Article 143 TUEL, clarifying that the measure is preventive and does not require proof of criminal liability. However, legal soundness does not automatically translate into policy success. As Hood's critique of performance measurement in public administration suggests, an intervention may satisfy formal criteria while producing ambiguous or even counterproductive effects when evaluated against broader governance objectives. In this sense, the effectiveness of municipal dissolution cannot be assessed in isolation, but must be examined in relation to its actual impact on local democratic institutions, administrative capacity and the long-term containment of criminal influence.

On the basis of these considerations, this chapter adopts a multidimensional approach to effectiveness. Rather than asking whether the dissolution mechanism is justified or legally correct, the analysis focuses on whether it achieves its intended preventive and corrective goals in practice, and under which conditions it is more likely to produce sustainable improvements in local governance.

## **4.2 Empirical evidence from the Italian case**

Assessing the effectiveness of the dissolution of municipal councils for mafia infiltration requires moving from the normative and procedural level to an examination of its concrete application. While the legal framework emphasises the extraordinary and preventive nature of the measure, its actual impact can only be evaluated through empirical indicators that capture how frequently the instrument is used, in which territorial contexts, and with respect to what types of local authorities.

One relevant dimension concerns the number and distribution of dissolved municipalities over time. The recurring use of dissolution suggests that the measure has become a structural component of the Italian anti-mafia toolkit rather than a sporadic emergency response. This raises a first analytical question: whether the persistence of dissolutions reflects the effectiveness of the instrument in intercepting criminal infiltration, or instead points to its limited deterrent capacity in the medium and long term.

A second key indicator relates to the size and administrative complexity of the affected municipalities. Dissolutions do not concern exclusively small or marginal local authorities characterised by limited administrative capacity. On the contrary, several cases involve medium-sized and, in some instances, large municipalities, where political competition is intense and public resources are significant. This element challenges interpretations that attribute mafia infiltration solely to administrative weakness, suggesting instead the relevance of political capture and entrenched collusive networks.

The territorial concentration of dissolutions also deserves attention. Although Southern regions remain disproportionately affected, the geographical spread of the measure confirms that mafia influence is not confined to historically "traditional" areas. The presence of dissolved municipalities

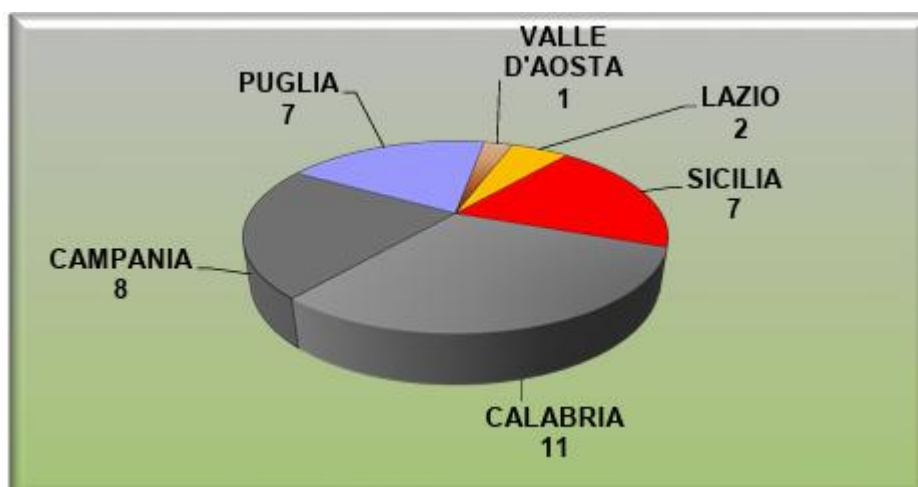
in Central and, albeit more rarely, Northern Italy points to the adaptive capacity of organised crime and its ability to exploit diverse institutional and economic environments.

Finally, empirical analysis must take into account the temporal dimension of extraordinary administration. The duration of commissarial management and the occurrence of repeated dissolutions in the same municipalities raise concerns about the long-term effectiveness of the intervention. In some cases, the restoration of legality appears fragile, with local administrations relapsing into conditions of vulnerability shortly after the return to ordinary governance. This phenomenon has fuelled a growing debate on whether dissolution, as currently designed, is sufficient to produce durable institutional change.

Taken together, these elements suggest that dissolution operates as a powerful tool of interruption and symbolic reaffirmation of state authority, but its capacity to generate lasting effects remains uneven. The following table provides an overview of municipalities dissolved between 2020 and 2022 realized by the ministry of interior, offering a basis for a more systematic assessment of patterns related to size, territorial distribution and recurrence.

Provincia	Ente	Popolazione	Data D.P.R.
Avellino	Pratola Serra	3.708	26/10/2020
Barletta-Andria-Trani	Trinitapoli	14.293	05/04/2022
Brindisi	Carovigno	15.896	12/03/2021
Brindisi	Ostuni	31.860	27/12/2021
Caserta	Sparanise	7.509	19/12/2022
Catanzaro	Guardavalle	4.752	23/02/2021
Catanzaro	Maniace	3.671	16/05/2020
Catanzaro	Nocera Terinese	4.725	30/08/2021
Catanzaro	Simeri Crichi	4.475	30/08/2021
Cosenza	Amantea	13.754	17/02/2020
Crotone	Cutro	10.065	14/08/2020
Enna	Barrafranca	13.977	16/04/2021
Foggia	Foggia	147.036	06/08/2021
Lecce	Neviano	5.514	05/08/2022
Lecce	Scorrano	6.975	20/01/2020
Lecce	Squinzano	14.482	30/01/2021
Messina	Tortorici	6.731	23/12/2020

Provincia	Ente	Popolazione	Data D.P.R.
Napoli	Castellammare di Stabia	65.944	28/02/2022
Napoli	Marano di Napoli	57.204	18/06/2021
Napoli	San Giuseppe Vesuviano	27.467	10/06/2022
Napoli	Sant'Antimo	34.107	18/03/2020
Napoli	Torre Annunziata	43.521	06/05/2022
Palermo	Bolognetta	3.932	19/11/2021
Palermo	Partinico	31.401	29/07/2020
Palermo	San Giuseppe Jato	8.511	09/07/2021
Reggio Calabria	Cosoleto	916	23/11/2022
Reggio Calabria	Portigliola	1.205	01/06/2022
Reggio Calabria	Rosarno	14.380	30/08/2021
Roma	Anzio	49.731	23/11/2022
Roma	Nettuno	45.460	23/11/2022
Valle d'Aosta	Saint-Pierre	3.112	10/02/2020
Vibo Valentia	Pizzo	8.885	28/02/2020
Vibo Valentia	Soriano Calabro	2.472	17/06/2022



This table provides an overview of municipalities placed under extraordinary administration between 2020 and 2022, reporting their territorial distribution, population size, and the date of the presidential decree. The data highlight the continued concentration of dissolutions in Southern Italy, while also confirming the extension of the phenomenon to central regions.

The accompanying chart visually illustrates the territorial concentration of the measure, confirming the persistence of regional imbalances in the application of Article 143 TUEL between northern and southern Italy.

### **4.3 Limitations and unintended effects of municipal dissolution**

Despite its preventive rationale and its centrality within the Italian anti-mafia framework, the dissolution of municipal councils under Article 143 TUEL has been subject to sustained criticism concerning its actual effectiveness and its broader institutional consequences. While the measure is designed to interrupt criminal conditioning and restore legality, empirical evidence and institutional reports suggest that its outcomes are often ambivalent and, in some cases, fragile over time.

A first critical issue concerns recurrence. Several municipalities dissolved for mafia infiltration have been subjected to the same measure more than once, sometimes within relatively short time spans. This phenomenon raises doubts about the capacity of extraordinary administration to produce durable changes in local political and administrative equilibria. Ministerial reports acknowledge that, once elections are restored, the structural conditions that facilitated criminal influence—such as weak administrative capacity, limited political competition, and socio-economic vulnerability—often remain largely unchanged. In this sense, dissolution may succeed in temporarily neutralising risk without addressing its deeper causes.

A second limitation lies in the temporary and discontinuous nature of the intervention. Extraordinary commissions operate within a predefined timeframe, typically between 12 and 24 months, which may be insufficient to consolidate administrative reforms or to rebuild professional routines eroded by years of informal practices. While commissions can correct procedures, annul irregular acts, and re-establish formal compliance, they rarely possess the mandate or resources to implement long-term organisational change. As a result, the return to elected governance frequently occurs before institutional learning has fully stabilised.

Closely related to this is the issue of administrative isolation. Municipalities under extraordinary management often experience a form of functional marginalisation: political interlocution with higher levels of government is reduced, strategic planning is postponed, and ordinary decision-making becomes more cautious and defensive. Although such caution is understandable in a preventive framework, it may generate inertia and limit the municipality's ability to seize development opportunities, including access to complex funding instruments. This dynamic can paradoxically weaken local institutions at the very moment when they are expected to regain autonomy and credibility.

Another recurring critique concerns the asymmetry between political and bureaucratic accountability. While dissolution removes elected bodies entirely, the administrative apparatus often remains largely intact, subject only to selective measures against individual officials. Yet empirical analyses and parliamentary inquiries repeatedly underline that criminal conditioning frequently operates through administrative routines, procurement practices, and informal relationships embedded within the bureaucracy. The selective treatment of these actors risks shifting responsibility exclusively onto political representatives, while leaving structural vulnerabilities unresolved.

From a democratic perspective, the most sensitive criticism relates to the suspension of local political representation. Dissolution replaces elected bodies with appointed commissioners, thereby interrupting the direct link between citizens and local decision-makers. Although this suspension is constitutionally justified as an exceptional measure to protect public order and legality, its repeated

use in the same territories risks normalising a state of exception. Over time, this may contribute to political disengagement, voter apathy, or the perception that democratic participation is ineffective or reversible.

Judicial review mitigates some of these concerns by subjecting dissolution decrees to scrutiny for proportionality and logical coherence. However, courts have consistently affirmed the broad discretionary margin enjoyed by the executive in this domain, precisely because of the preventive nature of the measure. As a consequence, legal oversight tends to verify procedural consistency rather than substantive effectiveness, leaving open the question of whether alternative or complementary tools might achieve similar objectives with lower democratic and institutional costs.

Taken together, these limitations suggest that municipal dissolution functions more effectively as a containment mechanism than as a transformative one. It interrupts criminal influence and signals the presence of the State, but it struggles to modify the underlying conditions that allow such influence to re-emerge. This does not invalidate the measure's necessity in high-risk contexts; rather, it highlights the importance of situating dissolution within a broader strategy that combines prevention, administrative strengthening, and political regeneration.

This assessment provides a natural bridge to the next section of the thesis, which will examine how the effectiveness of the Italian model can be evaluated empirically and how alternative or complementary instruments—observed both domestically and comparatively—may contribute to more sustainable outcomes.

#### **4.4 Assessing effectiveness: indicators, evidence and methodological constraints**

Evaluating the effectiveness of municipal dissolution as an anti-corruption and anti-mafia instrument is not straightforward. The measure operates in highly complex local contexts, where criminal influence, administrative weaknesses and political dynamics are deeply intertwined. As a result, its impact cannot be captured through a single indicator, but must be assessed by observing a range of outcomes over time.

One first element commonly considered is recurrence. Institutional reports often focus on whether municipalities are dissolved more than once, interpreting repeated interventions as a sign of persistent vulnerability. While recurrence is a useful warning signal, it remains a partial indicator. A municipality may avoid a second dissolution without having fully overcome the informal practices or power structures that enabled criminal influence in the first place.

A second aspect concerns administrative performance during extraordinary management. The activity of commissioners is typically assessed through formal indicators such as the reorganisation of offices, the annulment of irregular acts, compliance with transparency rules and the reactivation of internal controls. These elements provide insight into procedural regularity, but they say little about whether deeper organisational habits or informal networks have been dismantled. Moreover, much of this information derives from internal reporting, which limits external verification.

A further issue relates to political outcomes after the return to ordinary governance. Voter turnout, the renewal of political elites and the stability of subsequent administrations are often used to assess whether dissolution contributes to democratic recovery. Available evidence suggests uneven results. In some cases, elections mark a genuine break with past practices; in others, political continuity prevails, with former power networks re-entering local politics through new actors or lists.

Time also plays a crucial role. Assessments conducted at the end of the commissarial period tend to reflect short-term compliance rather than lasting change. The presence of extraordinary administrators naturally increases formal legality, but this effect may fade once elected bodies return to office. For this reason, any meaningful evaluation requires a medium- to long-term perspective. Such an approach, however, is constrained by the limited availability of consistent longitudinal data.

Effectiveness must also be considered in relation to alternative forms of intervention. Municipal dissolution represents one of the most intrusive tools available to the State in the field of local governance. Its evaluation therefore implicitly raises the question of whether comparable results could be achieved through less disruptive measures, such as enhanced oversight, targeted administrative support or sector-specific controls. This comparative angle does not negate the utility of dissolution, but helps to contextualise its costs and benefits.

Finally, local context remains decisive. The size of the municipality, socio-economic conditions, administrative capacity and the depth of criminal penetration all shape the outcome of the intervention. Ignoring these factors risks producing overly general conclusions that fail to capture significant variation across cases.

Taken together, these considerations suggest that the effectiveness of municipal dissolution should not be measured in absolute terms. Rather, it should be understood as a contingent instrument whose results depend on context, timing and its interaction with broader anti-corruption policies. This analytical framework provides the basis for examining the available empirical evidence in the following section.

## **4.5 Interpreting the available evidence**

The empirical evidence presented in the previous sections offers a mixed picture of the effectiveness of municipal dissolution as an anti-mafia instrument. On the one hand, the data confirm that the measure is not marginal: it has been applied consistently over time and remains geographically concentrated in specific areas, suggesting that it responds to persistent patterns of institutional vulnerability rather than to isolated episodes of misconduct. This concentration supports the view that dissolution is primarily used where criminal influence is structurally embedded in local governance.

At the same time, the recurrence of dissolutions in some municipalities raises questions about the durability of the intervention's effects. While extraordinary administration often succeeds in restoring procedural legality and administrative order, the data suggest that these improvements do not always translate into long-term institutional resilience. The re-emergence of risk after the return to elected governance indicates that dissolution alone may be insufficient to alter the socio-political conditions that enable criminal conditioning.

The available evidence also highlights a tension between formal success and substantive impact. From an administrative perspective, the objectives of the measure are often achieved: irregular acts are annulled, internal controls are strengthened and compliance with legal standards is restored. However, these outcomes are largely confined to the period of extraordinary management and are not systematically monitored once ordinary governance resumes. As a result, it remains difficult to assess whether dissolution produces lasting changes in administrative culture or political behaviour.

A further limitation concerns the nature of the data themselves. Most available information derives from institutional reporting and focuses on the implementation of the measure rather than on its long-term consequences. Indicators related to civic trust, political participation or the quality of local

democracy are largely absent. This gap constrains the ability to evaluate effectiveness beyond compliance with formal legality.

Overall, the empirical evidence suggests that municipal dissolution functions effectively as a containment and signalling mechanism, capable of interrupting criminal influence and reaffirming the presence of the State. Its contribution to deeper institutional transformation, however, appears more uncertain and highly dependent on local conditions. These findings do not undermine the necessity of the measure in high-risk contexts, but they underline the importance of complementing it with broader strategies aimed at strengthening administrative capacity and democratic accountability.

## **4.6 Synthesis of findings and implications for effectiveness**

Taken as a whole, the analysis developed in this chapter suggests that the dissolution of municipal councils functions as a powerful but inherently limited instrument within the Italian anti-corruption framework. Its effectiveness lies primarily in its ability to interrupt situations of acute institutional vulnerability, reassert state authority and restore formal legality in contexts where ordinary mechanisms have proven insufficient. From this perspective, dissolution fulfils a clearly preventive and symbolic role.

At the same time, the empirical evidence discussed above highlights the structural constraints of relying on such an extraordinary measure as a central policy tool. The territorial concentration of dissolutions, the recurrence of interventions in the same municipalities and the fragility of post-commissarial outcomes indicate that the measure often addresses immediate risks without resolving the deeper conditions that enable criminal infiltration. While extraordinary administration can correct procedures and restore compliance, it rarely produces lasting transformations in political practices, administrative capacity or local power relations.

This ambivalence does not undermine the necessity of municipal dissolution in high-risk contexts. Rather, it points to the importance of situating the instrument within a broader strategy of institutional strengthening. Evaluating effectiveness therefore requires moving beyond a binary assessment of success or failure and recognising the conditional nature of the measure, whose outcomes depend on timing, context and the presence of complementary policies.

These findings provide the analytical basis for the next chapter, which examines potential avenues for improving the Italian approach through targeted reforms and supportive measures aimed at enhancing the long-term resilience of local governance.

## **Chapter 5 Structural limits of the current Italian model**

The analysis conducted in the previous chapters highlights that the dissolution of municipal councils for mafia infiltration represents one of the most incisive instruments available to the Italian State in the field of local governance. However, the same evidence also reveals a set of structural limits that constrain the overall effectiveness of the measure and justify the need for policy reflection.

A first critical aspect concerns the reactive nature of the intervention. Dissolution under Article 143 TUEL is activated only once criminal conditioning has already produced significant distortions in administrative or political decision-making. As such, the measure intervenes at an advanced stage of institutional deterioration, when informal power networks are often deeply rooted and administrative

capacity has already been compromised. This timing reduces the potential for long-term impact and shifts the focus from prevention to containment.

A second limit emerges from the uniform application of an inherently exceptional instrument. The current framework relies on a binary logic: either full dissolution or no intervention at all. This “all-or-nothing” approach does not adequately reflect the diversity of local contexts in which criminal influence manifests itself. Municipalities vary widely in size, administrative capacity, socio-economic conditions and degree of infiltration. Applying the same remedy across such heterogeneous settings risks producing disproportionate outcomes and, in some cases, undermining local governance without addressing the specific sources of vulnerability.

The empirical evidence also points to a disconnect between extraordinary administration and post-commissarial governance. While the period of commissarial management often succeeds in restoring formal legality and administrative order, these improvements are not systematically consolidated once elected bodies return to office. The absence of structured follow-up mechanisms and institutional support after dissolution contributes to the recurrence of critical situations in some municipalities, suggesting that the intervention’s effects may be temporary rather than transformative.

Another structural issue concerns the limited integration between dissolution and broader integrity policies. Although the measure operates within the wider Italian anti-mafia framework, it remains largely isolated from other instruments aimed at promoting transparency, accountability and administrative professionalism. As a result, dissolution tends to function as an emergency response rather than as part of a continuous strategy of institutional strengthening at the local level.

Finally, the democratic costs associated with the measure cannot be overlooked. The suspension of elected bodies, while justified by the need to protect legality, inevitably affects political representation and citizens’ trust in local institutions. When dissolution is perceived as a distant or opaque decision imposed from above, it may weaken civic engagement and reinforce feelings of marginalisation, particularly in territories already characterised by low institutional trust.

Taken together, these structural limits do not negate the necessity of municipal dissolution in contexts of severe criminal infiltration. Rather, they indicate that the effectiveness of the Italian model depends on its capacity to evolve beyond a purely exceptional logic. Addressing these weaknesses requires a more articulated approach, capable of combining extraordinary interventions with preventive, differentiated and supportive measures. The following sections build on this diagnosis to explore possible paths to improve the current framework.

## **5.1 Differentiated and graduated interventions**

One of the main implications emerging from the analysis concerns the need to move beyond a strictly binary use of municipal dissolution. The current Italian framework relies on an all-or-nothing logic, whereby the State either intervenes through full dissolution or refrains from acting altogether. While this approach is justified in cases of severe and pervasive infiltration, it appears less suitable for situations in which criminal influence is limited to specific sectors of local administration or has not yet fully compromised the political leadership.

A more differentiated approach would allow public authorities to tailor interventions to the intensity and nature of the risk detected. Rather than treating all forms of vulnerability as equivalent, graduated tools could be employed to address early signs of criminal conditioning before they crystallise into systemic capture. Such an approach would enhance the preventive capacity of the system and reduce reliance on dissolution as a measure of last resort.

From a policy perspective, differentiated interventions may take several forms. Targeted administrative oversight, the appointment of commissioners *ad acta* for specific functions, enhanced monitoring of procurement and urban planning decisions, or temporary external support to key administrative offices could all represent viable alternatives in contexts where full dissolution would be disproportionate. These instruments would allow the State to intervene decisively while preserving elected institutions whenever possible.

Importantly, the adoption of graduated measures would also contribute to mitigating the democratic costs associated with dissolution. By limiting the suspension of local self-government to cases in which it is strictly necessary, differentiated interventions could help preserve political representation and maintain citizens' trust in public institutions. At the same time, they would signal that the State is capable of responding flexibly to different levels of institutional risk, rather than relying on a single, exceptional remedy.

This does not imply weakening the dissolution mechanism itself. On the contrary, a system of graduated interventions would reinforce its credibility by reserving it for the most serious cases. In this sense, differentiation should be understood not as an alternative to Article 143 TUEL, but as a complementary strategy aimed at improving the proportionality, effectiveness and legitimacy of State intervention at the local level.

## **5.2 Strengthening administrative capacity beyond extraordinary intervention**

A recurrent theme emerging from both the empirical evidence and the comparative analysis is that criminal infiltration tends to exploit structural weaknesses within local administrations. In this perspective, the effectiveness of municipal dissolution cannot be evaluated solely in terms of its capacity to remove compromised political leadership, but also in relation to its ability to address deeper deficiencies in administrative capacity. Where local institutions lack technical expertise, internal controls or professional stability, extraordinary intervention risks remaining a temporary corrective rather than a catalyst for durable change.

The Italian model places significant emphasis on the replacement of elected bodies, while comparatively less attention is devoted to the long-term strengthening of the bureaucratic apparatus. Yet, in many cases, the persistence of institutional vulnerability is closely linked to the functioning of administrative offices rather than to political leadership alone. Limited professionalisation, high staff turnover, skill shortages and weak internal accountability mechanisms create fertile ground for external influence, regardless of who formally holds political office.

From a policy standpoint, this suggests the need to complement dissolution with targeted measures aimed at reinforcing administrative structures. Investment in training, technical assistance and organisational support for key municipal departments may significantly enhance resilience against criminal pressure. Sectors such as procurement, urban planning and financial management require specialised oversight and continuous capacity-building, as they represent strategic entry points for illicit influence.

Strengthening administrative capacity also implies ensuring continuity beyond the period of extraordinary management. Commissioners may succeed in restoring procedural legality, but their departure often exposes municipalities to the same vulnerabilities that existed prior to dissolution. Without mechanisms to accompany the transition back to ordinary governance, improvements achieved during commissarial administration risk being short-lived. Structured post-dissolution

support, including external monitoring and technical guidance, could help consolidate reforms and prevent institutional regression.

More broadly, shifting part of the policy focus from repression to institutional development aligns with contemporary approaches to corruption prevention. Rather than relying exclusively on exceptional interventions, the State may enhance effectiveness by reinforcing the everyday functioning of local administrations. In this sense, administrative capacity-building does not replace municipal dissolution, but constitutes a necessary complement, capable of addressing the structural conditions that allow criminal influence to persist.

### **5.3 Democratic legitimacy and post-dissolution governance**

Beyond its administrative and preventive functions, municipal dissolution raises fundamental questions concerning democratic legitimacy and the relationship between the State and local communities. While the suspension of elected bodies may be justified by the need to protect legality and public order, it inevitably alters the balance between central authority and local self-government. This tension represents one of the most delicate aspects of the Italian model and directly affects its long-term effectiveness.

Empirical evidence suggests that dissolution is often perceived at the local level as an external and opaque intervention. When citizens are excluded from the process and provided with limited information about the reasons and objectives of extraordinary administration, the measure risks being interpreted as a form of collective punishment rather than as a tool for institutional recovery. Such perceptions may weaken civic engagement and reinforce distrust toward public institutions, particularly in territories already characterised by fragile state–society relations.

The issue of democratic legitimacy becomes even more salient in the post-dissolution phase. The return to ordinary governance marks a critical transition, during which local institutions must regain both administrative functionality and political credibility. However, the current framework offers limited mechanisms to support this transition. Once extraordinary administration ends, newly elected bodies are often left without structured guidance or institutional backing, despite operating in contexts that remain vulnerable to external pressures.

From a policy perspective, strengthening post-dissolution governance is therefore essential. Greater transparency during the commissarial period, clearer communication with local communities and structured forms of institutional accompaniment after elections could contribute to rebuilding trust and reinforcing democratic accountability. These measures would not undermine the authority of the State, but rather enhance the legitimacy of its intervention by making its objectives and outcomes more visible and comprehensible to citizens.

Ultimately, the effectiveness of municipal dissolution cannot be assessed solely in terms of administrative compliance or short-term risk containment. Its success also depends on its capacity to foster conditions in which democratic institutions can function autonomously and credibly once extraordinary measures are lifted. Addressing the democratic dimension of dissolution is thus not ancillary, but integral to any strategy aimed at strengthening local governance in contexts affected by organised crime.

## **Conclusions**

This thesis has examined the dissolution of municipal councils due to mafia infiltration as an extraordinary instrument of state intervention in local governance, with the aim of assessing its

effectiveness in countering corruption and organised crime while preserving democratic principles. By combining legal analysis, comparative perspectives and empirical evidence, the study has sought to move beyond a purely normative evaluation and to situate the Italian model within a broader framework of corruption control and institutional resilience.

The analysis of the Italian case has shown that municipal dissolution, as regulated by Article 143 TUEL, constitutes a powerful preventive tool designed to interrupt situations of severe institutional vulnerability. Its legal architecture reflects a deliberate choice to prioritise the protection of public order, legality and administrative impartiality over the continuity of local political representation in contexts characterised by criminal conditioning. From this perspective, dissolution fulfils an essential containment and signalling function, reaffirming the presence of the State where ordinary mechanisms of control have failed.

At the same time, the empirical assessment conducted in this thesis highlights the inherent limits of relying on such an exceptional measure as a central pillar of anti-corruption policy. The territorial concentration of dissolutions, the recurrence of interventions in the same municipalities and the fragility of post-commissarial outcomes suggest that the measure often addresses symptoms rather than structural causes. While extraordinary administration is generally effective in restoring formal legality and administrative order, its capacity to produce lasting institutional transformation remains uncertain and highly dependent on local conditions.

The comparative analysis has further reinforced this conclusion. Experiences from other jurisdictions demonstrate that democratic systems may rely on a wider range of oversight and corrective instruments to address corruption risks at the local level, without necessarily resorting to the full suspension of elected bodies. Although no foreign model offers a direct equivalent to the Italian mechanism, these cases underline the importance of differentiated, proportionate and preventive approaches that intervene before institutional capture becomes systemic.

Building on these findings, the thesis has argued that improving the effectiveness of municipal dissolution requires situating the measure within a more articulated policy framework. Differentiated and graduated interventions strengthened administrative capacity and structured post-dissolution governance emerge as key elements in enhancing both the legitimacy and the durability of state action. Rather than weakening the dissolution mechanism, such reforms would preserve its exceptional nature and reinforce its credibility by reserving it for the most severe cases.

In this sense, the relationship between legality and democracy represents the central tension underpinning the Italian model. The suspension of local self-government may be necessary to protect institutions from criminal influence, but it also entails significant democratic costs if not accompanied by transparency, accountability and long-term support. Effectiveness, therefore, cannot be reduced to short-term compliance or procedural regularity; it must also be assessed in terms of institutional recovery, civic trust and the capacity of local administrations to function autonomously once extraordinary measures are lifted.

This study is not without limitations. The reliance on institutional and administrative data constrains the ability to assess long-term outcomes and social effects, while the absence of systematic indicators on post-dissolution governance limits causal inference. Future research could address these gaps through longitudinal analyses, case studies at the municipal level or the integration of qualitative fieldwork focusing on local actors and communities.

Despite these constraints, the findings of this thesis contribute to ongoing debates on corruption control and state intervention by highlighting the conditional effectiveness of extraordinary measures.

Municipal dissolution remains a necessary instrument in high-risk contexts, but it cannot function as a standalone solution. Its success ultimately depends on its integration into a broader strategy aimed at strengthening institutions, restoring democratic legitimacy and preventing the re-emergence of criminal influence at the local level.

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