

# Expert legitimacy and competing legitimation in Italian school reforms

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## Abstract

In the face of the complexities of problem-solving, experts are gaining centrality in policymaking (Weiss, 1979). At the same time, they are increasingly challenged in their legitimacy, which is not only technical but also political. Challenges to the legitimacy of experts suggest that other types of legitimacy are important for policymaking. Issues of legitimacy are particularly important for sound policymaking when the authority of experts and the value of evidence are contested and when the debate over policy solutions is particularly conflictual and ideological. In this paper, I use three exploratory cases of the use of expertise in education policy in Italy to show how policymakers design different advisory committees to enhance different types of legitimacy (epistemic, bureaucratic, and political). The findings suggest that while policymakers design advisory committees primarily to meet their legitimacy needs, the legitimacy of a decision requires different types of sources to generate consent and to allow for the impact of expertise.

**Keywords:** expert legitimacy, scientific advisory committees, hybrid advisory committees, temporary advisory bodies, education policies

The relationship between knowledge and politics is a classic theme in political science (Boswell, 2008; Weiss, 1979), while more recently the literature on scientific experts and evidence-based policymaking (EBPM) has focused on the issue of expert legitimacy (Bandola-Gill, 2021). In particular, scholars have emphasized the growing importance of knowledge for policymaking (the so-called scientization of politics), but also that the use of experts in policymaking is far from neutral and solely a technical matter (the politicization of science) (Christensen & Holst, 2017). These inherent tensions show that the role of both scientific expertise and other forms of policy advice can prove crucial to making decisions not only more evidence-based or effective but also more legitimate, in terms of their ability to generate political consent and mutual trust (Head, 2016). At the same time, repeated challenges to the authority of experts show that experts alone may not be sufficient to create consent, as multiple and competing sources of legitimacy are important to the decision (Galanti & Lippi, 2023).

This paper argues that legitimating a decision is a complex process in which expert authority competes with other sources of legitimacy in ways that remain relatively unexplored (Christensen, 2021). Indeed, policymakers can legitimize their decisions in multiple ways, and they may or may not choose to use expert legitimacy to justify their decisions (especially in highly politicized policy subsystems, where the value of scientific knowledge is contested). The focus of this paper is therefore on how policymakers design different advisory bodies to confer legitimacy on their decision, how they use their knowledge, and what happens when legitimacy is challenged by key actors in a policy subsystem.

To explore the dynamics of multiple legitimacies, the paper proposes a comparison of three explorative case studies of educational reforms in Italy as examples of different strategic choices regarding the use of expertise in contexts where EBPM is highly contested and policy choices are value laden and conflictual, as in Italian education policies (Argentin & Barone, 2016). All three cases are situations where the policymaker had to gain consent and centrality in the political game by legitimizing their decisions. The first case describes a situation where one policymaker invests heavily in the legitimacy of experts to elaborate and sustain a reform of school tracks (i. e. for Minister Moratti and the Bertagna Commission in 2001). In the second case, the policymakers openly decide not to build legitimacy on the scientific experts, but on other forms of legitimacy to introduce managerialism in schools (as for Minister Giannini, Prime Minister Renzi, and the Cantieri Buona Scuola in 2014). In the third case, the policymaker facing the pandemic seeks for both experts and stakeholders to seek legitimation but then disregards their advice (as for Minister Azzolina with the Bianchi Commission in 2020). In all the three cases, the legitimacy strategies of the policymakers were challenged based on the lack of other types of legitimacy, ultimately leading to a delegitimation of the final decision.

## Theoretical background

In order to approach the topic of the legitimacy of experts in the policy process, a preliminary distinction must be made between “legitimacy” as a property or a static attribute (of a regime, of an organization, and of an individual) and “legitimation” as a dynamic process by which this legitimacy is created (Ansell, 2001, p. 8706; Lippi, 2019). Legitimacy can be broadly defined as the acceptance, justification, or recognition of a form of authority or power by the members of a political regime (Weber, 1964, p. 382); legitimation is the process by which this legitimacy is constructed, thanks to the emergence of values that support the authority in the light of certain beliefs (Beetham, 1991, p. 15). According to Beetham (1991, pp. 18–20), power is legitimate to the extent that it conforms to established rules; the rules can be justified by reference to beliefs shared by both dominant and subordinate actors; and there is evidence of the subordinate’s consent to the particular power relationship. Legitimacy is strongly linked to shared beliefs and values in a political system (as a whole or as part of it), and it is visible when different forms of consent emerge. Consent, as a possible consequence of legitimacy, can take two main forms. The first is a more diffuse and general support for the political system; the second is a specific support based on shared values and practices in a policy subsystem. On the contrary, when legitimacy is challenged, a decision or political actor loses consent and support while experiencing opposition or irrelevance to policymaking. On the contrary, a discrepancy between rules and supporting beliefs (or the absence of shared beliefs) leads to a legitimacy deficit, while an explicit withdrawal of consent leads to delegitimation (Ansell, 2001).

Perceptions of legitimacy and the challenges they pose have implications for how policymakers design their own legitimation strategies. While the literature has emphasized the procedural characterization of legitimacy (Scharpf, 1999; Van Damme et al., 2011), policymakers may also consider different policy capacities as different sources of legitimation for a decision (Wu et al., 2015). In other words, a policymaker may design a legitimation strategy to deal with perceived legitimacy deficits and justify a decision. Indeed, the policymaker may perceive a deficit in the analytical capacity to find solutions to a problem, and/or in the managerial capacity to implement policies, and/or in the political capacity to sustain and steer a policy change. To address these capacity deficits, the policymaker strategically decides to invest in one or more sources of legitimacy to justify the need to act effectively and appropriately.

Potentially, three different types of legitimacy can be activated by the policymaker to cope with a policy capacity deficit. The first type of legitimacy can be called *epistemic legitimacy* and addresses the need to find new technical solutions and ideas. This type of legitimacy derives from the perceived authority of science and can be attributed to scientific experts. Here, scientific or professional expertise is invoked to persuade actors to modify their behaviors or to learn, or to comply with rules and regulations. The

second type of legitimacy can be described as *managerial legitimacy* and has to do with the ability of a public body or organization to deliver the services and fulfill the values shared in a policy subsystem. The decision is legitimate to the extent that it achieves efficiency and effectiveness in a rational model of administration, where legitimacy is the property of civil servants, public managers, street-level bureaucrats, and insiders of a policy subsystem. The third type of legitimacy, *political legitimacy*, derives from the ability to respond to the demands of the wider society in a way that creates new solutions while offering new values and beliefs about the right order of things in a given policy subsystem. This type of legitimacy depends on the adherence of policy action to the shared values and practices in a subsystem and on the activation of political commitment and leadership to ultimately sustain change (Pal & Clark, 2015).

Therefore, policymakers facing legitimacy deficits decide to design the advisory bodies by giving more importance to one of these three legitimacies. In the face of uncertainty, complexity, and urgency, the establishment of an advisory body is not only a technical matter but also a matter of political judgment (Lindblom, 1959). In this sense, also the experts need to justify their right to be part of a decision-making process and to be seen as legitimately relevant to the decision. As epistemic legitimacy has a dual source, being both technical and political (Krick, 2015), it includes the political judgment of shared beliefs (Bandola-Gill, 2021).

Similarly, the main criteria for judging whether expert advice is legitimate or not depend on the shared beliefs in a given context, which vary across countries and sectors (Craft & Halligan, 2020; Craft & Wilder, 2017; Hustedt & Veit, 2017), and on different logics of advice, ranging from scientific credibility to political salience to representativeness of stakeholders (Cash et al., 2002; Veit et al., 2017).

This makes policymakers' choices about how to use expert bodies to support their decisions highly strategic and opens up a space for designing advisory bodies that emphasize one particular type of legitimacy. There are three possible choices.

First, when the policymaker perceives a weakness in the analytical capacities and in problem-solving, he/she may decide to set up a Scientific Advisory Committee (SAC) to provide epistemic legitimacy to the decision. A SAC can be defined as a group of individuals with relevant expertise, appointed by governments (or other politico-administrative bodies), who provide advice to decision-makers based primarily on professional experience or evidence derived from research in the natural or social sciences (Capano et al., 2023a). By setting up an SAC composed mainly or exclusively of scientists (academics and researchers) and high-level professionals, the policymaker delegates the content of the policy decision to technical expertise and may ask the expert to produce strategic thinking to change the vision and framing of the policy (Cairney, 2016; Galanti & Lippi, 2023). The role of experts is crucial here.

Second, if the policymaker aims to build managerial legitimacy, he/she may choose to create a Hybrid Advisory Committee (HAC) or an expert group that includes state officials, academics, and societal representatives (associations, trade unions, businesses, etc.) (Krick, 2015). This type of advisory committee can be influential if it is able to produce relevant operational procedures and to unlock compliance problems in a policy subsystem by anticipating problems and offering solutions (Fobé et al., 2013; Van Damme et al., 2011). The role of experts is not dominant here, while the stakeholders in a policy subsystem may prove to be decisive.

Finally, if the policymaker perceives a deficit in political vision and seeks to build broader consent, he/she may decide to strengthen political legitimacy, and namely to justify the decision in light of the allocation of values or in light of the adherence of the political action to general principles. In terms of design, he/she may therefore decide to seek political legitimacy both inside the policy subsystem—by securing the consent of the dominant actors—or outside it—by appealing to the wider electorate and the general public, also through a public consultation (Capano & Lippi, 2017; Capano & Pavan, 2019). A strategic policy unit, or a small temporary committee composed mainly of political staff, ministerial bureaucrats, and selected academics, will produce a policy content that is instrumental to the political vision of the policymaker. This strategy may imply skipping intermediation with internal stakeholders (including trade unions, representative associations, or political parties). This type of consultation is thus aimed at generating diffuse support for the decision among citizens. The role of scientific or professional experts is negligible in this case.

Once the policymaker has established the legitimation strategy, the broader legitimation process begins. The legitimation process may confirm or challenge the proposed type of legitimacy, also on the basis of the use that the policymakers make of the knowledge produced by the advisory committees.

In her work, [Boswell \(2008\)](#) distinguishes two main functions of expert knowledge in policymaking. The first is the instrumental function: it aims at problem-solving and technical solutions to build a rational response to policy problems. The second is the symbolic function. This function aims to demonstrate the credibility of the decision and can take two different forms: a legitimizing function—whereby knowledge can endow organizations with “epistemic authority,” which is recognized as a shared value in the organization or in a particular context, and a substantiating function—whereby the use of experts lends authority to particular policy positions ([Boswell, 2008](#), p. 472).

Building on this line of reasoning, we might interpret the strategic choices of decision-makers regarding the use or non-use of expert knowledge in terms of three different functions.

When a policymaker uses expert knowledge according to a logic of consequentiality, he/she aims at the instrumental function of expertise. In this case, he/she designs expert bodies as organizations that seek rational decision-making, problem-solving, and EBPM. In this case, the policymaker builds a process of legitimation of his/her decision based on the instrumental use of experts’ authority. This strategic choice can be challenged by contestation of epistemic authority from inside and outside the policy subsystem. At the same time, this choice can be challenged on the ground of the nonadherence of the experts to shared beliefs and values, including procedural ones. The result may be a loss of relevance of the experts in the debate and a scarce presence of the expert solution in the final decision.

When a policymaker uses expert knowledge according to a logic of appropriateness, he/she aims at [Boswell’s](#) symbolic functions of epistemic authority. In this case, he/she designs expert bodies to confirm the validity of a decision by granting a formal and ceremonial recognition of the use of knowledge or by tactically using knowledge to confirm predetermined policy options. Here, the main challenge to expert bodies comes from the policymaker, who clearly denies the authority of the experts. At the same time, the delegitimation process can be activated by other actors in the subsystem who point to the ineffectiveness of decisions that are not based on evidence. The result of this delegitimization process is the loss of credibility of both the policymaker and the experts.

The legitimation process thus becomes a battleground for political actors, where policymakers need to think strategically about legitimacy, including in terms of decisions to justify why their preferred solutions should prevail.

## Legitimacy and legitimation in education policies

Education policy seems promising to capture the dynamics of expertise and competing legitimacies (epistemic, managerial, or political). Indeed, education is a policy area where the formulation of policy solutions is inherently ideological and political ([Ball, \[1990\] 2012](#)). Debates about the future of schools are shaped differently in different countries according to the historical legacies of the school system, often reproducing clear political and ideological cleavages (e.g., between public and private schools).

Public debates about schools are therefore not just about technical expertise but also about political values, while the very meaning of what constitutes evidence in education is highly contested. At the same time, while many different advisory committees are used in education policy ([Fobé et al., 2013](#)), the influence of experts in education is far from straightforward. [Steiner-Khamsi et al. \(2022\)](#) have shown that much of the advisory work of expert education commissions in the Nordic countries is lost in the process; other studies have shown that the use of evidence in education is highly dependent on contextual conditions and the strategies of political actors in education ([Hulme et al., 2020](#)). [Michel \(2017\)](#) and [Grek \(2009\)](#) clearly show how the comparative PISA data received from the OECD have been used very differently in the formulation or justification of education reforms in different countries, with very different access to public debate.

While the legitimacy of experts and the use of knowledge are contested, decisions about comprehensive reforms of the school system or about changes in the main policy instruments (e.g., institutional autonomy of schools, organizational structure of educational pathways, teacher training, teacher careers, and student assessment) are highly conflictual and produce tangible results only in the long term ([Capano et al., 2022](#)). Furthermore, the education subsystem is often characterized by a dominant advocacy coalition where the insiders of the school systems—the teachers, the principals, the unions, and the bureaucracies—are extremely cohesive and powerful so that both internal legitimacy

and external legitimacy matter for policy success (Capano & Lippi, 2017; Malandrino, 2021). Therefore, educational reforms are a high political risk for a policymaker—who needs not only policy effectiveness but also political approval to advance his own career—and thus represent an ideal case to see how policymakers act strategically to build legitimacy for their decisions by selecting different types of legitimacy and designing different advisory bodies accordingly. This particularly applies to national education policymaking in European countries, where the use of expert commissions is frequent in policy formulation while being challenged by other sources of advice (Fobé et al., 2013; Tveit & Lundahl, 2018).

## Research design and methodology

To better understand how policymakers might design expert bodies to legitimize a policy decision in a value-laden context, this paper uses three exploratory case studies of educational reform in Italy where policymakers have played a significant role in shaping educational reform processes through expertise and policy advice.

In all three cases studied, the key policymakers were education ministers who faced similar constraints. First, all the ministers were part of a coalition government and suffered from competition from other ministers, both for the budget and for their individual careers. In the first case study, Minister Letizia Moratti was a manager who had been appointed in the first Berlusconi government to privatize the national broadcaster Radiotelevisione italiana. At the time of her appointment as the Minister of Education in the second Berlusconi government, she had little political experience and was challenged by other ministers, including the Minister of Economy and Finance (Ferratini, 2002). In the second case, Minister Stefania Giannini was a former university rector and leader of a junior coalition partner in the Renzi government with very little political experience. She was challenged by the other coalition partners to gain visibility in a government dominated by the figure of Matteo Renzi, the leader of the Partito Democratico, who at the time was still considered an outsider to the party and its traditional electorate (Argentin & Barone, 2016). In the third case, Minister Azzolina was a young teacher and active member of the Associazione Nazionale Insegnanti e Formatori teachers' union, who began her political career in 2018 when she was appointed Undersecretary of State at the Ministry of Education. A year later, she became a minister when the previous minister, Fioramonti, resigned. Despite being a member of the main party in the governing coalition, the M5S, she was perceived as a minor figure in the government and received numerous personal attacks during her mandate (Pavolini et al., 2021). It is important to stress that the political careers (i.e., candidacies for reelection and new executive appointments) of all three ministers depended heavily on the consent they would have built into education policies. Furthermore, in all three cases, the ministers had to build legitimacy for their policies in a rather hostile environment. In fact, all the selected cases are instances where the minister has to intervene in strategic policy issues for schools while having a limited time and budget to formulate the policy solutions. While both Moratti and Giannini had to design their reforms in accordance with two highly controversial constitutional reforms, Azzolina had to respond to the challenge of the Covid-19 pandemic and to coordinate with the regions, which are a central actor in the organization of school policy (Malandrino, 2022). Moreover, all these policymakers faced resistance from powerful actors in the school system. Indeed, while Azzolina was strongly criticized by teachers before the pandemic for not being able to keep her electoral promises, the trade unions strongly contested Moratti, Giannini, and Renzi when they were perceived as bearers of values that were contrary to common beliefs in the Italian school system—such as collegiality, equal treatment of teachers, the centrality of public schools (Campiono & Contu, 2020; Dal Passo & Laurenti, 2017; Ventura, 1998). Although the three ministers intervened in the education reform on different issues—Moratti on the reorganization of the education system, Giannini and Renzi on the strengthening of school autonomy, and Azzolina on the reopening of schools after the long closure due to the pandemic—they all faced similar problems and decided to use the experts in a strategic way to legitimize their decisions.

Therefore, in order to explore legitimacy decisions and processes, I propose a comparison of these three case studies (Yin, 2003), which is considered an appropriate method for exploring the dynamics of expert advice (Bandola-Gill, 2021). The case studies are examined as most similar cases in consideration of the similar constraints in the design of the advisory committees (Gerring, 2017). The qualitative research gathered data and evidence from multiple sources to reconstruct the rationale of the policymakers and their strategic choices during the formulation phase, with particular reference to the initial stages of the government's definition of the policy proposal.

One of the main sources for this type of research is the available scholarly literature on policy reforms in education in Italy (mostly written in Italian), from various disciplines (law, history, pedagogy, public policy, and sociology). This type of source was used to select the cases, to highlight the contextual conditions, and to understand the initial legitimacy gaps in the three cases.

Another source is official government documents, ministerial decrees, official ministerial press releases, and the CVs of all the consultants involved in order to understand the policymakers' design choices and the characteristics of the three temporary advisory boards.

Where available, the official documents relating to the work of the advisory committees, the final reports submitted, and two qualitative interviews with the chairmen of the advisory committees were used to assess the use of knowledge in the formulation phase and to highlight the differences between the policy recommendations of the committees and the policy content of the government proposals.

Furthermore, the analysis of the parliamentary discussions and the public debate during the decision-making phase was used to understand the diffuse perceptions regarding the use of knowledge and the results in terms of diffuse or specific consent for the policy decision on the one hand and regarding the final authority of the experts on the other. In order to gather evidence on perceptions in the public debate, I carried out a thematic search with keywords (name of policymaker, school, and reform) of newspaper articles from one of the most important Italian newspapers, *la Repubblica*, which is the general Italian newspaper that is widely read by actors (including teachers and trade unionists) in the Italian school system and is considered a reference point for the debate on school policies (Pavolini et al., 2021). *la Repubblica* has the largest open-access archive of all news articles, commentaries, and editorials published in the press since 1984. This material was complemented by the qualitative analysis of thematic internet blogs on school policy, and gray literature—including memoirs and commentaries posted on the internet—was used to better understand the challenges during the legitimization process and the related impact on decision-making.

## Findings

In this session, the evidence collected will be presented in two main subsessions. The first subsession illustrates the key design choices made by policymakers to build legitimacy in each case; the second sub-session explores the use of knowledge by policymakers and the challenges in the legitimization process in the three cases.

### Policymakers' design choices for advisory bodies

The Gruppo Ristretto di Lavoro, better known as the Bertagna Commission, was set up between July 18 and December 31, 2001 by Minister Moratti, a politician with previous experience as a private manager, with the intention of attempting a comprehensive reform of the school system that could bridge different education and labor policies and to solve the implementation problems of the former reform of school tracks (Bertagna, 2006). Being part of a center-right government and considered close to the world of private schools, Minister Moratti was perceived as an enemy by many stakeholders in the public school system; at the same time, Moratti saw the need to opt for different and external sources to legitimize her preferred policy solutions, such as international actors like the OECD, the industrial associations, and indeed the group of external consultants of the Bertagna Commission (Capano & Lippi, 2018, p. 237).

The Bertagna Commission was set up as an SAC with a very detailed mandate: to provide evidence and elaborate organizational solutions for a comprehensive reform of the organizational structure of the school system (to allow students to finish secondary school 1 year earlier, at the age of 18 years) and to suggest how initial teacher training could be redesigned (Bertagna, 2006, pp. 119–123). The Commission was conceived as a small team of experts—six components. They were all academics, most of them pedagogues (Table 1), and they had been explicitly chosen to represent different ideological orientations in the school system (interview Bertagna). The Commission was asked to produce an interim report and a final report with recommendations to the Minister on the content of the future government bill. The Commission was also asked to present the final report to a group of selected stakeholders and to collect their reactions during a 2-day public discussion in Rome, the so-called Stati Generali dell'Istruzione. The organization of the Stati Generali was de facto delegated to the President of the Commission, Bertagna, who had informal relations with all the stakeholders in the school world, including the trade unions,



**Table 1.** Design choices, composition, and legitimacy strategies in the three cases.

	Case 1—Bertagna Commission	Case 2—Cantieri Buona Scuola	Case 3—Bianchi Commission
Policymakers' perception of the main legitimacy deficit	Need for external legitimacy and effectiveness	Need for external legitimacy and political consent	Need for internal legitimacy and operational solutions
Type of advisory board	Scientific Advisory Committee	Ministerial Commission	Hybrid Advisory Committee
Composition of the board			
No. of components	6	20	18
Average age (years)	59	50	56
Gender	Six men	Thirteen men and seven women	Ten men and eight women
Type of experts			
Scientific experts	100.0%	25.0%	50.0%
State actors	0.0%	45.0%	16.7%
Stakeholders	0.0%	30.0%	33.3%
Importance attributed to the scientific experts	High	Residual	Moderate
Type of competence			
Architecture	0.0%	5.0%	5.6%
Economics	0.0%	20.0%	16.6%
Engineering	0.0%	5.0%	5.6%
History	0.0%	0.0%	11.1%
Law	0.0%	15.0%	5.6%
Literature	0.0%	20.0%	16.6%
Mathematics	0.0%	0.0%	5.6%
Medicine	0.0%	0.0%	11.1%
Other social sciences (Sociology, Philosophy, and Political Science)	33.3%	35.0%	5.6%
Pedagogy	66.7%	0.0%	16.6%
Level of plurality of competences	Homogeneous	Balanced	Heterogeneous
Main procedural instrument to enhance legitimacy	Delivery of advisory reports	Performing a public online consultation	Delivery of advisory reports to be used to draft secondary regulations
Type of legitimacy emerging from the design choices	Epistemic legitimacy	Political legitimacy	Managerial legitimacy

Sources: For the illustration of the perceived lack of legitimacy: [Capano and Lippi \(2018, pp. 237–239\)](#), [Bertagna \(2006\)](#), [Pavolini et al. \(2021\)](#), [Fusacchia \(2022\)](#), [Malandrino \(2022\)](#), ministerial decrees, ministerial press release, official advisory reports, and ministerial programmatic documents; for the analysis of the composition of the boards: ministerial decrees, official press releases, and analysis of the CVs of the members of the Commissions.

and who was explicitly asked to use the *Stati Generali* to obtain the consent of the unions for the reform. Therefore, Minister Moratti designed this SAC to build a strong epistemic legitimacy for her reform.

The second case under investigation was the legitimization process launched by Minister Giannini and reinforced by Prime Minister Matteo Renzi in 2014. At the time, the center-left coalition government needed to gain political legitimacy from the general public, also in view of the 2014 European elections to be held at the end of May 2014. Interestingly, Prime Minister Renzi promoted the school reform as a symbol of his own particular policy style, which had to be fast and innovative, also in terms of disintermediation with the teachers' unions ([Capano et al., 2023b](#)). Therefore, both politicians perceived a need for political legitimacy that could be promoted by proposing innovative perspectives on education, with the ultimate aim of shifting attention from the precariousness of teachers—an endemic

problem in the Italian school system—to a new vision of education such as “the Buona Scuola—the Good School”—centered on the needs of students and their families.

In the search for this kind of diffuse consent and external support (Capano & Lippi, 2018), policymakers saw the need to construct a political legitimacy for the Buona Scuola reform by discussing this new vision of educational policies directly with citizens and the various associations inside and outside the school subsystem, finally skipping the mediation with the teachers’ unions (Argentin & Barone, 2016).

The advisory instrument to build this type of political legitimacy was a public consultation on the programmatic document elaborated by two temporary ministerial commissions—called “the Cantieri della Buona Scuola”—the building sites of the Good School—composed of the Ministerial Cabinet, bureaucrats, and very few stakeholders and academic experts. The two Cantieri—one on teacher recruitment and career issues and the other on the development of a new framework of competences for students—were each composed of 10 advisers, for a total of 20 people with varied educational, social, and economic competences (Table 1). The Cantieri were set up and coordinated by two members of Giannini’s Ministerial Cabinet, Alessandro Fusacchia (head of Cabinet) and Francesco Luccisano (head of Technical Secretariat).

At the beginning of May 2014, the Cantieri started working on a proposal for a programmatic document to promote a huge recruitment plan for almost 100,000 precarious teachers and a new managerial role for school principals. The mandate for the ministerial committee was clear: The programmatic document had to be opened to public discussion through an online consultation organized by the Ministry, involving both the school system and the wider electorate (Capano & Pavan, 2019; Fusacchia, 2022). While the role of the scientific experts was residual, the presence of the Cabinet staff (including two professional ghostwriters who worked in close contact with the head of Cabinet) was key. In fact, these political advisers both write the programmatic document and designed the online consultation proved to be a key tool for constructing a political legitimacy aimed at explicitly bypassing the school unions (Fusacchia, 2022).

The third case examined involved the Minister of Education, Lucia Azzolina, during the year 2020 after the hit of the pandemic. As the severity of the containment measures implied the total closure of all schools and universities for a long period of time, a protest rose from the productive world (including labor unions and citizens) and the minister was in need to both rebuilt her personal consent and keep the support of the school system under control (Pavolini et al., 2021). In the face of the Covid threat, there was a clear need to maintain the internal legitimacy of the school system by providing a rapid and potentially effective response to the pandemic. Like many other ministers in that government (Galanti & Saracino, 2021), Azzolina decided to set up a so-called “expert task force” to provide effective responses in terms of scenarios for reopening schools. This advisory body became known as the Bianchi Commission, after the name of its chairman, Patrizio Bianchi, an academic, rector, and former assessor in one of Italy’s wealthiest and most influential regions, Emilia Romagna. The composition of the Bianchi Commission mixed scientific experts (including medical and mathematical experts) with a significant number of state actors and representatives of stakeholders in the school system, thus creating an HAC of 18 people with heterogeneous backgrounds who worked in close contact from April 21 to July 31, 2020. The mandate of the Bianchi Commission was limited to the provision of organizational solutions at the beginning, but it was interpreted by the commission in an extensive way, as to offer suggestions for a more comprehensive reform of the school system, including teachers’ training.

In September 2014, the Bianchi Commission presented a first document with more specific recommendations on possible options for reopening the schools, taking into account the need for investment in digital technologies, school infrastructures, innovative models of class organization, and public transport. After presenting this first operational report with recommendations, the Commission produced a second document with strategic ideas on the necessary school reforms in order to take advantage of the tragedy of the pandemic to promote the idea of school autonomy and to reform the initial and in-service training of teachers (interview Bianchi). Thus, although the political mandate of the Commission seemed to be limited to offering more management capacities to the school system facing the pandemic, the work of the Commission was strongly influenced by the scientific experts and by the heterogeneous competences of the group (Table 1).



## The use of knowledge by policymakers and the challenges in the legitimation process

The Bertagna Commission invested a considerable amount of time in gathering evidence on the possible solutions for reforming the organizational structure of schools. During the drafting of the first and second advisory reports, the Commission organized public discussions and focus groups with 60 schools and various associations between September and November 2001; at the same time, it carried out a survey with the Italian National Statistics Institute to test the reaction of teachers to the proposed reforms (Bertagna, 2006, pp. 121–122). As mentioned earlier, Bertagna was also commissioned to organize a public discussion of the reform proposals with stakeholders in a 2-day conference called “Stati Generali dell’istruzione” (Rome, December 19–20, 2001), which was the first situation in which the epistemic legitimacy of the Commission began to be openly challenged. In fact, some of the main school unions (CGIL, GILDA, and COBAS) did not accept to intervene in the Stati Generali (art1) (see the Appendix for a full list of the articles cited in the text). Another clear attack on the legitimacy of the Commission came from the regions, which accused the Commission of having excluded them from the formulation phase, despite the increasingly important role that the regions were supposed to acquire in the implementation of education policies after the decentralization introduced by the 2001 constitutional reform (art2). In the same days, the Commission was further delegitimized by the Confederal Trade Unions, with the trade unionist judging the Commission’s report as “a wrong idea of society (...) a return to the past (...) where the confrontation with the social partner is replaced by authoritarian decisions” (art3). Meanwhile, the protest also extended outside the school system, with employers and private school associations also expressing concern about the changes proposed by the Commission (art4).

In this context, Moratti initially made instrumental use of the knowledge produced by the experts, incorporating many of the recommendations into the very first draft of her government bill. However, she was unable to build a political consensus around the most innovative aspects of the Bertagna Commission’s proposals (namely the changes to primary schools and the reorganization of secondary schools). In fact, Moratti quickly decided to exclude these points from the ministerial draft to be approved by the Council of Ministers in early January 2002. The media pointed out that she “had no qualms about getting rid of the experts of the Bertagna Commission and decided to find a political solution” (art5), while at the same time, “the Commission’s reform plan was discarded after discussion with the political parties” (art6).

According to Bertagna’s book and the interview, the main challenge for the Commission in this period was the ideological opposition to the reform, not necessarily because of the content of the proposals, but for purely partisan reasons. This ultimately led to the end of the Commission’s work after the Stati Generali and to a delegitimization of its epistemic authority, which was diffused not only in the education subsystem and in the left-wing parties, but also in the center-right majority parties.

The main effects were thus both a loss of epistemic legitimacy for the Commission as a whole—although Bertagna remained for a long time as the Minister’s personal adviser. At the same time, the level of ideological conflict became so high that Bertagna was placed under security protection. Another effect was the loss of both diffuse and specific support for Moratti’s educational reform, which was indeed seen as “a top-down bureaucratic act without any cultural and shared support” (art7).

Similar challenges from school teachers’ unions and political parties arose at the time of the Buona Scuola reform. The Cantieri were explicitly created to open up reform proposals to public consultation, “possibly without intermediaries” (Fusacchia, 2022, p. 19). In his book, the head of Cabinet, Fusacchia, makes it clear that “public consultation is not a cute exercise (...) it is the instrument to listen, to test, to mobilise and to construct consent” (Fusacchia, 2022, p. 74). All the relevant policymakers (Giannini, Renzi, and their ministers) fully endorsed the method of public consultation. While the advisers were chosen for their international profile and innovative ideas, they were soon flanked by two other professional political consultants to design the online consultation and organize the synthesis of these inputs (Fusacchia, 2022, p. 31). The Cantieri thus worked as an informal ministerial team, drafting proposals, visiting schools across Italy, and collecting data to estimate the costs of the teacher recruitment plan. The creation of new evidence was therefore not central to the work of the committee, while particular attention was paid to the public consultation—which proved to be participatory, with over 1 million hits and around 200,000 interactions online (Fusacchia, 2022, p. 100).

As for the challenges, the coordinator of the Cantieri (the head of the Ministerial Cabinet) soon realized the risk of this political legitimation strategy (Fusacchia, 2022, pp. 68 and 111). When a member of the Cantieri, Undersecretary Reggi, affirmed that teachers would have to work more (art8), the first protests in the school system began. The teachers' unions accused the Cantieri of wanting to "reproduce the old logic" of angering the teachers (art9), thus also challenging the Minister and her staff, who were afraid of losing the "credibility and trust" of the teachers (Fusacchia, 2022, p. 58). Another challenge to legitimacy came from Parliament and from several members of Renzi's party, the Partito Democratico - PD, who did not react positively to the Cantieri (Fusacchia, 2022, p. 47). Renzi himself challenged the work of the Cantieri in several ways. First, by introducing disruptive policy proposals (e.g., giving more power to school principals) and values (e.g., making teachers' careers meritocratic) that were perceived by the school system as not acceptable (Fusacchia, 2022, p. 162). In the end, despite the recruitment plan, Buona Scuola led to one of the biggest strikes in recent Italian history and the departure of some key leaders from Renzi's party. The overall effect was a loss of specific and internal consent for the reform, without any significant role for knowledge and epistemic legitimacy, which were used to substantiate the preferences of policymakers.

Finally, the case of the Bianchi Commission during the Covid pandemic offers an interesting reflection on the strategy of managerial legitimacy. This Hybrid Advisory Commission worked closely to develop operational recommendations for the reopening of schools, gathering experience on how to redesign the classroom structure and make it possible to teach not only digitally but also in the open air. The Commission carried out a significant number of audits of the various actors in the school system (46). The Commission and its president, Bianchi, were considered credible in the public debate and thus interpreted their mandate broadly, "to take advantage of the change brought about by the pandemic disaster to rebuild the structures of the schools and to make up for twenty years of delay" (art12).

Nevertheless, the Bianchi Commission was challenged on several occasions. The first issue was the impact of the two advisory reports on the content of Minister Azzolina's decisions. Some commentators pointed out that the report did not provide a clear and ready operational solution to allow the safe and rapid reopening of schools (art10). The second issue was the transparency of the Commission's work and, more importantly, the use of the report by the Minister, who neither discussed nor made public the two advisory reports produced by the Commission (art11). This symbolic and ceremonial use of the expertise by Minister Azzolina had a double effect. On the one hand, the overall effect was a strong delegitimation of the Commission by the Minister. On the other hand, the rejection of many of the proposals concerning online teaching led to several attacks on the Minister (art13 and art14), while at the same time interest and support for the work of the Commission (art15 and art16) gathered around it, also from some of the school principals' associations and from MPs of both center-left and center-right

**Table 2.** Legitimacy strategies, challenges, and impacts of the legitimation process.

	Case 1—Bertagna Commission	Case 2—Cantieri Buona Scuola	Case 3—Bianchi Commission
Main source of legitimacy	Epistemic legitimacy	Political legitimacy	Managerial legitimacy
Type of board	Scientific Advisory Committee	Ministerial Commission	Hybrid Advisory Committee
Use of knowledge	Instrumental use: The content of the decision partially reflects the recommendations	Substantiating use: The content of the decision partly reflects the recommendations, which were not modified after the public consultation	Symbolic use: The content of the decision disregards the recommendations
Challenges to legitimacy	Ideological conflict, limited political commitment	Ideological conflict, protest against disintermediation	Scarce effectiveness
Delegitimation effects	Loss of epistemic authority Loss of specific consent for the decision	Irrelevance of epistemic authority Loss of specific consent for the decision	Increase of epistemic authority Loss of diffused consent for the decision

parties (Camera dei deputati, bollettino delle giunte e delle commissioni parlamentari, giugno 9, 2020). The delegitimization of both the minister's managerial and political capacity was therefore evident not only in the protests of the trade unions and the regions (art17) but also in the distrust of the other members of the government (art18).

While the minister lost her political legitimacy (art19), the chairman of the Commission, Bianchi, increased his influence in Italian policymaking. After the dismissal of the Conte II government, the new Prime Minister Draghi appointed Bianchi as the Minister of Education, which had the expected effect of legitimizing education policy during the Covid. In fact, while the Bianchi Commission and its epistemic authority were severely challenged by Minister Azzolina, who substantially disregarded the work of the Commission, the amount of technical work done to propose not only practical measures, but also a more comprehensive reform of the school, increased the political legitimacy of an expert such as Bianchi.

The findings are summarized in [Table 2](#).

## Conclusions

Despite the limitations of three exploratory case studies, the comparison of the temporary advisory boards in education helps to shed some light on the different strategic choices of policymakers in terms of types of legitimacy, on the challenges involved in the legitimation process of the decisions, and on the impact not only in terms of specific or diffuse consent but also in terms of the credibility of the experts involved in the advisory activities.

The empirical analysis confirms that the design choices made by policymakers in activating temporary advisory bodies are strategic, as they show how the policymakers perceive the context and how they aim to steer the policy process. First, design choices address a perceived lack of capacity (analytical, organizational, and political), which can be due to both structural aspects of the policy subsystem or to contingent situations in a policymaker individual career. With the design of the advisory body, the policymaker responds to the perceived capacity deficit by addressing one type of legitimacy source (epistemic, managerial, or political) over the others. In this sense, the way the panels are composed—in terms of the type of different experts (academics, stakeholders, and government actors) and their pluralism in terms of disciplines and value orientations—reveals the type of legitimacy the policymaker intends to construct for the decision. All three cases are quite revealing in this respect.

Second, the design choices are able to anticipate the use that the policymakers will do of expert knowledge. While instrumental use is not always able to ensure the influence of evidence and expertise in the final decision, experts can only have a significant impact if their solutions enjoy strong political commitment and support. At the same time, the scientific credibility of experts and the genuine use of EBPM are not sufficient to lend authority to their recommendations. In other words, effectiveness and technical capacity are not enough to create legitimacy and buy-in for a decision, especially when policy issues are conflictual and politicized. At the same time, transparency in the production of evidence and inclusiveness in the representation of stakeholders do not seem to be sufficient to protect experts from delegitimization. The case of the Bertagna Commission is particularly instructive here.

Thirdly, the use of advisory commissions in the legitimation process activates the reactions of other political actors both inside and outside the policy subsystem. In fact, credible expertise becomes a key resource of influence for other actors in the competitive game to support or oppose a decision. In this game, the purely symbolic use of experts is an easy option for the policymakers, who can blame the experts for producing non-usable knowledge. But the symbolic use of experts can generate protests against decision-makers and delegitimize them, while creating influence for other actors, including experts themselves (Cairney & Toth, 2023). The story of the Bianchi Commission during the Covid is a clear example.

Yet, the cases from education policies show that epistemic authority alone is not even able to resolve ideological conflicts. Experts also have their values and ideas that prevent them from being perceived as neutral, despite their scientific or professional credibility. In the case of the Cantieri of the Buona Scuola, epistemic legitimacy did not play a direct role in the broader legitimation process but never became central in the highly conflictual public debate. This also shows that it is also possible that the use of the experts can be considered useless or residual by the policymakers. All in all, the scientific experts seem to be legitimate to the extent that they are able to provide a link or a dialogue between

different perspectives on schools. This is particularly clear when the ideological conflict over a policy problem is high and the value of scientific evidence is contested, as in education policy.

In conclusion, epistemic legitimacy alone is not able to cope with the challenges to the legitimation of a decision, since effectiveness needs to be complemented by a recognition of values that can generate consent both inside and outside the policy subsystem. In other words, while epistemic legitimacy proved to be an ingredient to gain external legitimacy against a hostile environment, the policymakers have to consider that potentially multiple types of legitimacies are needed to secure both internal and external legitimacy, thus counterbalancing the challenges to legitimation that come from those who oppose the decision.

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## Conflict of interest

None declared.

## Appendix. List of the articles cited in the text, with extended reference to the newspaper journals and thematic web-blogs on education policies in Italy

Code	Article reference and access information
art1	Reggio, M. (2001). (December 17, 2001). <i>Foligno, in forse gli Stati generali parte la caccia a sedi alternative</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/17/foligno-in-forse-gli-stati-general-part.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/17/foligno-in-forse-gli-stati-general-part.html?ref=search</a> , accessed online April 30, 2023
art2	Reggio, M. (2001). (December 20, 2001). <i>Moratti: Sarà la scuola di tutti</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/20/moratti-sara-la-scuola-di-tutti.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/20/moratti-sara-la-scuola-di-tutti.html?ref=search</a> , accessed online April 30, 2023
art3	la Repubblica (2001). (December 20, 2001). <i>Cofferati: un tuffo nel passato</i> . <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/20/cofferati-un-tuffo-nel-passato.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/20/cofferati-un-tuffo-nel-passato.html?ref=search</a> , accessed online April 30, 2023
art4	la Repubblica (2001). (December 21, 2001). <i>I punti contestati</i> , la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/21/punti-contestati.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2001/12/21/punti-contestati.html?ref=search</a> , accessed online April 30, 2023
art5	Reggio, M. (2002). (January 17, 2002). <i>Moratti promette: la Riforma da Settembre</i> . la Repubblica, sessione Scuola e Università. <a href="https://www.repubblica.it/online/scuola_universita/riformamorattidue/settembre/settembre.html?ref=search">https://www.repubblica.it/online/scuola_universita/riformamorattidue/settembre/settembre.html?ref=search</a> , accessed online April 30, 2023
art6	Reggio, M. (2002). (February 2, 2002). <i>Scuola, il governo vara la riforma</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2002/02/02/scuola-il-governo-va-la-riforma.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2002/02/02/scuola-il-governo-va-la-riforma.html?ref=search</a> , accessed online April 30, 2023
art7	Cavadi, G. (2002). (novembre 7, 2002). <i>deregulation selvaggia e populismo</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2002/11/07/deregulation-selvaggia-populismo.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2002/11/07/deregulation-selvaggia-populismo.html?ref=search</a> , accessed online April 30, 2023
art8	Zunino, C. (2014). <i>Patto sulla scuola: "Un premio ai prof ma dovranno lavorare di più."</i> la Repubblica, July 2, 2014, accessed online May 1, 2023
art9	Intravaia, S. (2014). (July 2, 2014). <i>Prof e studenti contro il piano del governo</i> . la Repubblica. <a href="https://www.repubblica.it/scuola/2014/07/02/news/patto_sulla_scuola_un_premio_ai_prof_ma_dovranno_lavorare_di_pi-90482709/">https://www.repubblica.it/scuola/2014/07/02/news/patto_sulla_scuola_un_premio_ai_prof_ma_dovranno_lavorare_di_pi-90482709/</a> , accessed online May 1, 2023
art10	<a href="https://www.roars.it/la-scuola-del-futuro-del-ministro-patrizio-bianchi/">https://www.roars.it/la-scuola-del-futuro-del-ministro-patrizio-bianchi/</a>
art11	<a href="https://www.tuttoscuola.com/task-force-del-prof-bianchi-che-fine-ha-fatto-il-piano-per-la-ripresa/">https://www.tuttoscuola.com/task-force-del-prof-bianchi-che-fine-ha-fatto-il-piano-per-la-ripresa/</a>

(continued)

(Continued)

Code	Article reference and access information
art12	la Repubblica (2020). (April 22, 2020). <i>Fase 2, tanta Emilia nella task force</i> . la Repubblica. <a href="https://quotidiano.repubblica.it/edicola/searchdetail?id=http://archivio.repubblica.extra.kataweb.it/archivio/repubblica/2020/04/22/fase-2-tanta-emilia-nella-task-forceBologna04.html&amp;hl=&amp;query=commissione+bianchi+scuola&amp;field=nel+testo&amp;testata=repubblica&amp;newspaper=REP&amp;edition=nazionale&amp;zona=sfoglio&amp;ref=search">https://quotidiano.repubblica.it/edicola/searchdetail?id=http://archivio.repubblica.extra.kataweb.it/archivio/repubblica/2020/04/22/fase-2-tanta-emilia-nella-task-forceBologna04.html&amp;hl=&amp;query=commissione+bianchi+scuola&amp;field=nel+testo&amp;testata=repubblica&amp;newspaper=REP&amp;edition=nazionale&amp;zona=sfoglio&amp;ref=search</a> , accessed online April 20, 2023.
art13	Venturi, I. (2020). (May 4, 2020). <i>Presidi e sindacati contro la didattica a metà</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/04/presidi-e-sindacati-contro-la-didattica-a-meta-la-ministra-solo-unidea16.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/04/presidi-e-sindacati-contro-la-didattica-a-meta-la-ministra-solo-unidea16.html?ref=search</a> , accessed online April 30, 2023
art14	Venturi, I. (2020). (May 24, 2020). <i>Un metro tra i banchi e obbligo di mascherina ma non alla lavagna</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/24/un-metro-tra-i-banchi-e-obbligo-di-mascherina-ma-non-alla-lavagna02.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/24/un-metro-tra-i-banchi-e-obbligo-di-mascherina-ma-non-alla-lavagna02.html?ref=search</a> , accessed online April 30, 2023
art15	Venturi, I. (2020). (May 25, 2023). <i>Misure impossibili" I dubbi dei prof sul piano settembre</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/25/misure-impossibili-i-dubbi-dei-prof-sul-piano-settembre06.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/25/misure-impossibili-i-dubbi-dei-prof-sul-piano-settembre06.html?ref=search</a> , accessed online May 1, 2023
art16	Zunino, C. (2020). (May 29, 2020). <i>Ore da 40 minuti e classi dimezzate. è la nuova scuola</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/29/ore-da-40-minuti-e-classi-dimezzate-e-la-nuova-scuola06.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/05/29/ore-da-40-minuti-e-classi-dimezzate-e-la-nuova-scuola06.html?ref=search</a> , accessed online May 1, 2023
art17	Venturi, L. (2020). (June 9, 2020). <i>Tre miliardi e centomila docenti per tornare in classe a settembre</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/06/08/tre-miliardi-e-centomila-docenti-per-tornare-in-classe-a-settembre06.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/06/08/tre-miliardi-e-centomila-docenti-per-tornare-in-classe-a-settembre06.html?ref=search</a> , accessed online May 1, 2023
art18	Zunino, C. (2020). (novembre 27, 2020). <i>De Micheli: in classe anche di sabato</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/11/27/de-micheli-in-classe-anche-sabato-e-domenica-non-basta-avere-piu-bus06.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2020/11/27/de-micheli-in-classe-anche-sabato-e-domenica-non-basta-avere-piu-bus06.html?ref=search</a> , accessed online February 1, 2023
art19	Zunino, C. (2021). (January 13, 2021). <i>I bus, i banchi, i tamponi La scuola condannata da otto mesi di errori</i> . la Repubblica. <a href="https://ricerca.repubblica.it/repubblica/archivio/repubblica/2021/01/13/i-bus-i-banchi-i-tamponi-la-scuola-condannata-da-otto-mesi-di-errori13.html?ref=search">https://ricerca.repubblica.it/repubblica/archivio/repubblica/2021/01/13/i-bus-i-banchi-i-tamponi-la-scuola-condannata-da-otto-mesi-di-errori13.html?ref=search</a> , accessed online May 1, 2023

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