

Italy's Mr. Fix-It Tries to Fix the Country's Troubled Justice System — and Its Politics, Too

The issue has become a test for whether Prime Minister Mario Draghi can really change Italy.



By Jason Horowitz

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LODI — If there is one person who does not have to be persuaded of the need for Italy's urgent push for judicial reform — which Prime Minister Mario Draghi has staked his leadership on — it is the former mayor of the northern town of Lodi, Simone Uggetti.

Early one morning, Lodi's financial police knocked on his door, hauled him off to prison, strip searched him and put him in a small cell with a convicted murderer and a drug dealer. It was the start of a five-year ordeal — over the awarding of city contracts, worth 5,000 euros, to manage two public pools — that was used by his political opponents to destroy his career, his credibility, his reputation and his family.

“Who are you? You're the mayor who got arrested, all your life,” Mr. Uggetti said this week, still visibly shaken by the experience, which ended only in May when an appeals court absolved him, saying no crime had ever taken place. He wept in court. “It was the end of a nightmare,” Mr. Uggetti said. “Five years is a long time.”

Such cases are all too common in Italy, where the far-reaching power of sometimes ideologically driven magistrates can be used to pursue political vendettas or where businesses can easily become ensnared in cumbersome and daunting litigation that is among the slowest in Europe.

Mr. Draghi is so convinced Italy's courts need fixing that he has said he is willing to risk his government's survival on the issue, by putting to a confidence vote new legislation that would shorten civil and criminal proceedings. Without speedier trials, he argues, all the economic renewal and political change required in Italy will not come — and there is a lot that needs changing.



Simone Uggetti, the former mayor of Lodi, under the windows of the municipal council he led before a court case ruined him. Elisabetta Zavoli for The New York Times

On Thursday evening, the government announced it had reached a unanimous agreement with a broad array of interests in the government. A vote will take place in coming days.

“The objective is to guarantee a speedy justice system that respects the reasonable duration of a trial,” Marta Cartabia, Italy’s justice minister, said Thursday night after the announcement. “But also guarantees that no trial goes up in smoke.”

The issue has become the first major test, beyond vaccinations, of whether Mr. Draghi, a titan of the European Union who helped save the euro, can leverage his formidable Mr. Fix-It reputation and the grand political coalition behind him to solve a long-festering problem that has threatened the democratic process and economy in Italy, the last of Europe’s major powers to escape far-reaching overhauls of its postwar systems.

Mr. Draghi’s gambit has all the potential to change a country where, as the saying goes, “you aren’t anybody unless you are under investigation.” It is nothing less than an attempt to restore Italians’ confidence in their political leaders and institutions after decades of anti-establishment vitriol, angry headlines and social media invective.

The threat of endless litigation, Mr. Draghi has argued, scares off foreign investors, constrains growing Italian companies, and could even keep Italy from meeting the requirements imposed by the European Union to gain its share of a more than 200 billion euro post-Covid recovery fund.

“Justice is one of the keystones of the recovery,” said Claudio Cerasa, the editor of *il Foglio*, a newspaper that has emerged as the voice of protecting the rights of defendants, and also frustrated accusers, from slow and politicized justice. He said Mr. Draghi “depoliticizes the conflict and brings it on a different level, which is the Draghi trademark, he transforms everything into common sense.”

Still, it is no easy task. But Mr. Draghi is betting that, after many decades, the political winds around the issue have shifted in his favor.

Justice emerged as perhaps the central theme of contemporary Italian politics in 1992, when the watermark Clean Hands investigation exposed complex, vast and systemic corruption that financed the country’s political parties.

The scandal came to be known as Bribesville and brought down a ruling class, marking the end of Italy’s First Republic after World War II.

Prosecutors became public heroes and, capitalizing on the spreading impression that all politicians were guilty of something, stepped into the power vacuum.

But so did Silvio Berlusconi, the brash media mogul, who became prime minister and a constant target of prosecutors who investigated him for corruption and other crimes. He portrayed them as politically motivated Communists, or “red robes,” and almost always beat the rap by running out the clock and reaching a statute of limitations.

That infuriated magistrates and eventually fueled a “hang ’em all” populist backlash led by the anti-elite Five Star Movement, which once again depicted the political establishment as a corrupt caste.

By 2018, Luigi Di Maio, one of its leaders, made lists of all rival candidates under investigation and called them “unpresentable.” The media splashed accusations and leaked investigations on front pages, and then barely mentioned or buried dropped charges or acquittals.

Luigi Di Maio at a Five Star Movement rally in Rome in 2018. Max Rossi/Reuters

Now, that anti-establishment season seems to be waning, and populists have apparently made the calculation that, electorally, “lock-em up” no longer pays.

Mr. Di Maio, who led j'accuse Five Star protests against Mr. Uggetti and once rode the popular anger to victory in national elections, is now contrite. Now Italy's foreign minister, he wrote an apology in *Il Foglio* to Mr. Uggetti after his acquittal in May for the “grotesque and indecorous manner” he behaved.

But Mr. Cerasa, *Il Foglio*'s editor, suspected that the change may be more tactical than heartfelt. He said that parties that wielded the judicial system as a weapon also felt its scorpion sting while in power, and faced a barrage of civil and criminal cases.

But something else has changed: Mr. Draghi has now become the organizing force of Italian politics.

With hundreds of billions of euros of E.U. assistance hanging in the balance, and a pandemic still in the air, establishment chops and palpable sanity are in high demand. Mr. Draghi is seen to have both and has seized the moment to consolidate power.

Mr. Draghi addressing the Italian Senate in April to present the government's E.U.-funded pandemic recovery plan. Gregorio Borgia/Agence France-Presse — Getty Images

No political novice, Mr. Draghi appears to have the support to pass his judicial legislation — and to put Italy on more solid footing by baking lasting change into the system.

The government's agreement on the legislation includes Five Star, which had expressed concerns about letting criminals off the hook, but which ultimately agreed to withdraw their proposed amendments. Other backing came from the nationalist League party of Matteo Salvini; Mr. Berlusconi's party on the right; the liberal Democrats on the left; and Matteo Renzi, the former prime minister.

Not everyone is enthusiastic, though.

Marco Travaglio, the editor of *Il Fatto Quotidiano*, which has deep ties to magistrates and has served as a megaphone for Five Star's aspersions, has been lashing out and angrily resisting what increasingly feels like the end of an era in Italian politics. This month he mocked Mr. Draghi as a privileged brat and characterized his justice

minister, Ms. Cartabia, a former president of Italy's constitutional court, as a rube who "cannot distinguish between a tribunal and a hair dryer."

But for the most part, people are on board with Mr. Draghi, and Mr. Uggetti hoped that the prime minister would bring more balance to the system that nearly ruined him.

The swimming pools in Lodi connected to Mr. Uggetti's case are now in ruins. Elisabetta Zavoli for The New York Times

Mr. Uggetti now works as the chief executive of a tech firm outside Lodi developing business management software. "I'm rebuilding my life," he said.

Still, he misses being mayor. As he walked around the pool that was the source of his judicial nightmare, and which is now an empty ruin, he ticked off all the things he would fix (bike paths and roads), and pointed out historical tidbits (a bridge where Napoleon won a major battle, a statue of a scientist) as if he still represented the town.

He considered running for mayor again a possibility. But there was another possibility too. In Italy, a higher court can overrule an appeals court, cancel an acquittal and put a person on trial again. That higher court still has time to decide to retry him.

"They have the power to say 'No, this appeal sentence is no good,'" he said, shaking his head. "I really hope that it finishes here."

Emma Bubola contributed reporting from Rome.