Exploring the Dynamics of Delegation Over Time: Insights from Italian Anti-Corruption Agencies (2003–2016)

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According to classical literature on delegation in the regulatory state, independent regulators are established to enhance the credibility of regulatory policies. In that regard, anti-corruption agencies (ACAs) are peculiar not only because they deal with extremely salient issues, but also because they receive delegated competencies from the government as the "principal" while, at the same time, the government is their regulatory target. How do governments manage regulatory reforms to strike a balance between gaining credibility as "principals" and possibly losing credibility as targets? Drawing from insights on historical institutionalism, this article undertakes a qualitative longitudinal analysis of organizational change regarding ACAs in Italy, where these kinds of agencies are particularly relevant to political leaders. The findings shed light on delegation as a dynamic process for which multiple factors intersect over time.

KEY WORDS: regulation, agencies, independence

关于监管型国家的授权, 有经典文献表明, 建立独立的监管机构可以提高监管政策的公信力。在这一方面, 反贪机构（ACAs）是独特的, 这不仅因为它们所处理的是极其显著突出的问题, 而且因为政府作为"主体"授权于这些反贪机构, 与此同时, 政府成为了反贪机构的监管目标。那么, 政府如何管理监管改革,   以平衡其作为"主体"的公信力和其作为监管目标而可能失去的公信力？借鉴历史制度主义的观点, 本文对意大利反贪机构（ACAs）的组织变革进行了定性的纵向分析, 而这些机构尤其与政治领导者相关。我们的结果揭示, 授权是一个由多种因素交织其中的动态过程。

Introduction

The delegation of public tasks to regulatory agencies is considered one of the main public governance innovations of the past two decades in industrialized and developing countries (Gilardi, 2008; Thatcher, 2002; Verhoest, van Thiel, Bouckaert, & Laegreid, 2012). The defining feature of these agencies—their independence (or autonomy) from elected politicians—has been examined by three main research communities (Maggetti & Verhoest, 2014). First, drawing on the principal-agent

framework, regulatory studies focused on the institutional design of agencies to examine the mechanisms of political control over bureaucratic autonomy (McCubbins, Noll, & Weingast, 1989; Moe, 1989); second, public policy research investigated the establishment, diffusion, and independence of regulatory agencies by distinguishing between functional and nonfunctional pressures for delegation (Gilardi, 2008; Jordana & Levi-Faur, 2004; Thatcher, 2002) as well as by assessing how formal aspects of independence translate into de facto autonomy (Hanretty & Koop, 2013; Maggetti, 2007); and third, the relationship between formal and de facto autonomy was also investigated by public management scholars, who predominantly used survey methodologies to gather perceptual data in comparative perspective (Verhoest, Roness, Verschuere, Rubecksen, & MacCarthaigh, 2010).

A key issue that lies at the intersection between these three research communities is the enduring tension between agency autonomy and political control (McCubbins et al., 1989; Thatcher, 2005; Van Thiel & Yesilkagit, 2008). A wide range of theories have been fruitfully applied to explain why elected politicians relinquish their regulatory competencies and empower regulators who can bypass their political authority. One part of the story is that independent agencies allow governments to shift the blame for decisions that are perceived as risky or unpopular (Thatcher, 2002). Another piece of the puzzle is that the agency model, which has been "taken for granted" since reaching critical mass, gave rise to cross-country and cross-sectoral processes of emulation (Gilardi, 2005).

However, the main rationale identified by scholars, practitioners, and policymakers to explain—but also to justify—delegation to agencies is the enhanced credibility in the time-consistency of the regulatory policy at stake that is expected to derive from the independence of regulators (Elgie, 2006; Gilardi, 2008; Majone, 1996). Accordingly, delegation responds to functional logic. This literature highlights that delegation can also produce "agency losses," which occur when agencies act beyond the scope of their mandates and contrary to the preferences of their principals; the latter can use a repertoire of political control tools to tame the former (Thatcher, 2005), which might in turn reduce their independence. Consequently, the power and independence that agencies are granted at the outset depend—in theory—on the balance between the pressures for credibility and the political principals' incentives for minimizing agency losses. In this respect, however, the literature understated a key point, which is the interplay between independence and control beyond the mere act of delegation. It has been noted that the capacity of political principals to design public agencies for the long run is limited (Boin, Kuipers, & Steenbergen, 2010), as design features have time-varying effects and often generate unanticipated consequences of delegation (Wilks & Bartle, 2002). This is why political principals rely on agency oversight to try to keep agency losses at a minimum after agency design (Balla, 2011). However, these long-term effects are still underrepresented in research. Most pieces of empirical research provide "snapshot" representations of agency design, leaving its dynamic nature underexplored (Maggetti & Verhoest, 2014). Drawing from organizational ecology, public management scholars have only recently engaged in quantitative studies of longitudinal change and continuity in relation to

state agencies (MacCarthaigh & Roness, 2012). A body of longitudinal quantitative analysis focused mostly on patterns of agency birth and termination has also emerged in regulatory studies on the U.S. presidential system (Boin et al., 2010; Selin, 2015) and in public policy studies focused on parliamentary systems (Greasley & Hanretty, 2016).

However, quantitative longitudinal analyses track year-by-year differences in the pool of agencies without grasping the complexities of its life span, which is shaped through interaction between political leaders' strategies and reform programs and agencies' responses to reform proposals (Overman, van Thiel, & Lafarge, 2014). First, data on the continued presence of an agency from year to year do not shed light on other structural or procedural changes influencing its independence (Bach & Jann, 2010). Second, large-N data overlook the "black box" of the process by which government proceeds from initial proposals to decisions under the influence of agencies as active players who react to pressures for reform (Dommett & Skelcher, 2014).

This article contributes to this emerging literature by highlighting the necessity of supplementing large-N data with in-depth qualitative analysis to investigate the dynamics of organizational changes following regulatory reforms that influence the independence of regulatory agencies. More specifically, our research question involves investigating why governments enact reforms to strengthen or weaken independent agencies by looking not only at how pressures for credibility vary over time but also at the impact of actor-level factors, which are usually underestimated.

To obtain a full picture of the long-term dynamics of delegation, we are particularly interested in instances in which governments face high pressure for credibility and, potentially, high agency losses. The case of Italian anti-corruption agencies (ACAs) is particularly suitable for this kind of analysis because, on the one hand, anti-corruption policies display a high level of political salience (OECD, 2013), and, on the other hand, corruption is a prominent feature of public life in Italy (Transparency International, 2016). This case epitomizes situations where credibility issues manifest themselves intensively, which correspond not only to countries that are similarly affected by corruption problems, but also to other sectors that are traditionally tightly related to the government (e.g., utilities and communications). In these cases, the "principal" will benefit from the increased credibility of regulatory policies, but at the same time could suffer from serious credibility losses as their regulatory target.

The conceptual and methodological implications of our study are manifold. This article complements principal-agent theory with insights on new institutionalism by focusing on delegation as "a process rather than one-off event" (Thatcher, 2002) in which agencies can be active agents (Wilks & Bartle, 2002). By focusing only on agency design, past studies have not tracked the trajectory of agency development, which does not necessarily constitute an irreversible, self-reinforcing sequence, as highlighted by historical institutionalist accounts that leave more room for change within the path by understanding historical evolution as a "reactive sequence"—that is, a chain of events linked through reactions and counter-reactions (Mahoney, 2000). Research on reactive sequencing constitutes the context in which seminal research on ACAs (Batory, 2012) tracked changes over time in agencies' mandates, which

explains why their life cycles are not simply a function of their initial mandates, as autonomy evolves in a "series of attacks and counterattacks," the outcomes of which are shaped by the interplay between political factors and agency activism. Building on this study, our research uses a within-case analysis and joins the call for more efforts directed toward intensive research strategies for a better understanding of the interplay between explanatory factors over time (Maggetti & Verhoest, 2014; Van Thiel & Yesilkagit, 2011; Verhoest, Verschuere, & Bouckaert, 2007).

The article is structured as follows: the next section presents the framework that we applied to the longitudinal study of delegation of ACAs in Italy. Following the discussion of data and methods, the empirical section tracks the process of delegation and provides a diachronic examination of variations in the independence of ACAs following repeated interactions with the government. Discussion and conclusions follow.

Delegation to ACAs in Italy and the Process of Regulatory Reform

Regulatory and institutional innovation has been a distinctive feature of anti-corruption policy in the last few decades. The rise of new players, including ACAs, has complemented the role played by traditional anti-corruption actors (DeSousa, Larmour, & Hindess, 2009). ACAs are publicly funded bodies of a durable nature with specific missions to fight corruption and reduce opportunities for corruption by means of prevention and/or repression strategies (DeSousa, 2010). In the context of state failure or construction, ACAs have been set up by donors and international pressure (Doig, 1995). In other cases, these bodies have been set up as an attempt to upgrade the country's ethical infrastructure, or simply to fulfill obligations deriving from the signing of international anti-bribery conventions (Recanatini, 2011).

There are a variety of ACAs that combine, in different proportions, investigative, prosecutorial, preventive, coordinative, and educational prerogatives. According to the OECD (2013), countries experiment with three different models: *multipurpose ACAs*, commonly identified with the success stories of anti-corruption commissions in Hong Kong and Singapore, which combine prosecutorial, investigative, preventive, and educational functions; *law enforcement type institutions*, which focus on investigation and prosecution; and *preventive institutions*, whose prerogatives are limited to the coordination of anti-corruption strategies and the regulation of preventive tools, such as disclosure requirements and anti-corruption plans.

Although many European countries, particularly in the Eastern region (Smilov, 2010), have opted for the establishment of ACAs close to the preventive institution model, there is a dearth of research on this type of agency. Preventive institutions can be considered specific instances of independent regulatory agencies (IRAs), as they deal with integrity issues by enjoying the same competencies of agencies that regulate the functioning of markets (Levi-Faur, 2011). Distinctive features, like a lack of investigative and prosecutorial power and a focus on issues like asset disclosure and management of conflicts of interest, mean preventive institutions resemble other regulators, as they are mainly involved with rule-making, fact-finding, monitoring, and sanctioning. These features make preventive institutions particularly interesting

for the exploration of research arguments from IRA literature, building on the pioneering work of Batory (2012).

According to the classical arguments of IRA literature, which was briefly summarized in the introductory section, the main functional rationale for delegating regulatory competencies to agencies that enjoy formal independence from the government—e.g., to ACAs—is derived from the need to guarantee the credibility of regulatory policies (Majone, 1996, pp. 3–4). Indeed, stakeholders (e.g., foreign investors), consumers, and citizens may anticipate consistency problems due to political pressures and the uncertainties related to the political cycle. Therefore, like Ulysses with the Sirens, governments decide to bind themselves to achieve their goal of creating credible policy commitments. As tying their hands comes at a cost because governments are no longer able to easily revert regulatory policies—delegation is expected especially when an incumbent is facing a particularly serious credibility problem, such as the liberalization of former public utilities. The case of ACAs is particularly interesting because the government is not merely the "principal" who will gain credibility by creating credible policy commitments, it is also the target of regulation, meaning it could lose credibility if an independent regulator exposes possible misconduct in the public sector or, above all, in the core executive of the government itself (Maor, 2004). To some extent this argument can also be applied to other, more conventional IRAs, as it is the case for telecom or energy regulators when a government is a main shareholder of a recently liberalized public utility, and to IRAs whose regulatory tasks may concern some government activities, such as for privacy regulators and antitrust authorities.

However, this state of affairs is magnified in the case of ACAs. On the one hand, credibility losses can be exceptionally serious, as anti-corruption policies display high levels of political salience in the context of increasing concern for corruption within public institutions. On the other hand, pressures for credible commitment are particularly intense in countries like Italy, where corruption is a prominent feature of public life. In the Corruption Perception Index (Transparency International, 2016), Italy moved down from the thirty-third rank out of 41 countries in 1995 to the ninety-fourth out of 176 countries in 2012 before improving to sixty-first out of 168 countries in 2015. According to a recent Eurobarometer survey (European Commission, 2014), 97 percent of the Italian population (EU average 76 percent) perceived widespread corruption in the country in 2013, and previous biannual surveys conducted from 2005 to 2011 highlighted that a large majority Italian citizens believed that corruption was a major problem for their country (from 74 percent in 2005 to 87 percent in 2011, while the EU average rose from 72 percent to 74 percent in the same period).

Drawing from the IRA literature, we formulated some expectations with respect to the willingness of governments to delegate more competencies to ACAs as independent regulators (1.1 and 1.2) and to their capacity to do so (2.1. and 2.2). To begin with, there is the following:

Expectation 1.1: Italian ACAs are strengthened or weakened over time by the government following pressures from the supply side of credibility. Specifically, the government delegates more independence when its

expected credibility gains as a principal outweigh its potential credibility losses as a regulatory target.

This theoretical expectation requires a crucial complementary qualification. Indeed, it is plausible to expect that periods of political and/or economic crisis will dramatically alter the balance by raising the need of credibility of the government as a principal, which corresponds to the "numerator" in the equation. In other words:

> Expectation 1.2: Italian ACAs are strengthened or weakened over time following the demand side of credibility as well. Specifically, the government delegates more independence when regulators are required to provide additional credibility in periods of political and/or economic turmoil.

When we move from a snapshot perspective focused on delegation to a longitudinal understanding of politico-administrative relations based on a within-case analysis, we can better assess whether these two sets of explanatory factors are concomitantly at work. Indeed, an in-depth look at the temporal ordering of events indicates that these factors could matter differently over time, that their combination is time contingent, or that a specific factor played a crucial role in a given critical juncture. For instance, at some point, policymakers may experience variations in the severity of a credibility problem, and the evolution of the external environment may alter the pressures for establishing more independent agencies. In the analysis, we will pay special attention to the time dimension, but the specific role of time-related factors emerges inductively from the case studies, in line with a within-case approach.

Furthermore, longitudinal within-case analysis will also allow us to tackle the "how" question. Instead of limiting our analysis to the "delegation moment," a focus on sequences of reforms accounts more for the fact that policymakers are building on existing structures. The argument of path dependence has been already applied to the investigation of agencification in previous public management studies, which demonstrated that deeply rooted administrative traditions constrain agency design (Yesilkagit & Christensen, 2010). However, there are conflicting expectations about the scale of (non-) changes. On the one hand, one could expect that in extremely salient policy areas embedded in a political system with many veto players, such as for anti-corruption policies in Italy, actors have high incentives to block regulatory reforms that might threaten their constituencies. Consequently, if there is any change, it will only be marginal.

> Expectation 2.1: Italian ACAs follow a path-dependent trajectory of development that locks in previous decisions and produces stasis. The extreme salience of the issue combined with the high number of veto players reduces reform capacity at the system level.

On the other hand, one could alternatively expect that in this situation it is still possible to observe incremental but ultimately transformative change (Streeck &

Thelen, 2005). The global development of the regulatory state has led to considerable macro-institutional transformations, even in cases considered resilient (Maggetti, 2014). When the regulatory framework is characterized by low discretion in interpretation and, thereby, in implementation, such as in anti-corruption policy, the expected mode of change is layering, a process that builds on existing rules and organizations through apparently marginal and nonfundamental phenomena of re-regulation, which will eventually alter the logic of the regulatory model.

> Expectation 2.2: Italian ACAs can be reformed according to a process of layering, whereby organizational evolution will eventually alter the logic of the regulatory framework. This process is determined by the presence of many veto players and low discretion in the implementation of the regulatory framework.

Finally, because structures provide opportunities and constraints to political actors but only evolve under the impulsion of human agents, we also expect that the presence of proactive political and/or agency leaders will be a key determinant of change. In the case of ACAs and similar agencies, the best-case scenario for elected politicians would be to enjoy the symbolic benefits of delegation while not suffering the corresponding credibility risks. When delegation concerns symbolic properties that do not necessarily translate in practice, such as when a social logic of delegation is at work (McNamara, 2002), the risk of credibility losses as a regulatory target is reduced. Therefore, elected politicians should prefer an agency that is more formally independent than in practice. Conversely, agency leaders should prefer more de facto independence. Although they are politically appointed, they may become relatively autonomous over time, as public sector organizations, once in place, "take a life on their own" (Pollack, 1996). What is more, IRA literature has shown that agencies' leaders typically strive to gain more independence, as it is their "raison d'être," conferring them with more power and more resources, which are crucial for organizational survival and development (Carpenter, 2001). This argument holds particularly true for ACAs. As highlighted by Doig and Norris (2012), the strategic competencies of leadership are central to developing and consolidating an ACA, without which the criticism of poor performance is likely to continue (Meagher, 2005). In the context of the perception of widespread corruption, the strategic approach of leadership can mobilize massive support if it is perceived as independent from discredited politicians (the argument has already been raised by Batory, 2012). If an ACA's leaders aim to establish themselves as well-respected public figures, it is likely that they will become autonomous, even if they were politically appointed.

> Expectation 3: Political leaders are particularly proactive about upholding the formal independence of regulators, which relates to the symbolic properties of delegation, while agency leaders prefer to enjoy more de facto independence.

Research Design and Methods

As anticipated, this study is based on a diachronic within-case study design applied to a "representative case" with respect to the phenomenon under investigation, that is, a typical instance exemplifying the cross-case relationship of interest (Seawright & Gerring, 2008). This analytical approach is well suited for tracing complex interactions between governments and agencies within a broader, historically rooted context, as it adopts a form of explanation that attributes outcomes to a temporal intersection of multiple factors (George & Bennett, 2005; Gerring, 2007). This approach will allow us to endogenize a number of confounding variables—namely those related to the institutional framework and the administrative culture, which are difficult to neutralize otherwise. We recognize that several additional factors could affect the life cycle of ACAs, such as motivational concerns, organizational learning, or bureaucratic turf wars. However, in this article, we take issue with one specific point: the functional rationale of delegation based on the notion of credible commitment. Our research goal is to unpack and challenge the argument that independent regulators inherently provide governments with increased credibility. By instead highlighting the political dimension of their regulatory activities, we suggest that regulators can also threaten the credibility of incumbent governments, and that this insight is crucial to make sense of the long-term dynamics of delegation. Furthermore, a longitudinal perspective reveals key actor-level variables that are usually underestimated, such as the role of veto players and political and/or agency leaders in blocking or pushing reforms forward.

Our empirical strategy is to look for "smoking guns"—concrete pieces of evidence that are congruent with the observable implications derived from our expectations (Blatter & Blume, 2008; Collier, 2011). In doing so, we adopted an abductive approach (Aliseda, 2006) through which our theoretical expectations have been systematically confronted and refined with more inductive insights during the empirical work, in the spirit of dialogue between ideas and evidence that characterize case-oriented research (Ragin, 1987).

To operationalize our theoretical expectations, we focus on the use of political control tools to track variations in the agency's independence from elected politicians following reforms enacted by the government—our dependent variable. In this sense, more political control corresponds to less statutory independence. Concretely, we draw from the operationalization of agency independence reported in previous studies of formal independence (Balla, 2011; Gilardi & Maggetti, 2011; Thatcher, 2005), which includes the following items:

1. *Appointment of board members*. This can be entrusted either to the government, to the parliament, or to both in the case that the government designates members and parliament deliberates and ratifies this decision. Further, political discretion can be constrained by open completion procedures, rules on independence requirements (previous experiences, relationships with trade unions and political parties, notorious impartiality and integrity), duration, dismissal/renewability of appointments, "cooling off" periods, revolving doors, and/or incompatibility frameworks.

2. *Resources (Budget and staff)*. Budget can be determined by the government or by the parliament in the context of annual budgeting. Staffing levels can be fixed by the law or decided autonomously by an agency. Autonomy depends on stability to program activities and the quantity of available resources to sustain attributed missions.

3. *Overturning of decisions*. Political principals can reject agency advice, overrule an agency decision, or resort to the law to subvert a lower-level rule set by an IRAs.

4. *Manipulation of organizational basis, powers, and duties*. This can be radical when politicians terminate agencies or change their organizational types. More frequently, manipulation affects the structural and operational dimensions of autonomy-control, the competencies entrusted to an agency. In particular, IRAs can gain or lose extensive powers ranging from core regulatory tasks, such as rule-making, monitoring, inspecting, and sanctioning, to an advisory and consultative role, mainly involving the production of guidelines, recommendations, and pieces of technical expertise (Verhoest, Van Thiel, Bouckaert & Lægreid, 2016).

The following empirical analysis tracks changes in delegation to Italian ACAs from 2003, when the first agency was established. The sources of empirical evidence include primary and secondary legislation that set up agencies and define formal powers of political control; primary documents or publications issued by the Italian government and international organizations complemented by reports and acts adopted by Italian ACAs; 20 semistructured elite interviews; and articles from two major Italian daily newspapers. The sources examined and the details on how we triangulated them to increase validity of our findings are available in the Appendix.

Empirical Analysis

The Path to the Introduction of ACAs in Italy: 1996–2003

Italy has experienced not only significant levels of corruption but also a maximum public exposure of corruption in the early 1990s, when the scandal sparked by the "Mani Pulite" judicial investigation led to the collapse of the governing political parties, followed by a massive party system realignment, which had no impact on the enduring fragmentation of coalition governments.

Political change has not led to any true renewal in terms of firm political commitment to anti-corruption efforts that entered the political agenda after the national elections of April 1996, which were won by the center-left coalition led by Prodi (DellaPorta & Vannucci, 2007). In September 1996, the House of Deputies established a special commission to examine reform proposals produced by a committee for the study of causes and remedies for corruption. The analyses of the special commission triggered a parliamentary debate on different aspects of anti-corruption strategy, including the introduction of a dedicated agency (Camera dei deputati-Comitato di

studio sulla prevenzione della corruzione, 1998). The debate has revolved around the fundamental distinction between ACAs with powers of law enforcement ("guard dog" type) and those that lack such powers ("watchdog" type) (Kuris, 2015). However, a number of concerns regarding the effectiveness of both types within the Italian context prevented the Parliament from introducing an ACA.

The "guard dog" type raised concerns because of possible tension with traditional law enforcement partners, especially prosecutors, who cannot be subject to external pressure of any kind, according to the Italian Constitution. The independence of prosecutors is protected because they are part of the judiciary, which is fully separated from other constitutional powers. Prosecutors are independent in investigations, during which they direct the police, and they are the only actors entitled to bring a criminal proceeding.

For the "watchdog" type, the parliamentary debate considered the establishment of a preventive institution focused on detecting systemic weaknesses of public management undermining the integrity of public bodies, such as ineffective handling of conflicts of interest and low levels of transparency. However, concerns about two features in the Italian context severely hampered the introduction of such a preventive institution: first, the severity of organizational fragmentation—that has been further heightened by a wave of institutional reforms—of regional and local parts of the public sector, which are composed of thousands of public and semipublic entities, (Lippi, 2011); second, the legalism of Italian administrative culture (Peters, 2008), as the implementation of preventive rules requires regulations clarifying the substantive procedural details of the application of rules to different types of public offices. According to detractors of the "watchdog" type, the combination of legalism and organizational fragmentation would have resulted in an overburdened agency.

Critical remarks on the viability of ACAs gained wide acceptance among Italian political elites. Following the collapse of the old political parties, the party system displayed high levels of fragmentation and conflicts of interest that arose from the blurring of lines between the political, managerial, and entrepreneurial spheres, particularly at the regional and local levels (Di Mascio, 2012). The fragmentation of political elites due to conflicts of interest implied a multitude of veto players mobilizing their power to obstruct the introduction of preventive rules. Consequently, no agency was introduced until 2003.

Anti-Corruption High Commissioner (2003–2008)

In 2001, the center-right coalition won the national election, and the second Berlusconi government was formed. Since 1994, the emergence of Silvio Berlusconi, who was indicted for corruption crimes several times, as the leader of the center-right coalition has polarized the debate on anti-corruption. Judicial investigations have been denounced as a form of politically biased intrusion of the magistracy in the political sphere. As a result, a number of measures, which many observers judged as being tailored to the judicial needs of Silvio Berlusconi, were passed by the center-right

coalition after 2001 to restrain and weaken the impact of the judicial investigations on corruption (DellaPorta & Vannucci, 2007).

Under a government characterized by a lack of commitment to credible anti-corruption efforts, the Anti-Corruption High Commissioner (HC) was introduced by Law n. 3/2003 to address "the pressure from the OECD in concurrence with the pre-paratory meetings that led to the adoption of the United Nations Convention Against Corruption" (Granelli, 2009, p. 113). The HC was specifically created to act as a dedi-cated corruption prevention body within the Prime Minister's office. Its mandate was limited to supervision and monitoring *ex officio* or upon request of public admin-istrations to review existing legal instruments and practices. It was not vested of investigative powers, as its activity was focused on the identification of critical areas and the assessment of vulnerability to corruption complemented by the obligation to report to the Prime Minister every six months and to refer cases to the judiciary.

Given the lack of commitment to credible anti-corruption efforts as revealed by the delayed ratification of the United Nations Convention Against Corruption-UNCAC until 2009, the HC did not enjoy financial autonomy from the Prime Minis-ter's office, and it only began operating in early 2005 (see Table A1 in the Appendix). Once again, "the key motivation behind the start of the activity of the High Commis-sioner was the pressure from the OECD" (Interview 1). The OECD had included the establishment of the HC among "the noteworthy efforts to tackle domestic bribery," and it had recommended to include in the HC's tasks the fight against foreign brib-ery as an implementing measure of the Anti-Bribery Convention that was ratified by Italy in 2000 (OECD, 2004, pp. 8–10). However, the lack of resources, complemented by the narrow scope of the mandate, prevented the HC from consolidating its public profile, as revealed by the lack of monitoring upon request by public administrations and by the low number of reports by citizens that amounted to 138 in the period from 2005 to 2006 (Alto Commissario Anticorruzione, 2007; Guastella, 2010).

No major consolidation of the HC occurred under the center-left governments during the 2006–2008 period. First, the advent of center-left government did not imply a major disruption of patterns of appointment to the position of HC. Both center-right and center-left governments appointed people who had experience of public life at high levels as state officials or policy advisors complemented by a polit-ical affiliation to the supporting coalition. However, governments of different colors drew from different recruitment pools: the first HC appointed by the center-right government in October 2004, Gianfranco Tatozzi, was a judge who had run for the office of MP in 1996 before serving as a policy advisor for the Berlusconi government beginning in 2001; the first HC appointed by the center-left government in January 2007, Vincenzo Ferrante, was a prefect who had run for mayor of Milan in 2006.

Second, the HC remained severely under-resourced from 2006 to 2008. In the first phase, budget cuts and even the agency's termination were threatened as ways to force Gianfranco Tatozzi to resign (Piccolillo, 2006). After the appointment of HCs that were loyal to the center-left government, fringes of the coalition prevented the consolidation of the agency by supporting budget cuts that were enacted by the Prime Minister's office and by introducing proposals for agency termination (Inter-view 2). Given the uncertain prospects for the consolidation of the agency, the HCs

resigned as soon as more attractive posts became available: Bruno Ferrante resigned in July of 2007 when he was hired as a top manager for a major private company; Achille Serra, former prefect of Rome, held the position of HC from September 2007 to February 2008 before being elected to the Italian Senate.

Finally, the scope of the HC's activity has remained confined to the central government until January 2008, when an agreement was signed between the ACA and the Unified Conference of State, Regions and Local Autonomies, a joint body ensuring cooperative intergovernmental relations in Italy. According to the law that established the HC, this agreement constituted the condition for extending the agency's activity to the regional and local levels. It was signed just five months before the termination of the HC by law decree 112/2008. The exclusion of regional and local levels of government from the remit of the HC contributed in hindering the consolidation of its public profile, as revealed by the persistently low levels of reporting to the agency— just 159 reports in 2007 (Alto Commissario Anticorruzione, 2008). In a country such as Italy, where most of the corrupt deals are perceived to occur at the local and regional levels, the narrow scope of the HC's monitoring made it difficult to gain credit as an effective ACA (Interview 1).

All in all, the retention of an under-resourced agency led by prominent prefects of major cities constituted a compromise between different positions within the center-left coalition: on one side were fringes that were reluctant to delegate powers to the HC; on the other side were fringes that were interested in boosting integrity credentials to external actors by keeping a valued institutional model like the ACA, and to voters by displaying a close association with valued public figures such as prefects (Interview 3).

Reputational concerns lost their intensity after the large victory of the center-right coalition in the national election of April 2008, resulting from a campaign in which the fiscal protest prevailed over integrity concerns (Interview 4). As a reaction to the politicization of appointments by the previous Prodi government, the HC was included in the annex to Decree Law n. 112/2008, which listed the "useless bodies" to be abolished for the sake of fiscal consolidation. As a reaction to the HC's termination, the OECD sent a letter to the Italian government raising concerns about the lack of a single point of contact for the cooperation with international bodies (Ferrarella, 2008). To address these concerns, a successor entity tasked with carrying out the functions of the HC was identified in early October of 2008, just prior to the first on-site visit of the evaluation team of the Council of State-Group of States Against Corruption (GRECO) that Italy had joined in 2007 (Interview 4; GRECO, 2009, p. 40).

Rather than a dedicated agency, the successor organization, the Anti-Corruption and Transparency Service (SAET), was established within the Ministry for Public Administration and Innovation. Its staff and budget were significantly smaller than that of the HC, and this hampered the effective promotion of preventive tools and the assessment of administrative practices to address corruption risks (Interview 5). Therefore, it is not surprising that the successor organization produced only a generic report containing data (mostly already known) about corruption in Italy (SAET, 2009).

Independent Commission for Evaluation, Transparency and Integrity (2009–2012)

After the on-site visit of its team, the GRECO issued an evaluation report of anti-corruption policy in Italy. It highlighted that this policy was restricted to the sphere of criminal investigation and punishment while neither a coordinated anti-corruption strategy nor methodologies for assessing the efficiency of preventive measures targeting public administration had been put in place (GRECO, 2009, p. 4). Remarks from GRECO were addressed by providing more resources to the Department for Public Administration—within which the SAET operated—which was designated the national anti-corruption authority in the context of the UNCAC that Italy ratified in October of 2009 (GRECO, 2011, p. 3).

However, the national anti-corruption authority did not meet the requirement of independence, and it suffered from a persistent lack of capacity. The requirement of independence was met by a new body, the Commission for the Evaluation, Transparency and Integrity (CIVIT), guiding the implementation of reform in the field of performance management and transparency of public administration (legislative decree n. 150/2009). It was a dedicated body for an issue related to the prevention of corruption, namely transparency: the link between transparency and anti-corruption was made through the adoption of multi-annual plans for transparency and integrity that were to be prepared by each administration under the coordination of the CIVIT (Interviews 9 and 10; GRECO, 2011, p. 3).

Given the lack of commitment that was exhibited by the Berlusconi government when the CIVIT was established, the agency was endowed with inadequate resources and only partial financial autonomy (Interview 8). This further heightened the capacity gap of the agency that had been deprived of the inspection powers and administrative sanctions that would be necessary in making its monitoring activity effective (Interview 6). The scarcity of resources was further exacerbated by the economic crisis, which implied severe cuts to the budget for the sake of fiscal consolidation (see Table A2 in the Appendix). As in the case of the HC, the lack of powers and resources prevented the agency's leadership from engaging in a pattern of sustained effort to consolidate the CIVIT, as revealed by the resignation of three out of the five original board members in 2011 (Interview 7).

The only dimension in which the CIVIT exhibited a high level of autonomy was the procedure for board member appointment (see Table A2 in the Appendix). According to Italian legal culture, this feature qualified the CIVIT as an independent regulatory authority (Council of State, 2010). However, the procedure regulating the appointment of board members did not prevent political elites from following the established pattern of selecting state officials or policy advisors who had already served for the two political coalitions (Interview 7 and 9). The full operation of the agency was delayed by prolonged negotiations that led to the bipartisan agreement needed to pass the qualified majority required by law for appointing the original board members in 2010 and the successors of the resigned members in late 2011.

The status of independent regulator enjoyed by the CIVIT induced legislators to qualify the agency as the national anti-corruption authority in the execution of the UNCAC when a major anti-corruption bill was drafted in early 2010. However, this

legislative initiative was not adopted until late 2012, and this lapse exacerbated the uncertainty about the CIVIT's role (Interview 6 and 10). The CIVIT devoted its first year mainly to the release of regulations while it started focusing on monitoring the compliance with transparency obligation beginning in 2011. As in the case of the HC, the regional and local levels of government were not under the remit of the CIVIT, and the Unified Conference of State, Regions and Local Autonomies resisted cooperation with the agency (CIVIT, 2012, p. 9). This contributed in hindering the consolidation of CIVIT's public profile, as indicated by the low number of reports (only 85) that were submitted to the agency in 2012 (CIVIT, 2013, p. 22).

From the CIVIT to the ANAC (2012–2014)

The Berlusconi government proved unable to counteract the effects of the ever-increasing fiscal crisis or reverse the path of faltering legitimacy of the political class that was fueled by a number of corruption investigations. This paved the way for a new "technical" government in late 2011 that was led by the former EU Competition Commissioner Mario Monti and supported by a large bipartisan coalition. In an effort to support the restoration of markets' trust in Italian government—a key determinant of sustainable growth—the new government put the anti-corruption policy at the center of its agenda, as shown by the ratification of the Council of Europe's Civil and Criminal Law Conventions on Corruption, 13 years after the signature of the two conventions (Law 110/2012; Law 112/2012).

During this period, further rationales complemented the social logic of delegation in an effort to grant more autonomy to the CIVIT. First, the Monti government displayed a high level of commitment to credible anti-corruption policy in an attempt to counteract the rise of the antiestablishment "Five Star Movement," which campaigned for more transparency and public integrity. Given its technical nature, the new government was composed of ministers who had not previously been involved in politics. This meant that they could promote anti-corruption without worrying about being targeted by anti-corruption efforts. Credible commitment was further boosted by a wave of major scandals that revealed diffused corruption and maladministration at regional levels (especially in Latium and Lombardy) in the spring of 2012. These scandals triggered a mass media campaign to promote the revision of a manifestly inadequate anti-corruption policy setup. This campaign provided the pressure that was needed to overcome the political stalemate, and the anti-corruption bill was eventually approved after almost two years of debate in Parliament (Law 190/2012). Reputational concerns were so high that for the first time, the application of the anti-corruption policy was extended to the regional and local levels of government, with the widespread perception of high corruption risks at these levels (Interview 12).

Second, the very brief time span between the approval of the anti-corruption package in late 2012 and the national elections that were approaching in early 2013 posed severe time inconsistency problems. Political uncertainty forced the Monti government to approve, before the end of the mandate, a new code of conduct for

public personnel and three legislative decrees implementing Law 190/2012 with regard to the prohibition to be elected or however appointed to political positions in cases of criminal conviction (245/2012); the review of transparency obligations, including the introduction of asset disclosure for political offices (33/2013); and the new framework for preventing conflicts of interest (39/2013).

The regulation and oversight of the new provisions' implementation was delegated to the CIVIT so as to bind the hands of future incumbents, thus preventing them from undoing the anti-corruption policy (Interview 12). The CIVIT was qualified as a national anti-corruption authority, and its main functions were the following: to approve the national anti-corruption plan prepared by the Ministry for Public Administration and Innovation; to monitor the effectiveness of the three-year rolling anti-corruption plans that were to be formulated by each public administration at every level of government on the basis of a corruption risk assessment; to monitor the compliance with transparency obligations; and to provide advice on a number of implementation issues. Regarding these functions, the CIVIT was endowed with the power to perform inspections, the power to command the exhibition of documents and the adoption of acts, and the power to remove behaviors in contrast with the anti-corruption law and transparency rules.

However, functions and powers were entrusted to the CIVIT without providing the agency with a predictable budget (see Table A3 in the Appendix). In the context of widespread popular dissatisfaction toward the public sector as a whole, a further budget cut was enacted in 2012, as the government adopted across-the-board cutback management for all public organizations, regardless of the saliency of their mission (Interview 11). Resource constraints discouraged legislators from granting the management of administrative sanctions to the CIVIT since the handling of the caseload would have crowded out key anti-corruption efforts, such as providing guidance and support to public administrations during the transition from the traditional repressive approach to corruption, to the unprecedented preventive framework (Interviews 12 and 13).

The subsequent political developments hindered the agency's consolidation. The 2013 national elections were marked by the success of the antiestablishment "Five Star Movement," which led to a hung Parliament. Eventually, an unusual grand coalition government led by Letta, an MP of the center-left Democratic Party, was formed two months after the elections. In November 2013, Berlusconi exited from the grand coalition as a reaction to his first definitive criminal conviction, implying his expulsion from Parliament on the basis of legislative decree n. 245/2012. However, Letta was able to survive because a new faction (New Center Right Party) split from the party that was led by Berlusconi and supported the incumbent government in exchange for key ministerial portfolios, including that of the Public Administration Minister assigned to the career politician Gianpiero D'Alia.

The shift from a technical to a political government dramatically altered the political context in which the agency operated, as the influential New Center Right Party inherited the lack of commitment toward anti-corruption that was exhibited by the previous center-right governments, and it coalesced with the fringes of the center-left coalitions that had opposed the delegation to ACAs since the introduction

of the HC. These veto players drew support from the large majority of regional and local political class members who mobilized against the extension of preventive tools such as asset disclosure and management of conflicts of interest regarding the subnational levels of government.

The mobilization of the veto players was further heightened by the zealous approach to the implementation of the anti-corruption law that was embraced by the leadership of the CIVIT despite dismissal threats by the government (Interview 11). The CIVIT's leadership exhibited a predisposition to promptly regulate and supervise the implementation of legislative decree 39/2013, which had introduced a strict framework for conflict of interest prevention. In a context like the Italian one, where most local politicians held different political and administrative positions simultaneously and/or in sequence, the National Association of Local Authorities (ANCI) made a public statement asking for the decree application's postponement.

This request was not addressed by the CIVIT (2013), which disposed of the immediate and total application of legislative decree 39/2013 that made a large number of local politicians unsuitable for administrative positions. This provision increased the tension between the agency and the government since the latter was sustained by many local politicians who shared the ANCI's concerns regarding the immediate application of the incompatibility framework. As a reaction, an unprecedented overturning of the agency's decision occurred in June 2013 when the government adopted the Law Decree 69/2013 that postponed the application of legislative decree 39/2013 and shifted the advisory powers regarding the application of this provision from the CIVIT to the Ministry of Public Administration and Innovation.

In the summer of 2013, the extension of the preventive framework to the thousands of private companies of which local public administrations hold shares constituted another contentious issue that slowed down the approval of the first National Anti-Corruption Plan. The extension was not envisaged by the first version of the National Anti-Corruption Plan that was drafted by the Ministry for Public Administration and Innovation since it was resisted by the large majority of local politicians who take advantage of the managerial flexibility granted to these companies for the purposes of clientele and patronage (Interview 14). Finally, the National Anti-Corruption Plan was approved by the CIVIT in September 2013, almost a year after the introduction of the new anti-corruption framework, on the condition that publicly owned companies implemented preventive rules.

The tension with CIVIT's leadership led the Letta government to adopt a new emergency measure in August 2013 (Law Decree 101/2013)—complemented by a further budget cut—which changed the denomination of the agency (from CIVIT to ANAC—Anti-Corruption National Authority) and its mission. The ANAC focused exclusively on anti-corruption by transferring powers regarding performance management to the agency for collective bargaining in the public sector (ARAN). The exclusive focus on anti-corruption was the official motivation behind the change of the board composition from three to five members who were expected to meet the requirement of professional qualification in the field of anti-corruption.

This provided room for a new round of appointments, as the career background of CIVIT board members was deemed to be focused on performance management.

However, the complex procedure for appointment slowed down the renewal of the ANAC board until 2014. In both the parliamentary and public debate, the emergency measures adopted by the Letta government have been interpreted as a political retaliation against the zealous CIVIT board members introducing an unprecedented case of spoils system at the top of ACAs (Melis, 2013; Senato della Repubblica, 2013; Trovati, 2013).

The reaction against the activism of the leadership was also made possible by the lack of visibility enjoyed by the agency, as indicated by the low number of reports (340 in 2013) submitted by citizens (ANAC, 2013). The large part of the ANAC's activity in its first year as the national anti-corruption authority was devoted to handling the problems of interpretation with regard to the application of preventive rules on transparency and the conflict of interests that had generated uncertainty and confusion in a legalist and fragmented setting like the Italian one. Emblematic in this regard is the high number of requests for clarification by public administrations (729) that were processed by the agency in 2013 (CIVIT, 2013). The focus on the advisory role led the public to perceive the agency as toothless in a context marked by outright rampant corruption (Interview 15).

The Merger ANAC-AVCP (2014–2016)

In February 2014, a report on Italy was released by the European Commission (2014, p. 10) highlighting the capacity gap of the ANAC. The latter, according to the report, had seen its role mostly in a reactive function with a focus on advice and formal verification of strategic documents prepared by public bodies. The inspection tasks appeared to have had low priority, and the sanctioning powers were nonexistent. Therefore, the report recommended mitigating the risk of the preventive approach so that it becomes a formalistic process focusing on documents and rule interpretation rather than taking more targeted and immediate actions to address existing vulnerabilities. This recommendation was echoed by the Italian media, which emphasized the instability of ACAs as an indicator of the lack of credibility of anti-corruption efforts that had been undertaken since 2003 (Colombo, 2014; Stella, 2014).

In the same month, the renewal in the leadership of the Democratic Party implied the sudden end of the Letta government. The new leader Matteo Renzi took over as the youngest prime minister in Italian history who met the popular demand for a renewal of the political class. Renzi put anti-corruption policy at the center of the government agenda in an attempt to counteract the attacks of the Five Star Movement on Italian mainstream parties, which lurched from one corruption scandal to another.

The first initiative adopted by the new government in late March 2014 was the appointment of Raffaele Cantone as president of the ANAC, thus bringing about a change in patterns of recruitment at the top of ACAs. Unlike his predecessors, Cantone had neither served as policy advisor nor exhibited political affiliations to the governing parties. A former anti-mafia prosecutor in Naples, Cantone was selected

as he enjoyed fast-growing popularity among public opinion to such an extent that he was selected as "2014 Man of the Year" by a prominent weekly news magazine (Di Feo, 2014). The lack of political affiliation and his career background made Cantone the most suitable candidate for the post in an attempt to signal to the European commission and to the public a new anti-corruption strategy focused on targeted and immediate actions (Interview 19).

As soon as he was appointed, Cantone publicly condemned the capacity gap of the ANAC entrusted, as it was endowed of incomplete powers and scarce resources (Interview 18). The call for more power was boosted by a new wave of major corruption scandals that hit the Expo 2015 in Milan and the flood barrier system in Venice in late spring 2014 (Interview 17). Scandals prompted the adoption of the emergency Law Decree 90/2014, shifting the responsibility of formulating the National Anticorruption Plan from the Ministry for Public Administration to the ANAC. The latter was also charged with the responsibility of receiving reports on possible misconduct from whistle-blowers and imposing administrative sanctions to those public administrations that failed to adopt anti-corruption plans, transparency programs and codes of conduct.

Decree Law 90/2014 also provided the termination of the former Authority for the Supervision of Public Contracts (AVCP). In line with the request from Cantone, the former AVCP was merged with the ANAC to address the scarcity of resources and the lack of full financial autonomy (Table A4 in the Appendix). The merger also brought public procurement, the area most exposed to corruption risks, under the supervision of the ACA, whose qualification as an independent regulatory authority was explicitly restated by Law Decree 90/2014 (Interview 16). The organizational turn was complemented by the long-awaited renewal of the board that occurred through an unprecedented open competition that was launched by the government in spite of the lack of any requirement by the law. However, the majority of the appointments followed the established pattern of selecting policy advisors and officials closely associated with political parties, thus highlighting the persistent influence of those political fringes that had hindered the delegation to ACAs (Interview 18).

Given the urgency of securing the opportunity for a successful Expo 2015 in Milan, veto players could not prevent Renzi from entrusting to Cantone special personal powers regarding the oversight of procedures related to the exhibition. In exercising this role of supervision, Cantone exploited the special powers to gain visibility at the international level (Interview 19). In October 2014, the ANAC and the OECD signed a memorandum of understanding referring to the monitoring of Expo 2015 tender procedures. The controls carried out by the ANAC under the methodological supervision of the OECD made it possible to respect the deadline of May 2015, leaving a legacy of high principles for integrity and the transparency of major events and the related infrastructure (ANAC and OECD, 2015).

The success in weeding out graft in the contracts of Expo 2015 boosted the popularity of Cantone in both the international and domestic domains. He called for further power, and his request was reinforced by the outbreak of a new major corruption scandal in the municipality of Rome in November 2014. This led to the

further delegation of monitoring powers in the field of public procurement in spring 2015 when the Anticorruption Law n. 190/2012 was amended by Law n. 69/2015. This provision also allowed the president of the ANAC to take charge of public works projects involved in corruption investigations. Since August 2015, the application of the special powers of the president to the oversight of procurement procedures that had been pioneered at the 2015 Expo in Milan was extended to the Jubilee of mercy due to an opening in Rome at the end of the year.

Yet the endless eruption of scandals related to the management of procurement procedures in Rome, whose shortcomings had been highlighted by an inspection conducted by the ANAC (Deliberation 207/2016), kept concerns about corruption high, triggering a new spate of anti-corruption provisions. In early spring 2016, the transposition of European directives in the field of public contracts (Legislative Decree 50/2016) provided an opportunity to not only strengthen the supervisory functions (precautionary interventions on tendering processes and sanctions for failure to comply with ANAC's recommendations) but also the regulatory ones: contracting authorities must be recorded in a registry subject to ANAC assessment; ANAC also adopts instruments of flexible regulation with binding effectiveness; and ANAC's recommendations in prelitigation mechanisms are now binding. In late spring 2016, the review of the provisions on anti-corruption and transparency (Legislative Decree 97/2016) charged ANAC with further regulatory responsibilities with regard to the implementation of the newly introduced Freedom of Information Act. Concerning obligations for proactive disclosure by public administrations, ANAC was entrusted with more regulatory functions and administrative sanctions.

Cantone played a major role in the consolidation of the public profile of the ANAC with its proactive and determined leadership focused on targeted monitoring and inspection rather than advisory functions and the verification of strategic documents (Interview 17). The visibility enjoyed by the ACA led to a sharp increase of reports by citizens, which amounted to 1497 in 2014 and 2364 in 2015 (ANAC, 2015, 2016). It also led public administrations to ask for preventive monitoring of procurement procedures by the ANAC that intervened upon request in 29 cases in 2015, 49 in 2016, and 34 in the first quarter of 2017 (ANAC, 2017).

However, there were drawbacks to the wide range of powers granted to the ANAC. It faced higher expectations and required more resources against a backdrop of legalist intricacies slackening the organizational merger with the AVCP (ANAC, 2016). The merger occurred under the persistent pressure for expenditure reduction focused on personnel in a context where the dismissal and transfer of public servants faced strong resistance from powerful veto players such as unions (Interviews 16 and 20). As a result, the approval of the agency's reorganization plan occurred only in February 2016, thus ensuring the survival of the former AVCP personnel disguised as ANAC. The latter has been banned to recruit new staff with skills that match the functions related to anti-corruption and transparency until early 2017. Further, the ANAC has released five recommendations to the government and the parliament calling for a major revision of legislative decree 39/2013 in order to address the persistent uncertainty about many legal aspects of its implementation. However, this call has not yet been met by the political class.

Discussion and Conclusion

This article has examined changes in Italian ACAs' mandates and power over time. Since Italian ACAs correspond to the "watchdog" type mentioned by Kuris (2015, p. 33), our findings challenge the argument according to which this type of agency would be "less politically controversial" than the "guard dog" type. Instead, it appears that Italian ACAs have been subjected to constant tension and political struggles that make delegation "a rollercoaster shaped by changes in government" (Batory, 2012). Our study reveals that ACAs performing the role of prevention and coordination bodies—conceived as the regulators of the political market—are particularly interesting for studying delegation processes over time since they are exposed to contradictory pressures between independence and control that also affect other independent regulators. More specifically, our empirical analysis, focusing on the interplay between explanatory factors over time, produced three main findings (cf. Table 1), which should be considered exploratory and are expected to be valid under the scope conditions referring to the Italian context mentioned in the second section of this piece.

First, the empirical analysis has highlighted the two-sided logic of credible commitment involving a negative disposition toward ACAs' independence exhibited by those governments (Berlusconi and, to some extent, Letta) supported by political elites who—for various reasons—had strong incentives to avoid the risk of the agency focusing on their previous conduct in office. Conversely, the potential for credibility gains was higher for those governments (Monti and Renzi) composed of political elites who did not worry about being targeted by independent regulators and/or that came to power by emphasizing the need for a radical break with the past. What is more, agency independence has been enhanced most under the Monti government as the only case in which political uncertainty (Moe, 1989) acted as a powerful pressure for delegation. In this case, it was the "technocratic" nature of the Monti government and its short-term perspective that posed severe time inconsistency problems, which were addressed by delegating powers to the agency as a way to "freeze" the anti-corruption policy before the return of conventional governments of political leaders. By influencing the career background of political principals and their time horizons, the alternation in government has therefore provided a variation in the incentives for political control. These findings confirm arguments about the interplay between the supply side and the demand side of credibility.

In that regard, it is worth noting that the demand for credible commitment to anti-corruption policy has constituted a crucial factor encouraging agency independence, particularly under the pressure caused by scandals of political leaders. This finding confirms the common reference to scandals in the literature on ACAs (Batory, 2012), where they are seen as triggers for reinforcing credible commitments. However, scandals only influence agency independence if political conditions are also present. What is more, our findings clarify the role of recommendations from international organizations that refer to agencies as the legitimate institutional model for anti-corruption policy. Those external pressures for adoption have been constant throughout the period under investigation, providing impetus for agency creation

Table 1. Summary Table

Phase	Political Context	Key Rationale for (Post-)Delegation	Agency's Leadership	Patterns of Political Control
HC (2003–2008)	Polarized political competition between pre-electoral coalitions	Berlusconi government: Symbolic delegation; Center-left governments: Credibility	ACA board membership as a route to more attractive posts	Appointment of loyal experts; Delayed transfer of limited resources; Budget cuts and termination threatened; Limited powers focused on episodic inspections
CIVIT (2009–2012)	Polarized political competition between pre-electoral coalitions	Berlusconi government: Symbolic delegation	ACA board membership as a route to more attractive posts	Appointment of loyal experts; Limited resources; Limited powers focused on rule-making
ANAC (2012–2014)	Grand coalition governments; Rise of anti-establishment parties; Corruption scandals	Monti government: Credibility and political uncertainty; Letta government: Symbolic delegation	Zealous application of the anti-corruption framework; Low level of support from the public and international actors	Spoil system threatened and practiced by the Letta government; Limited resources; Overturning of decisions; Limited powers focused on rule-making
ANAC (2014–2016)	Center-left government; Rise of anti-establishment parties; Corruption scandals	Renzi government: Credibility	Request for wide-ranging powers; Large level of support from the public and international actors	Appointment of a well-known independent president; Enlargement of resources via organizational merger; Wide powers: enlargement of rule-making and new sanctioning powers

and survival. Therefore, the cyclical fluctuation displayed by the historical trajectory of agencies implies that delegation has been primarily affected by domestic factors. All in all, these findings confirm our theoretical expectations 1.1 and 1.2: the extent of delegation corresponds to the balance struck by governments, between expected credibility gains as a principal and expected credibility losses as a target, in a context punctuated by domestic crises and scandals that acted as triggers for reforms.

Second, the analysis does not support expectation 2.1 but mostly corroborates expectation 2.2 in regard to the mode of institutional reform, even though some qualifications are in order. Indeed, a process of layering seems at work, which is however characterized by an unusually high frequency of reform activity. This suggests that, even in highly salient fields populated by many veto players and with low discretion in implementation, institutional change is possible and even likely. More specifically, our operationalization of agency independence has also allowed us to track how the use of political control tools has changed over time. We found that political principals have relied mostly on appointments, resources, and the manipulation of powers. As for the latter, it has not only affected the structural dimension but also the operational one, thus revealing the potential of our integrated framework for investigating agency independence in a fine-grained manner. One specific tool, that is, the overturning of the agency's decision, has only been used once, which was when the Letta government reacted to the agency's zealous implementation of the incompatibility framework highlighting the role of the agency's activism as a factor influencing delegation. Thus, all in all, our study also supports expectation 3 in terms of the role of proactive political and/or agency leaders in institutional reforms with respect to the symbolic dimension of delegation. Specifically, the activism of an agency leader (Raffaele Cantone) who could use his vast reputation to catalyze and exploit pressures stemming from international organizations and from the media is key in explaining the high pace of reforms in the last period. This is an underestimated factor that should be reconsidered and given more attention, especially through qualitative studies that can uncover the "black box" of the politics of the delegation process characterized by circles of reactions and counter-reactions.

Turning to the broader implications of our study, these findings suggest qualifying the main functional arguments for delegation to independent regulators, that is, the assumption that the government delegates regulatory competencies in order to solve time-inconsistency problems and thereby increase the credibility of regulatory policies. On the one hand, it appears that governments that suffer from stronger credibility problems are not those delegating the most. Instead, the contrary is true. Governments that do not anticipate any threat by regulators tend to confer them with more power. This means that the demand side of credibility is crucial. On the other hand, we can observe that regulatory reforms are more frequent than expected and that delegation can be quite easily reverted, even in an unfavorable context characterized by many veto players and limited discretion in implementation. This state of affairs suggests rethinking the "principal-agent" framework by including reputational concerns more systematically and more explicitly. However, our findings are preliminary and limited to cases similar to the one under investigation, that is, highly salient policy areas where the government is a "principal" and a regulatory target at

the same time. By comparing multiple cases across countries and policy sectors, further case studies could reduce the limitations inherent to single-case design (Rohlfing, 2012).

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Note

The article is the result of a common undertaking. However, sections "Introduction" and "Discussion and Conclusions" can be directly attributed to Fabrizio Di Mascio; sections "Delegation to Anti-Corruption Agencies and the Process of Regulatory Reform" and "Research Design and Methods" to Martino Maggetti; section "Empirical Analysis" to Alessandro Natalini.

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Interviews

Interviews were conducted between December 2013 and May 2015. These lasted between 45 minutes and two hours. Previous experience of two co-authors in the role, respectively, of board member (2011–2014) and policy advisor (2012–2015) at the CIVIT-ANAC, has provided sufficient knowledge of the policy field to identify the respondents of interest as well as gaining access to them (Tansey, 2007). At the time of writing, the two co-authors did not face any condition or nondisclosure clause.

We decided on an approach using open-ended questions that allowed the respondents to fully articulate their answers (Aberbach & Rockman, 2002). The

flexibility of this approach fits our exploratory research that aimed to reconstruct a set of events, in particular the hidden elements of political actions that were not clear from an analysis of documentary evidence (Rathbun, 2008). The semistructured questionnaire was administered face-to-face in the interviewees' office to collect a more detailed insight (Harvey, 2011). Given the sensitivity of the issues discussed, anonymity was assured to interviewees. The latter preferred us to rely on handwritten notes as they felt uncomfortable with us recording interviews.

In order to address the validity and reliability issues in elite interviewing (Berry, 2002), five respondents were selected for each of the four phases in which the trajectory of Italian anti-corruption agencies (ACAs) has been segmented (High Commissioner Against Corruption, 2003–2008; CIVIT ante law 190/2012, 2009–2011; CIVIT-ANAC after law 190/2012, 2012–2014; and ANAC, 2014–2016), with a view to gather information from respondents who played different roles in the policy episode under examination: agency's board members and officials, political elites and their policy advisors, and academics deeply knowledgeable of working process of anti-corruption policy.

Questionnaire

Our research aims to explain the development trajectory of the ACA in the period under examination (to be specified). We aim to track political control of the ACA from institutional design to post-delegation relations, i.e., we ask whether the elected politicians have set the agency up in their own image and kept them under tight control through application of their formal powers or they have allowed the ACA to become an autonomous actor.

The first set of questions seeks to inquire into the use by elected politicians of the key control tools that are identified as important by the literature.

• Nomination of ACA members

– Have elected politicians sought to control the ACA by appointing board members linked to them?
  ○ If no, what is the motivation behind the lack of political control?
  ○ If yes, have they been interested in rewarding loyal party activism/service or did they want to control policymaking by having personnel linked to them at the top of the ACA (other motivations might also be mentioned)? Would you say that appointees have gotten their jobs because they were professionally qualified for them, or because of their political link, or because of their personal allegiance, or any other allegiance (other reasons might also be mentioned)?
– Have early departures from office been for personal or professional reasons, including taking other attractive posts, or for pressure from elected politicians?

• Budget and staff

– Have elected politicians used their control over resources to constrain the ACA's autonomy?

   o If no, what is the motivation behind the lack of political control?

• Overturning of decisions
– Has the ACA taken decisions that elected politicians disliked? If that was the case, have the elected politicians used their formal powers to overturn those decisions?

   o If no, what is the motivation behind the lack of political control?

• Manipulation of organizational basis, powers, and duties
– Have elected politicians used institutional reform to increase their own powers over the ACA?

   o If no, what is the motivation behind the lack of political control?

The second set of questions seeks to inquire into the process of application of control tools by elected politicians.

• Have any of the following functional pressures led the politicians to entrust powers to the ACA and to refrain from curtailing its autonomy?
   o Enhancing the credibility of commitments to fight corruption
   o Reducing political uncertainty in the policy area over time (i.e., decisions cannot be reversed by future politicians)
   o Ensuring technical specialization to handle complexity of anticorruption
• Have any of the following transnational and international sources led the politicians to entrust powers to the ACA and to refrain from curtailing its autonomy?
   o Pressures from organizations like the OECD, the European Commission, and the Council of Europe, promoting the empowerment of the ACA
   o The choice of the ACA as a valued institutional mode drawing of the success of ACAs in different contexts.
• The Italian political system has been characterized by an unpredictable electoral cycle in a context of party fragmentation. How have the features of the political system affected the development of the ACA?
   o Has the fragmentation of the party system made the application of political control tools more costly (i.e., costs associated to negotiation and bargaining)?
   o How has the alternation in government between coalitions affected delegation of powers to the ACA?
• According to the literature, the agency's leadership is a key explanatory factor of the ACA's development, meaning that autonomy also depends on how the leaders use the resources they have. How have the qualities and strategic behavior of the ACA's leaders affected the development of the agency?
   o How has the leadership put effort in establishing the ACA as a legitimate actor in the system?
   o Has the leadership exploited any opportunity to ask for more autonomy?
   o How has the leadership reacted to reform proposals threatening the agency's autonomy?

Table A1. Anti-corruption High Commissioner (2003–2008): Autonomy Indicators by Dimensions

APPOINTMENT (regulated by the Decree of the President of the Republic 258/2004)

Nomination procedure: Council of Ministers on proposal of the Prime Minister
Requirements: High Commissioner selected among judges, state solicitors, military generals, top public managers
Duration: 5 years (renewable for one term)
Cooling off period: None

BUDGET AND STAFF (source: High Commissioner Biannual Reports to the President of the Council of Ministers)

Budget (millions of euros): 2005: 6; 2006: 6.5; 2007: 3.8; 2008: 2.6
Notional Staff: From 70 units as set by the Decree of the Prime Minister 271/2005) to 83 as set by the Decree of the Prime Minister of 28 September 2007
Actual Staff: from 40 to 57 units in the period 2005–2007
Staff stability: Civil servants borrowed by other public administrations and temporary workers
Budget and organizational rules: Staff and internal organization have been defined by secondary regulation (Decree of the President of the Republic 258/2004; Decree of the Prime Minister 271/2015; Decree of Prime Minister of 27 September 2007); Financial resources have been defined by annual budget laws and managed by the Prime Minister Office

OVERTURNING OF DECISIONS

None

INSTITUTIONAL REFORMS

Statutory reserve about mission and powers: Functions defined by secondary regulation (Decree of the President of the Republic 258/2004)

Table A2. CIVIT (2009–2012): Autonomy Indicators by Dimensions

APPOINTMENT (regulated by Legislative Decree 150/2009)

Nomination procedure: Five board members are proposed by the Council of Ministers to the competent commissions of both chambers that approve by qualified majority (2/3 of the components); President elected by the board members; Law Decree 211/2011 reduced board members to 3
Requirements: High professional experts in the fields of public management; no eligibility of those who had political positions or appointments in political parties or trade unions in the previous three years.
Duration: 6 years (renewable for one term)
Cooling off period: None

BUDGET AND STAFF (source: CIVIT Annual Reports)

Budget (millions of euros): 2009: 2; 2010: 8; 2011: 4.8
Staff dimension: 30 units of personnel complemented by ten experts as set by Legislative Decree 150/2009
Staff dimension: 20 units of personnel complemented by four experts in 2012
Staff stability: Civil servants borrowed by other public administrations and temporary workers
Budget and organizational rules: Internal organization has been defined by secondary regulation (Decree of the Minister for Public Administration of 12 March 2010); Financial resources have been defined by annual budget laws and transferred by the Prime Minister Office

OVERTURNING OF DECISIONS

None

INSTITUTIONAL REFORMS

Statutory reserve about mission and powers: Functions defined by legislative decree 150/2009

Table A3. CIVIT-ANAC (2012–2014): Autonomy Indicators by Dimensions

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APPOINTMENT (regulated by Law Decree 101/2013)

Nomination procedure: President and four board members are proposed by the Council of Ministers to the competent commissions of both chambers that approve by qualified majority (2/3 of the components); the selection of the President by the Government has already been introduced by Law Decree 179/2012

Requirements: to be high professional experts not only in the field of public management but also in that of anti-corruption policies; no eligibility of those who had been elected in political positions or had appointments in political parties or trade unions in the previous three years

Duration: 6 years (not renewable)

Cooling off period: None

BUDGET AND STAFF (source: ANAC Annual Report Year 2013)

Budget (millions of euros): 4.3 in 2013

Notional Staff: 30 units of personnel complemented by 10 experts as set by Legislative Decree 150/2009

Actual Staff: 26 persons in 2013

Staff stability: staff borrowed by other public administrations and temporary workers

Budget and organizational rules: Internal organization has been defined by secondary regulation (Decree of the Minister for Public Administration of 12 March 2010); Financial resources have been transferred by annual budget since 2014

OVERTURNING OF DECISIONS

Law Decree 69/2013 reversed the regulation 46/2013 by ANAC

INSTITUTIONAL REFORMS

Statutory reserve about mission and powers: Functions defined by Law 190/2012

Reduction of ACA powers: the advisory power regarding the interpretation of Legislative Decree 39/2013 has been transferred from the ANAC to the Minister of Public Administration by Law Decree 69/2013; regulatory powers regarding performance management have been transferred to the collective bargaining agency by Law Decree 101/2013 (they have been later attributed to the ANAC by Law 125/2013)

Table A4. ANAC post Law Decree 90/2014: Autonomy Indicators by Dimensions

APPOINTMENT (regulated by Law Decree 101/2013)

Nomination procedure: President and four board members are proposed by the Council of Ministers to the competent commissions of both chambers that approve by qualified majority (2/3 of the components)
Requirements: to be high professional experts in the field of public management and anti-corruption policies; no eligibility of those who had been elected in political positions or had appointments in political parties or trade unions in the previous three years
Duration: 6 years (not renewable)
Cooling off period: None

BUDGET AND STAFF (source: ANAC Reorganization Plans of 2014 and 2016)

Budget (millions of euro): 5 millions of public funds; around 50 millions of fees and sanctions charged in the regulation of public procurement
Notional Staff: 350 units
Actual Staff: 299 as of 30 May 2015
Staff stability: Tenured staff, mostly inherited from the AVCP without any specific skill in anticorruption
Budget and organizational rules: Internal organization defined by the Decree of the President of the Council of Ministers of 1 February 2016 as required by Law Decree 90/2014; Full financial autonomy since the agency sets how to charge companies that award services and public works to public administration.

OVERTURNING OF DECISIONS

None

INSTITUTIONAL REFORMS

Statutory reserve about mission and powers: Functions defined by Law 90/2012
Increase of agency's powers: Transfer of public procurement competences previously attributed to the AVCP (Law Decree 90/2014); Administrative sanctions in the field of transparency and anticorruption complemented by the power to issue the National Anti-corruption Plan and to receive complaints by whistleblowers (Law Decree 90/2014); monitoring powers in the field of public procurement (Law 69/2015); regulatory powers in the field of public procurement (Law 50/2016); regulatory powers with regard to freedom of information and administrative sanctions in the field of transparency (Legislative Decree 97/2016).
Decrease of agency's powers: Performance management competences transferred to the Ministry for Public Administration (Law Decree 90/2014).
Increase of the personal powers of the President: oversight of public procurement procedures of Expo 2015 (Law Decree 90/2014); proposal of special measures to be adopted by prefects to tackle involvement in alleged misconduct by companies which award public works (Law Decree 90/2014); power to take charge of public works project involved in corruption investigations (Law 69/2015).