

Italy

The Never-ending Transition of a Democratic Regime

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Since 1992–3 the Italian political system has been undergoing a political and institutional transition. More precisely, the Italian transition, which has so far not affected the democratic framework but the performance and the quality of its democracy, is characterised by two fundamental phenomena. The first phenomenon concerns the rules of the game, that is, the mechanisms through which political power is won, allocated and distributed and the overall institutional structure of the political system. The second phenomenon is represented by incessant and significant changes in the party system concerning the type of parties and their coalitional arrangements. In the meantime, there have been a couple of significant rotations in office between the two major coalitions, though curiously without any change in their leaders, and several governments have followed each other. Attempts have been made to reform the institutions and even the constitution. To no avail. As of 2007, there appears to be no solution in sight.

The fragile, but lasting, equilibrium that characterised the long first phase of the democratic Republic has disappeared and has not yet been replaced by a new equilibrium. To paraphrase Josep Colomer (1996: 16), the Italian institutional equilibrium that prevailed in the First Republic proved to be stable without being accompanied by 'a high degree of political efficacy or satisfactory representation'. A new equilibrium has not appeared. This is both because, 'given the bargaining strength of the actors, none of them would find it worthwhile to enter into a process of bargaining and political change' and because the main features of a potentially

new equilibrium remain exposed to criticisms and subject to repeated attempts at negotiation and at subversion. Understandably, the electoral system is at the same time the most controversial of the new features and the most important one that needs to be revised if one wishes to pursue both partisan and systemic goals. However, the real problem is that the Italian model of government remains that of a traditional parliamentary system dominated by political parties that are by far less capable of providing stable guidance.

POLITICAL PARTIES AND THE PARTY SYSTEM

On the whole quite stable throughout the First Republic, the major actors remaining largely the same without any significant change in their electoral strength and governing power, the Italian party system has undergone a profound transformation since 1993. The electoral reform impinged upon a situation that was already characterised by some currents of change. More precisely, there had already emerged a new and peculiar political movement, first Lombard, then Northern League. Its political appeal was fundamentally based on two elements. The first one was a growing dissatisfaction with the existing parties, especially with governing parties, for their corruption, as revealed by the 'Clean Hands' investigation, as well as for their performance, as revealed by the state of the economy. The second element was the explicit revival of a territorial identity. In several areas of the North, this kind of identity had always existed. It was often translated and channelled into local lists, but it was almost as often courted and captured by, at the same time, the factional appeal of the Christian Democrats (DC) and the national appeal of the Communists (PCI).

Neither the DC nor the PCI cultivated local sentiments, feelings or grievances. For several reasons, prominent among them the international alignment of the cold war, Italian party competition was truly national. Elections were fought neither on local/regional peculiarities and demands nor on European perspectives and aspirations, but exclusively on national issues. However, local grievances, on the part of the North, which felt exploited by 'Roman politics' and suffocated by the 'Roman bureaucracy', and regional peculiarities always existed. The Northern League decided to unearth and to highlight them. Thanks to the gradual decline of the Christian Democrats and to the dramatic transformation of the Communist Party, the Northern League was very successful in making an issue of territorial identity. That said, one must not exaggerate the political and electoral success of the Northern League. At its highest electoral level, only about one out of four Northerners voted for the League. It was a considerable, but not extraordinary result. As to the amount of political success measured in terms of the writing of the national agenda, the appearance of one paramount issue can be attributed to the strength of the League: federalism. Various declined, as decentralisation, devolution, federalism, even secession and independence, in the 1990s the issue of how many and which powers should be devolved by the centralised Italian state to regional authorities became, in fact, overriding. In terms of actual policies, it only produced some inevitable devolution of functions and the (almost) direct popular election of the presidents of the regional governments. But, then, it remains very doubtful whether the League and its

shrinking electorate considered these results satisfactory. However, the presence of three ministers in the second government led by Berlusconi (2001–6), including, before his illness, their leader Umberto Bossi, as Minister of Institutional Reforms and Devolution, has helped to defuse most of the grievances. Today, though electorally influential in the North, the Northern League is essentially just a regionally based political party.

As to the other parties, three phenomena took place. The first one is the disappearance for all purposes of most of the historical parties. The second one is the more or less complete transformation of some of the historical parties. The third, most important and, in all likelihood, decisive phenomenon has been the creation and success of a brand new party: Let's Go Italy (*Forza Italia*). All these changes amount to the construction of a party system that is very different from the one that existed in the first phase of the democratic Republic and that shaped its functioning. However, for several reasons, as many other political structures were caught in the transition, not even the present party system can be considered fully consolidated. This lack of consolidation can be seen and evaluated with reference to the parties' names, their electoral strength and their coalition partners. New attempts at creating additional parties have been made and not all of them have failed. But the process of party proliferation and aggregation appears to be by no means over in 2007.

As to the disappearance of most of the historical parties, especially the Liberals, the Social Democrats and the Republicans, there are good reasons to believe that their time had already been exhausted and that they were being kept alive only thanks to two factors. The first one was the proportional electoral law, with very low thresholds for parliamentary representation. Had Italy utilised the German 5 per cent clause only four or five parties would have obtained parliamentary representation. The Italian proportional representation system granted parliamentary seats even to parties with less than 2 per cent of the national vote. Once in Parliament, small parties were also granted offices in the various, usually oversized, governmental coalitions led by the DC. Small parties were used by the Christian Democrats as a buffer in order to avoid a head-on confrontation with the Communists, but also because, to some extent, they were providing political representation for social sectors which would otherwise not support the DC. Together with governmental offices came a lot of patronage power and opportunities. This second factor was not only welcome, but also practically decisive for their survival. When, following the implementation of the new electoral law, the small parties disappeared from Parliament, they lost all any chance of surviving politically. However, it is also important to stress that their organisations had already fallen into disrepute because of the indictment on charges of corruption of all their general secretaries. Still, it remains appropriate to remark that the proportional electoral law really was the small parties' safety net and that patronage was the water in which they could stay afloat. The Christian Democrats had to rely on them to buttress their governments, but, few exceptions aside, in terms of policies the small parties' contribution to the way Italy was governed has to be judged minor and limited.

It was a different story for the Italian Socialist Party (PSI), both with reference to its political role and in terms of fully understanding its sudden disappearance. Always by far stronger than any of the small centrist parties, the PSI was always caught

between two kinds of opposite pressures. On the one hand, there was the pressure to guarantee some governability by joining an alliance with the Christian Democrats; on the other, there was the pressure to function as a channel for the transmission of leftist ideas, preferences and expectations, especially those formulated by the PCI. Because of these pressures, the PSI suffered two serious opposite splits, in 1947 because it had moved too close to the PCI, and in 1964 because it had joined a governmental coalition with the DC. When in 1976 Bettino Craxi gained power within the party and then translated his newly acquired political power into governmental power, becoming Prime Minister in 1983, he drastically revised the overall strategy of the PSI. In government with the Christian Democrats, Craxi deliberately decided to challenge the Communists in order both to reduce their electoral following and to demonstrate their irrelevance, that is, that they had no influence whatsoever on governmental decisions and policies. In addition, Craxi exploited his indispensable governmental role and his coalition power in order to acquire, often in a less than proper way, all types of resources necessary to run lavish electoral campaigns. When his strategy failed, that is, when it became clear that the Christian Democrats were not going to be displaced and replaced and that the (former) Communists had not been overtaken in terms of electoral support, Craxi appeared so weakened that several charges of corruption and embezzlement could be levelled against him. Under the weight of the accusations and while its leader went into exile in Tunisia, the PSI practically dissolved itself. By the end of 1993, the five parties – Christian Democrats, Socialists, Social Democrats, Republicans, Liberals – that had governed Italy for more than ten years in a five-party coalition known as *pentapartito* had either disappeared or were in shambles. Only the Italian Democratic Socialists (SDI) play an albeit minor role within the centre-left coalition.

The Christian Democrats themselves were, indeed, a shambles, but their vicissitudes are better analysed in terms of a difficult and largely failed transformation characterised by two developments. The first is that, following the fall of the Berlin Wall and of Communism in 1989, the Italian Communist Party changed its name, its logo, its organisation. It also suffered a serious split, giving birth to the hard-line Communist Refoundation (*Rifondazione Comunista*), and had become a largely different and much less influential political actor. Deprived of their traditional 'enemy', whose threatening existence could repeatedly justify a vote in their favour from many social sectors, the Christian Democrats first lost votes, then exploded into several fragments. Today there are three groups claiming the unavailable heritage of the Christian Democrats. Within the centre-left coalition, one finds former members of the Italian Popular Party (*Partito Popolare Italiano*, PPI), now in the Daisy (*Margherita*) and the Union of European Democrats (*Unione Democratici Europei*, UDEUR). The Union of Democratic Centre (*Unione Democratica de Centro*, UDC) has long positioned itself within the House of Liberties (*Casa delle Libertà*), but recently it has challenged Berlusconi's leadership and, while remaining within the centre-right, it has decided to play its own cards (in the hope of a proportional electoral law).

At the beginning of the political and institutional transition, there is no doubt that by far the two most important transformations concerned the extreme parties of the political spectrum: the Italian Communist Party and the Italian Social

Movement (MSI). Indeed, only the transformation of these two parties made it possible, as we will see later, for party competition to change its nature, its dynamics, its quality.

The long overdue transformation of the Italian Communist Party began in earnest immediately after the fall of the Berlin Wall when the Secretary-General Achille Occhetto announced the decision to change the name and the logo of the party. However, too much time elapsed between the announcement and the actual change, which took place only on 1 February 1991. Hence, not only were the positive effects postponed, but the opponents of the transformation could also organise a successful split, giving birth to Communist Refoundation. This split has deprived the new Democratic Party of the Left (*Partito Democratico della Sinistra*, PDS) of at least one-quarter of its electoral strength and, above all, of many committed party workers and militants. Moreover, Occhetto's own project, to launch a 'new political formation' open to additional contributions, a 'caravan' that many could join during its journey, meant that the party remained in a continuous state of flux. In the wake of the defeat in the 1994 national and European elections, Occhetto suddenly resigned and was replaced by Massimo D'Alema. Though a staunch defender of the traditional role of mass parties, D'Alema himself thought it was necessary to create a new organisation. In February 1998, the so-called Thing 2 (*Cosa 2*, because Thing 1 was the original attempt to create what had become the PDS) was meant to bring together former supporters and leaders of the Republicans, the Social Democrats, the Liberals, some Socialists (the so-called Labourites), the Social Christians and several other minor left-wing groups. The outcome was baptised Left Democrats (*Democratici di Sinistra*, DS). The operation was led from the top and was accompanied neither by mobilisation nor by enthusiasm. It was a purely bureaucratic merger, mostly of full-time politicians. Later on, the DS leadership played for a short period of time with the idea of joining the exploration of the Third Way as indicated by New Labour. Following serious electoral defeat in 2001, the party went through a long phase of restructuring under the new secretary Piero Fassino. However, even though the Left Democrats were a decisive component of the victorious centre-left coalition in 2006, electorally they remained stuck at 17.5 per cent of the national vote.

Stressing the imperative to construct a new and large political organisation providing the necessary support to Romano Prodi's government inaugurated in May 2006, the Left Democrats and the Daisy decided to join in a new Democratic Party. This party had to combine the strength of both the Left Democrats and the Daisy to become the largest Italian party, possibly polling more than 30 per cent of the vote. The process leading to the new party should be completed before the 2009 European elections. While the Daisy, itself not having made any electoral growth in 2006, appeared not to suffer from the decision to merge with the Left Democrats, heated controversies and yet another split have accompanied the dissolution of the Left Democrats. Not only have those who left the party indicated their preoccupation with the disappearance of a left-wing political organisation. The overall fear concerns a potential drift of the political alignment towards the centre and the lack of a truly reformist party, which Italy has, in practice, never had.

Obviously, the full governmental legitimisation of the former neo-Fascists of the Italian Social Movement (*Movimento Sociale Italiano*, MSI), now National Alliance

(Alleanza Nazionale, AN), must also be considered a democratic success, even more so if one looks at AN's share of the vote: more than double what the MSI used to poll. During its transformation, National Alliance too suffered a split, giving birth to the MSI-Tricolour Flame (Fiamma Tricolore), but the split has been less consequential than that of Communist Refoundation for the Left Democrats. Even when undergoing its transformation, National Alliance remained a rather well-organised party, entrenched in most areas of the country, and not only in the South, with two strongholds in Lazio and in Puglia. On the whole, National Alliance's President Gianfranco Fini has been capable of controlling and leading his party towards the image of a decent, conservative, nationalist, almost Gaullist, party. By so doing, he contributed significantly to the victory of Berlusconi's Pole of Good Government (Polo del Buongoverno) in 1994 and House of Liberties (Casa delle Libertà) in 2001. In fact, the role of National Alliance appears to be crucial for the party competition becoming and remaining bipolar and to Italy to retaining the chance of alternation in government of different coalitions.

Looking at the transformation of the Communists as well as of the neo-Fascists, one can appreciate how successful Italian democracy has been. Though at a high price, that is, the lack of alternation and the curtailing of political options, for more than forty years the democratic constitutional framework proved to be capable of preventing both anti-system parties from jeopardising and destroying its essential features. It has obliged them to transform their ideologies and their organisations and to play a different role, acquiring, enjoying and losing governmental responsibilities. The post-1993 structure of political opportunities has rewarded both the former Communists and the former neo-Fascists, but only after and because they have accepted the rules of 'the game in town'. If there are still problems and challenges for Italian democracy, it is unlikely that they will come from its erstwhile opponents.

It is one thing to transform and improve old parties, and a very different thing to create new parties, especially *ex novo*, that is, neither out of splits nor out of parliamentary realignments and/or regroupings. One can locate in the category of 'splits' practically all the parties born out of the Christian Democratic *diaspora* and the three parties born out of the transformation of the Italian Communist Party (Left Democrats, Communist Refoundation, Italian Communists). In the second category of 'realignments and regroupings', one would find as the only lasting and successful case the Daisy (Margherita), originally constructed around former Christian Democrats and Prodi's faithful supporters, but led by prime ministerial candidate Francesco Rutelli, coming from the very different political traditions of the Radical Party and the Greens. Finally, the merger of the Left Democrats and the Daisy and the implementation of a new electoral law may encourage the much needed and overdue general realignment of the Italian left.

All this said, in the 1990s only one party appeared that, in the confusing Italian political arena, truly deserves the definition of new: Let's Go Italy (Forza Italia, FI). Created in less than six months between the end of 1993 and March 1994, from scratch, with very little support from some minor and declining centrist splinter groups, Let's Go Italy has quickly emerged as the most important, indeed, the dominant party not only in the centre-right alignment, but in Italian politics. In the 2001 national elections, FI became the first Italian party, polling almost 11 million

votes, 29.5 per cent of the total. In 2006, though on the losing side, it obtained 9,048,976 votes (23.7 per cent), remaining by far the largest party in Italy. The second largest party, the Left Democrats, had about 3 million fewer votes. Moreover, its electoral consensus is distributed in a balanced way in all Italian regions, with strongholds of over 30 per cent in both Lombardy and Sicily.

FI's success and persistence have baffled political scientists and commentators alike. No doubt Forza Italia draws a significant part of its success from being the party of a leader who happens to be a media tycoon and who has, understandably, put his media power in the service of his political vehicle. No doubt the party, though by no means totally absent from local areas, remains sporadically organised when it comes to local elections. No doubt its overall appeal is largely populist and anti-political, but it also has a neo-conservative programme. That said, if a 'party' is defined, as it should be, as an organisation of women (not too many) and men (most of them) looking for votes in order to get seats and offices, Let's Go Italy fits this definition beautifully. It is not exactly a professional electoral party, because it is excessively dependent on its founder and leader and not enough on a network of at least part-time professional politicians. Indeed, its major asset, Berlusconi's leadership, also seems to be its major potential weakness. As was clearly shown by the 2006 electoral campaign, run forcefully and almost exclusively by Berlusconi in person, there is no deputy leader, no designated successor, no heir apparent. While Let's Go Italy's success has also been nourished by its ability to attract and to 'recycle' former Christian Democrats and former Socialists, the profile of the party and, perhaps, its future are closely tied to and defined by its founder and leader.

By emerging at the time it did, in 1994, Let's Go Italy has performed a substantially partisan role, providing for the political representation of all those voters who felt themselves to be orphans of their previous discredited parties, but it has also fulfilled an important systemic role. In 1994 Let's Go Italy prevented the left from acquiring governmental power by default, that is, because of the disarray of all centre-right parties. Serving as a linchpin, both for the Northern League and for National Alliance, otherwise incompatible bedfellows, Let's Go Italy succeeded in winning national power. Because the two bedfellows were indeed incompatible, the centre-right government was quickly overturned and could not quickly reconstruct a viable coalition agreement to prevent the Olive Tree from winning the 1996 elections. Hence, throughout the remaining years of the 1990s, FI and its partners served as an opposition, not always well prepared and capable, but still a check on the centre-left government. In the 2001 elections FI led the centre-right to the conquest of a conspicuous number of seats and governmental power. However, its subsequent governing experience was not especially successful because of the many legal problems faced by Berlusconi the entrepreneur, and his exaggerated promises, which were not followed by a satisfactory performance. The 2006 electoral defeat left Let's Go Italy, like the Left Democrats, who are the smallest left-wing party in the European Union, too weak to be compared with governing European conservative parties, for instance the Popular Party of Spain or the Gaullists of France, not to say the German Christian Democrats. At the European level, much to its satisfaction, Let's Go Italy has finally joined the European Popular Party, acquiring, in spite of its Euroscepticism, an important claim to legitimacy. On the whole, its ruling class,

Silvio Berlusconi included, mainly consisting of professionals who are close collaborators of the leader, still appears inexperienced, often not competent, largely motivated by anti-political feelings.

The preceding analysis is meant clearly to suggest that Italian parties and the party system are not sufficiently consolidated. Most parties are weak, fragile groupings, almost personal vehicles. Most of them are bound to change and, possibly, to disappear. Therefore, the Italian party system, both in its format, number and type of parties, and in its dynamics – that is, the pattern of competition among parties – is still undergoing a process of unguided transformation. The prevailing pattern of party competition in the First Italian Republic was the one identified and formulated by Giovanni Sartori (1976): ‘polarised pluralism’, centred on the strength and the coalitional propensity of centrist parties, the exclusion of the PCI and the MSI from any participation in the government, and the impossibility of alternation. In the 1946–92 context, polarisation referred both to the existence of three poles – right, centre, left – and to the ideological distance separating them, which made impossible any coalition between the centre and, respectively, either the right or the left and, as a consequence, deprived the political system of any healthy rotation in government. The new pattern of party competition is considerably different, perhaps just the opposite. The new party system may be defined as ‘moderate pluralism’. In this model, centrist parties, without disappearing completely, count far less and cannot dictate the type of coalition to be constructed. Electoral competition has become bipolar between two heterogeneous coalitions, and alternation is not only possible, but has actually taken place, allowing all significant parties a taste of governmental power. More precisely, alternation has become possible and feasible both because the centre can no longer constitute itself as an autonomous pole and because the ideological distance between the two major coalitions has on the whole

Table 5.1 Left–right placement of parties in Italy

Left	Democrat	Centre	Freedom	Northern
LSA	PD IV	UDC	PDL	LN
Left	Centre-left	Centre	Centre-right	Right

Party names:

LSA: Rainbow Left (La Sinistra Arcobaleno).
 PD: Democratic Party (Partito Democratico).
 IV: Italy of Values (Italia dei Valori).
 UDC: Union of Centre (Unione di Centro).
 PDL: Party of Freedom (Partito della Libertà).
 LN: Northern League (Lega Nord).

Sources: Updated from sources for Table 2.4 and Giannetti and De Giorgi (2006).

been significantly reduced. In the absence of better indicators, Table 5.1 focuses on the policy distance among all parties.

For a complete stabilisation of the parties and the party system and of the nature of party competition, much will depend on the electoral system and the way it is reformed. At this point a return to polarised pluralism appears very unlikely. However, there is little doubt that a reintroduction of proportional representation may indeed favour the exclusion of the extreme left, that is, at least of Communist Refoundation, but possibly also of the right, National Alliance. Of course, proportional representation will also offer the opportunity for diversified centrist alliances, in all likelihood still dominated by Let’s Go Italy, to ‘occupy’ in a rather stable way the centre of the political alignment. This situation, returning the entire political system to the pre-1993 configuration, would make any future alternation in government quite difficult.

Summing up, in the present Italian political system neither single individual parties nor the party system can be considered stable and consolidated. As Table 5.2 shows, there have been considerable variations in the number, type and electoral strength of different parties. There is no reason to believe that the overall process of alignment, de-alignment, and realignment has come to an end. On the contrary, both another reform of the electoral law and the creation of the Democratic Party will bring about additional and significant transformations concerning both major coalitions, and even their continued existence, their respective ageing leadership, and their relationship and competition. Finally, while the voters seem to appreciate the type of bipolar competition that, facilitated by the post-1993 electoral system, has characterised the elections of 1994, 1996, 2001 and even of 2006, too many politicians still seem intent on searching for a different system exclusively in order to improve their partisan performances. At this point, there are good reasons to believe that they will not be successful, but their obsessive search prevents the

Table 5.2 Elections to the Italian Chamber of Deputies, 1994–2006

Year	Communists		Democrats		Rose		Centre	Conservative		Northern	Others
	RC	PdCI	DS	Marg	V	SDI		UDC	FI		
1994	6	–	20	16	3	2	–	21	14	8	10
1996	9	–	21	11	3	1	6	20	16	10	3
2001	5	2	16	15	–	2	3	29	12	4	12
2006	6	2	18	11	2	3	7	24	12	5	10
2008		3	34	4			UDC	PdL		LN	6

Note:

Communist: RC: Communist Refoundation (Rifondazione Comunista); PdCI: Party of Italian Communists (Partito dei Comunisti Italiani); SLA: Rainbow Left (La Sinistra Arcobaleno).

Democrat: DS: Left Democrats (Democratici di Sinistra); Marg: Daisy (Margherita); PD: Democratic Party (Partito Democratico); IV: Italy of Values (Italia dei Valori).

Rose: Rose in Fist (Rosa nel Pugno); V: Greens (Verdi); SDI: Italian Democratic Socialists (Socialisti Democratici Italiani).

Centre: UDC: Democratic Union of Centre (Unione Democratica di Centro).

Conservative: FI: Let’s Go Italy (Forza Italia); AN: National Alliance (Alleanza Nazionale); PdL: Party of Freedom (Partito della Libertà).

Northern: LN: Northern League (Lega Nord).

stabilisation of the party system, even more so because all of them are trying to retain or to improve their political power through the shaping of a partisan electoral system.

THE ELECTORAL SYSTEM

The Italian crisis being institutional, that is, fundamentally the product of the unsatisfactory performance of the overall institutional system, one can neither discount the size of the change to be made nor hope to solve the crisis exclusively through the reform of the electoral system. It is worth recalling that the peculiar type of proportional representation utilised in Italy had, indeed, been a component and a cause of the unsatisfactory performance of the political system, especially after 1975, and of its crisis at the end of the 1980s. Still, had it been up to the politicians alone, no reform of the proportional electoral law would ever have been approved. It took two popular referendums, initiated by some dissenting politicians with the support of several social and cultural associations, to put the issue on the political and institutional agenda. The first referendum, held in June 1991, signalled to the politicians, the majority of whom had vehemently opposed it, that they were out of touch with the citizens' preferences. The second referendum, held in April 1993, was widely interpreted as a complete rejection of PR in favour of a plurality system. Obligated to draft a new electoral law by the referendum, approved by almost 90 per cent of the voters, the politicians attempted to make their partisan goals prevail over the citizens' systemic goals. The outcome of the electoral referendum fundamentally dictated that the law for the Senate had to combine three major principles. First, it had to be based on a plurality mechanism; second, it had to be applied in single-member constituencies; third, it had to be corrected with some proportional reallocation of seats. Indeed, the referendum had made it almost imperative that three-quarters of the senators (238) be elected by plurality in single-member constituencies while the remaining seats (77) had to be allocated proportionally on a regional basis, without utilising any of the votes that had served to elect the 'plurality' senators.

Technically, the law for the Chamber of Deputies had not been affected by the referendum, because the 'repealing' mechanism could not be made to work against any of its features. Therefore, at least in theory, the Chamber PR might have remained unchanged or could have been drafted according to different principles. Politically, however, under pressure from public opinion, the deputies felt it necessary, first, to reform their own law, second, not to stray too far from the electoral law for the Senate. The dominant criterion remained the same: three-quarters of the seats (475) had to be won in single-member constituencies by using the plurality formula. The difference from the Senate law is that the voters for the Chamber of Deputies are given two different ballots: one showing the names of the candidates in each specific single-member constituency; the other containing the symbols of the parties and up to four names of candidates (155) to be elected through a proportional mechanism in regional or semi-regional areas. In order to have access to the proportional seats, a party must win at least 4 per cent of the national vote calculated with reference to the second 'proportional' ballot. The electoral reformers intended the new laws to achieve a number of goals. The most important of these was a reduction in the

distance between the voters and the candidates, to be achieved by the creation of single-member constituencies instead of the previous large PR districts. The second goal was the simplification of the party system by making it impossible for small parties to obtain parliamentary representation. The third was the creation of stable governmental coalitions capable of lasting for an entire parliamentary term.

Obviously, all these goals could not be attained in one single election, but public expectations ran very high. On the whole, there appeared to be widespread agreement that the new electoral law had fallen rather short of the purported goals. There had been no reduction in the political distance between voters and candidates. In the absence of any residency requirement, the most powerful politicians had repeatedly chosen to be parachuted into the safest constituencies. Some of them decided in any case also to occupy the head of one or more (at the most three) proportional lists in order to increase their chances of being elected (another reassuring clause of the law). Needless to say, to give one curious example, in 1994 the general rapporteur of the law, the former Christian Democrat Sergio Mattarella, won a seat in the Chamber of Deputies thanks to his candidacy at the top of a proportional list. Even Mario Segni, the Chairman of the committee that had promoted the elected referendum, was re-elected only because of the proportional component of the law. As to the second goal, the simplification of the party system, a few figures will suffice. Though it is difficult to count them, there were 12 parties represented in the 1992 parliament. In 1994 14 parties obtained parliamentary representation and in 1996 the number of parties had risen to 19. The 2001 figures indicate that only 5 parties or aggregations of parties have overcome the 4 per cent threshold. In order of magnitude, they are Let's Go Italy, the Left Democrats, the Daisy (consisting of four different centre-left groups), National Alliance and Communist Refoundation.

In the three elections held under this electoral law (1994, 1996, 2001), the fact that quite a number of single-member constituencies could be won or lost by very few votes allowed minor parties to survive. Their contribution in some marginal seats was considered invaluable, both because it might have been very important and because it cannot be truly and precisely evaluated. In exchange for their support in single-member constituencies, minor parties have been rewarded by being allocated several safe constituencies. The end result appeared to be not only that many small parties could survive, but also that many new parties could be explicitly created by exploiting the opportunities offered by the law (as will be seen in the section on the political parties on pp. 136-44). However, this trend was abruptly interrupted in 2001 when some overly ambitious political movements, such as Italy of Values (Italia dei Valori), created by the former Clean Hands magistrate and senator Antonio Di Pietro, and European Democracy (Democrazia Europea), launched by the former CISL trade union leader Sergio D'Antoni, missed, respectively by a small and by a large number of votes, the 4 per cent threshold.

Finally, as to what concerns the creation of stable governmental coalitions, the evidence is mixed. On the one hand, it is true that the major party and political actors, with the exception of many Christian Democrats who founded the Italian Popular Party, immediately understood that the new electoral law made it imperative to create electoral coalitions. It may also be that, at the time of the 1994 elections, the former Christian Democrats entertained the idea of becoming the key/pivotal player (*ago*

della bilancia) between the two major coalitions, on the one hand the Pole of Liberties/Pole of Good Government and on the other the left-wing Progressives. They failed and the centre-left coalition known as Olive Tree (*Ulivo*) was created in 1995–6 by their merger. In any case, the Italian electoral coalitions were and remain significantly heterogeneous, diversified and composite, though several actors have tried to challenge them by staying outside. The lesson taught by the 2001 general elections is that the space for third forces has been drastically curtailed, perhaps even definitely so. Nevertheless, the heterogeneity of coalitions constructed more out of political necessity than because of programmatic convergence has produced unstable governmental coalitions (as we will see in the section devoted to the government on pp. 152–60) that have negatively affected both the centre-right and the centre-left. In sum, the electoral law drafted in 1993–4 has not served the Italian political system in a completely satisfactory manner. On the contrary, it has contributed only slightly to a better functioning of the political system, but it has made a significant contribution to the completion of the Italian transition.

In view of the 2006 national elections, the governing House of Liberties coalition reached agreement on a new electoral law. The decision to reform the *Mattarellum* (as it was ironically and critically dubbed by the political scientist Giovanni Sartori, '*matto*' being in Italian crazy, a kind of village idiot) was not grounded in a sober and technical assessment of its inadequacies or aimed at drafting a better law that could improve the overall functioning of the political system. The motivations of the reformers were highly partisan. All the polls suggested a crushing victory for the centre-left made even more impressive by the majoritarian components of the *Mattarellum*. Aware that a proportional electoral law might, at the same time, reduce the size of the likely victory of the centre-left and contain the losses of the likely defeat of the House of Liberties, and pressed both by the Northern League and by the former Christian Democrats of the UDC, who had remained adamantly 'proportionalists', Silvio Berlusconi threw his support behind a new electoral law. Technically, it was not a return to the proportional electoral law Italy had utilised from 1946 to 1992. Perhaps, its most important component was the allocation of a majority bonus. For the Chamber of Deputies, the bonus had to be given to the coalition receiving the highest number of votes that would have allowed it to obtain at least 340 seats (out of 630). For the Senate, due to a probably wrong interpretation of the constitution according to which the Senate is elected 'on a regional basis', it was decided to attribute the bonus region by region. The distribution of seats was, otherwise, proportional to all lists having received at least 2 per cent of the votes, but also to the list that, in its respective coalition, had come the closest to the 2 per cent threshold. The existence of a majority bonus has had two political consequences. On the one hand, it has encouraged the formation of pre-electoral coalitions and it has preserved the quality of bipolar competition that allows the voters to express their preference for a coalition and its leader. On the other hand, it has obliged the two coalitions to become as encompassing as possible, thus producing highly heterogeneous alignments (the centre-left considerably more so).

Most of the constituencies were very large indeed, being allocated more than 20 and often as many as 30 seats or more, because the House of Liberties feared that the process of redistricting and reapportioning would have prevented the approval

of its law in time. Multiple candidacies were allowed, which meant that many party leaders put themselves on the top of their party lists in several constituencies (Berlusconi was the head of the Let's Go Italy lists in all Chamber constituencies). Finally, all party lists were blocked. The voters could only mark with an 'X' the symbol of their favourite party. This rule gave a tremendous amount of power to party leaders, who could not just choose the candidates but, knowing with some accuracy the distribution of the votes for their party, constituency after constituency, decide in practice who was going to be elected. The outcry coming from the centre-left did not, of course, focus on the technicalities of the new law. Many, perhaps the majority, in the centre-left had remained proportionalists in their hearts and minds. Many of the centre-left party leaders certainly appreciated the gift that was made to them, offering the power to send to Parliament their most faithful supporters. The protest of the centre-left was purely partisan. They reacted against the attempt to deprive them of a massive electoral victory and of a large parliamentary majority. Also, because of the many mistakes they made and the impressive electoral campaign run by Berlusconi, their fears almost became a self-fulfilling prophecy.

When all the votes were counted, the centre-left enjoyed a comfortable majority in the Chamber of Deputies and a razor-thin two-seat majority in the Senate: 158 vs 156 (the Speaker of the Italian Senate, himself elected by the senators of the centre-left, traditionally does not cast his vote). No wonder the electoral system remains an object of continuous discord and renewed confrontation. In fact, after defeat in a Senate vote, Romano Prodi's government was obliged to resign. Following a quick round of consultation with party leaders, the newly elected President of the Republic sent Prodi back to Parliament for a renewed vote of confidence. He clearly added that no dissolution would be possible before the approval of a better electoral law. Therefore, he solemnly and warmly invited all party leaders to devote themselves to a successful search for a new electoral law. All the well-known and traditional cleavages suddenly resurfaced between a minority of parliamentarians and party leaders who favoured a majority electoral system of the run-off French variant and a majority of parliamentarians and party leaders some of whom had never ceased proclaiming their devotion to a proportional solution.

However, the 'proportionalists' are themselves divided among several alternatives: the German system, the Spanish system, some Italian variants and some technicalities; the percentage level of the threshold clause and whether or not to provide for a majority bonus and its seat size. From an often confused and manipulated debate marred by the continuing search for short-term partisan advantages, two conclusions can be safely drawn. The first one is that the next Italian electoral law will contain a high degree of proportionality. The second conclusion is that it will not work satisfactorily and it will remain an object of political conflict and struggle. In the meantime, another popular referendum on repealing some sections of the existing law is in the making. Though it will only be capable of revising in a majoritarian direction the very bad existing electoral law, not producing an overall satisfying outcome, it is still considered a lethal threat by all minor parties. Hence it may serve to pave the way for a pre-emptive reform whose quality remains to be seen.

THE PARLIAMENTARY SYSTEM

The Italian parliament has always been a parliament of parties, that is, a parliament staffed, controlled and made to work by parties and party leaders; even more so after the 2005 electoral reform, which, as argued before, has given to party leaders the power to 'appoint' their parliamentarians. Depending on one's perspective, one may want to suggest that this outcome was either inevitable and beneficial or, on the contrary, the consequence of choices made by the constitution-makers and negative. The Italian parliament has been described both as 'central' in the institutional and constitutional framework, and therefore very influential on its own, and as just an 'arena' for dialogue, exchange, confrontation between parties, as well as between the government and the oppositions (in the plural). In order to explain and understand the different definitions and descriptions and, as a consequence, the implications for the working of parliament, one must take into account several factors.

It is likely that the most important of these factors is represented by the peculiar form of parliamentary government Italy has had since 1948. In principle, parliament was constructed by the constitution-makers to become a central player in the Italian political system. In fact, no government can come into being without an explicit parliamentary vote of confidence. One might also expect that no government would lose office without a parliamentary vote of no confidence. The reality has been quite different. All Italian governments have been created outside parliament by a previous agreement among party leaders that was ratified by the President of the Republic, who according to the constitution officially appoints the Prime Minister (and countersigns the selection by the Prime Minister of the ministers). Only one government has ever been defeated in parliament on an expressly requested vote of confidence: Romano Prodi's government, in October 1998, following his attempt to test the solidity of his parliamentary majority, a showdown he lost by one vote. Otherwise, all governmental crises have been extra-parliamentary, that is, the product of party disagreements and clashes leading to the resignation of the Prime Minister. This was also the case in the much debated alternation (*ribaltone*), when in November 1994 the decision taken by Umberto Bossi, the Northern League leader, to withdraw his support from Berlusconi's government delivered a parliamentary, and subsequently a governmental, majority different from the one that had obtained an electoral majority a few months before. Constitutionally, for an Italian government to exist only a parliamentary vote of confidence expressed by both the house and the Senate is necessary. Politically, several commentators and analysts, joined, of course, by Berlusconi himself, claimed that this kind of overthrow of his government violated 'the will of the people'. Note, however, that the will of the people had not directly empowered the 1994 Berlusconi government.

Party disagreements and clashes have never even been debated in parliament for at least two good reasons. First, the outgoing Prime Minister never wanted to exacerbate the political tensions thus forfeiting his possibility of returning to office. Second, knowing that, in the absence of any credible governmental alternative throughout the 1946-92 period, they were 'obliged' to collaborate with the same partners, the parties in government never wanted to expose in public, that is, in parliament, their differences of opinion and their disagreements. On the whole,

therefore, Italy provides us with a case of a parliamentary form of government in which parliament is not at all central to the creation and dismissal of governments. Is the Italian parliament then central to the policy-making process?

According to the constitution, the legislative initiative belongs to each individual member of parliament, as well as to the government and its ministers (and to 50,000 voters capable of writing, signing and submitting to Parliament an appropriate Bill). In practice, members of parliament exercise their right of legislative initiative frequently and massively (the voters almost never). However, MPs' success rate is very limited. No more than approximately 10 per cent of the Bills approved by parliament are initiated by individual members of parliament or even by groups of them. In any case, those unsuccessful Bills serve an important purpose. They are messages sent to interest groups, associations of all kinds, electoral constituencies and the mass media. Therefore, it is the government and its ministers who are mainly responsible for legislation. Perhaps that is how it should be since the government and its parliamentary majority may then be considered accountable for what they have accomplished or failed to do. At least in the 1980s and 1990s it appeared that the issue of governmental accountability had become relevant to Italian voting behaviour.

As a consequence, the Italian parliament's role has been confined to carrying out certain specific tasks. Of course, one important and specific task consists in evaluating, amending and, in the end, approving the Bills introduced by the government. However, for several reasons, the Italian parliament is not very effective at performing these tasks. The first reason is that it is not well equipped to do so because of three major structural characteristics that merit some consideration. The first is that the Italian parliament is, all things considered, the last of the existing (non-federal) bicameral parliaments in which both houses enjoy exactly the same powers and perform exactly the same functions. This means that all legislation must pass through both houses and even small changes have to be ratified by a vote. There are two politically significant consequences of this arrangement. One is that the law-making process is very slow. On average a Bill of any importance will take at least nine months before being approved. Therefore no government can rely on normal parliamentary procedures to get its legislation passed. So most governments resort to decree legislation. Because even decrees have eventually to be ratified by parliament within sixty days of their promulgation, many of them will expire simply because of the passing of time. Quite a number of them will therefore be reintroduced, following the same path and encountering the same obstacles. However, since decrees are immediately effective and produce concrete consequences, even the most controversial among them will serve to regulate activity in some sector without ever having been approved by a parliamentary majority. This was so not least because the governing majorities had been unable to agree on exactly how to regulate those very activities. Finally, in 1996 the Constitutional Court declared these parliamentary and governmental procedures unconstitutional. Italian governments can still enact decrees, but no longer reiterate them (unless, of course, some of the clauses and some of the wordings appear satisfactorily changed).

Another consequence of the Italian symmetric bicameralism is that the law-making process is very unreliable. It is not simply that the government cannot control the timing of its desired legislation. It does not control the content, the output, either.

This lack of control over the content derives from another structural feature of the Italian parliament and is reinforced by a political feature as well. The structural feature is a consequence of the fact that all legislation must, as a first step, be referred to rather powerful parliamentary committees. It is within those committees that consociational practices, that is, opaque agreements and transactions among the parties in government and the oppositions, found and may still find an easy outlet. This is even more the case when those standing committees are given the power to pass legislation without going through a vote on the floor of the house. One-tenth of the members of a specific chamber and one-fifth of the members of a specific committee retain the power to send legislation to the floor. Therefore, when nothing of the sort happens it is clear that opposition parties have squared their disagreements and that most of the provisions of the Bill do meet opposition demands.

The political factor is, obviously, that throughout the entire first phase of the Republic all governmental majorities were divided on most issues. This condition has not improved in the post-1993 phase because the winning coalitions have been made up of heterogeneous partners and their prime ministers were never strong enough to dictate policies. Though much better placed because it enjoyed a conspicuous parliamentary majority, even Berlusconi's second government (2001–5) did not always have its way because of the conflicts within his own House of Liberties coalition that produced several important ministerial reshuffles and in the end a governmental crisis. On the whole, it remains appropriate to stress that, under most circumstances, three lines of division run through the Italian parliament. One is the classic clear-cut division between the parliamentary majority and the opposition. Always rather rare though not totally absent in the Italian parliament in the period 1946–92, it has almost become the rule after 1993. The second line of division is that between the government and its parliamentary majority, due to the frequent repositioning of the various parties. The third, the most frequent one, cuts through the parliamentary majority itself, giving the opposition a welcome opportunity to exercise the clout eventually deriving from its discipline and active participation in floor and committee votes.

It must be added that the Italian bicameral parliament seems to be a system congenial to a divided, undisciplined, absentee majority. In practice, what the governmental majority loses in one committee it may recover on the floor. What it loses in one chamber it may recover in the other. The price to be paid is always time, often some additional compromises. The Bill intended to regulate the conflict between private interests and public duties, fundamentally, though not exclusively, affecting the media tycoon Silvio Berlusconi, provides a case in point. Obviously, from the beginning, in the summer of 1996, it entailed a clash between the governing centre-left majority and Berlusconi's centre-right coalition. A first draft could be approved in the Chamber of Deputies exclusively because it was bland enough not to pose any serious challenge to Berlusconi's interests and properties. For a couple of years not much more could be done because the centre-left partners were divided on many clauses of the Bill. Finally, a very different and drastically revised text was approved though only by the Senate and just a few months before the May 2001 elections. Lacking the approval of the chamber, it could not become law. Though adamantly denying the existence of a conflict of interests, in 2004 Berlusconi was

obliged to pass a law that, in fact, recognises and freezes the situation as it was with no additional consequence.

Finally, the Italian law-making process has always been somewhat erratic. There are several explanations for this. In the first place, too much legislation comes before parliament for approval. This is due largely to the nature of the Italian legal and bureaucratic system. Even minor decisions and regulations have to be translated into laws, or small specific laws (*legge*). Second, relations of mistrust between the governing majorities and the oppositions have always prevailed. In the past, this was due to the fact that an opposition aware of its practical inability to replace the governing majority was unwilling to relinquish its power of control over the activities of ministers, even more so since the governing majority never accepted the idea and the practice of making individual ministers accountable to Parliament for their decisions. It could not do otherwise because each individual party felt obliged strenuously to defend 'its' ministers, threatening a governmental crisis. Therefore, the quantity and the quality of acceptable regulations by individual ministers are extremely limited. In any case, all governmental majorities have been totally reluctant to penalise their ministers for political incompetence or any other sort of misdemeanour. Only one minister was ever obliged to resign following a parliamentary no-confidence vote against him. This occurred in 1995. The Minister of Justice who suffered this fate was not a member of any party and occupied his role in the non-political government, not relying on a predetermined parliamentary majority, led by Lamberto Dini, himself at the time without any party base.

The Italian legislative process has been further complicated by membership of the European Community/European Union. Until recent times, all European directives had to be approved and translated one by one by the Italian parliament into Italian law, taking up a lot of time and energy. Politically, the situation was never catastrophic because the left of the PCI/PDS was a pro-European unification party and actively co-operated to speed up this part of the legislative process. Finally, in the early 1990s the decision was made that tens of European Union directives could be approved and implemented through an annual Community Law, drafted by the competent minister, and meant to adequately revise existing Italian laws affected by those directives.

The second explanation for the unreliability of the Italian legislative process has to do with the composition of the Italian parliament. Especially, but not only, in recent times, the most visible aspect of the Italian parliament has been its party fragmentation. There have always existed many, rarely less than ten, parliamentary groups and too many party factions (there were at least five factions within the Christian Democrats, as well as within the Socialist Party until 1976 when Craxi became the party secretary). The result was that several exchanges of all kinds, among many political and non-political actors, were possible, attempted, performed. Not only did these exchanges require time, but their final product also appeared to be quite far from the original text and the preferences of the government. Hence, the various governments either rejected it or tried to reformulate it. In the latter case, the legislative process had to start all over again. In the Parliament elected in 2006 there are thirteen parliamentary groups, which, of course, goes a long way towards explaining the slowness and the difficulty of the legislative process. While agreements and

compromises between the government and the opposition are made well-nigh impossible because of the tough bipolar competition, this type of confrontation contributes negatively, in terms of timing and outcome, to the legislative process.

Finally, parliamentary voting procedures have always been of great help to all sorts of more or less organised groups but not to the governing majority itself. Up to 1988 on practically all issues it was possible for a small number of parliamentarians to request and obtain a secret vote. After a protracted and acrimonious battle against secret voting waged by Bettino Craxi, then Secretary-General of the Socialist Party, mainly in order to curb Christian Democratic parliamentarians' lack of discipline and abundance of ties with interest groups, resort to it was severely curtailed. Today, secret voting in parliament is very infrequent, almost exceptional. However, only in a few cases are the results of the voting tallied in such a way as to allow interested public opinion to obtain precise information on how the various individual members of parliament have actually voted. Most votes are, in fact, simply not recorded. Only the final numerical result is recorded, though, of course, the position of each party can be easily deduced from the voting declarations of their representatives. The remaining weapon used by those who want to obstruct the working of parliament is the request that there at least half of the parliamentarians, the so-called *quorum*, are present at any vote taken on the floor, be it an article of a Bill or a single amendment. When no certified quorum exists, the session is first adjourned for one or more hours, then suspended for one day, finally postponed for one week or more. Even a small group of disciplined parliamentarians, at least twelve – that is, the number necessary to request a count on the existence of a quorum – can thus easily disrupt the working of the entire Italian parliament.

The almost total elimination of secret voting has not destroyed the power of the lobbies. The most powerful of them have only transferred their intervention and their pressure from the floor of both houses to their committee rooms and, whenever possible, to the ministerial offices and staff rooms. This relocation of power and pressure, which was already in the making, has only been accelerated by voting and procedural changes. It indicates that, on the whole, the Italian parliament is not a significant independent political player on its own. The move elsewhere of the lobbies sets the seal on the declining power of a body that is badly in need of some streamlining and restructuring, for instance as to the division of functions and powers between the House and the Senate. It also suggests that what badly needs an incisive reform may be the Italian model of parliamentary government and, therefore, not only the relationships between parliament and government, but the very nature, the structure and the power of the government.

GOVERNMENT AND BUREAUCRACY

In many ways the best starting point for the analysis of Italian governments in their policy-making capacity and in their relationship with the bureaucracy and with organised groups is their appointment procedure. Under the Italian constitution, the President of the Republic appoints the Prime Minister and, on the latter's nomination, appoints all individual ministers. In practice, that is, in what Italian jurists

have called the 'material' constitution, the procedure has worked in the past and works in the post-1993 phase in a very different manner. In the past, only in exceptional and almost unique circumstances has the President of the Republic himself enjoyed enough political power and enough personal discretion really to appoint the Prime Minister. In most cases the President's role was confined to choosing from among the several names submitted to him by the Christian Democrats. Otherwise, he was practically obliged to accept the ready-made choices submitted by the secretaries of the parties which had agreed to join a coalition government. As to individual ministers, they were not proposed by the Prime Minister, but imposed on him by faction leaders of the various coalition parties. Because Italian governments have all been coalition governments, with the exception of some 'emergency' crisis-softening all-Christian Democratic governments, all the rules pertaining to portfolio allocation were consistently, almost scientifically, applied. Indeed, a precious handbook existed for the allocation not only of portfolios, but also of all types of political patronage, that has come, most recently, to include even the offices of Speaker of the chamber and the Senate. It was named after its author, a top bureaucrat with Christian Democratic leanings, *Manuale Cencelli*, and detailed these rules in a very effective manner. As things were, it was no surprise that the President of the Republic, himself usually the product of this game, was essentially obliged, except on a couple of occasions, to ratify those complex agreements.

Among the implications of the 1993 electoral law one finds that putting forward a candidate for the office of Prime Minister has, for the two major coalitions, clearly become not only a requirement but also an asset. There is no doubt that in 1994 Berlusconi enjoyed a distinct advantage over the Progressives, who, because of mutual vetoes, were unable explicitly to indicate the name of their candidate to Palace Chigi, the official residence of the Prime Minister. Romano Prodi, the 1996 leader of the Olive Tree coalition, certainly acquired for himself and for his coalition partners the advantage of being the Prime Minister designate. The same was true for Berlusconi in the 2001 elections. Finally, in a sense the 2006 elections represented the epitome of this extra-constitutional development that significantly ties the hands of the President of the Republic. In fact, in all these instances, the task of the President of the Republic was confined to accepting the *fait accompli* of the electoral results. However, the President of the Republic can still exert an influence on the choice of the ministers, as Oscar L. Scalfaro (1992–9) did in 1994 when he prevented Berlusconi from appointing as Minister of Justice one of his discredited lawyers. Similarly, President Carlo A. Ciampi (1999–2006) successfully argued the case both for a pro-European Union and competent Minister of Foreign Affairs in Berlusconi's 2001 Cabinet and against the appointment of an indicted parliamentarian of the Northern League to the Ministry of Justice. In any case, the overall procedure for the appointment of the Prime Minister and the ministers remains long and relatively complex, because Italian governments remain coalition governments and must accommodate the requests of several partners. Hence, all the traditional criteria reflecting the strength of the partners and the importance of the portfolios still operate.

Because the Italian institutional system is somewhat Byzantine, the appointment procedure can by no means be swift. It is a ritual requiring several days. Moreover,

when there is a governmental crisis, and there were many between 1994 and 2007, almost all the old, time-honoured but criticised practices re-emerge. It was so when, in the wake of the demise of Berlusconi's first government, President Scalfaro appointed a non-political government. Following Berlusconi's suggestion and the centre-left positive advice, he selected Berlusconi's Minister of the Treasury Lamberto Dini to become Prime Minister and actively participated in the choice of his non-political ministers. Scalfaro was offered another chance to mastermind a solution to the governmental crisis that followed Prodi's defeat in Parliament. Without the president's support no D'Alema government would have followed. Notice that it was in Scalfaro's discretion, had he so desired, to proceed instead to an early dissolution of Parliament and to call new elections. As we've already seen, President Giorgio Napolitano adroitly managed the first governmental crisis of his term by explaining how and why he had decided to behave then and for the foreseeable future.

All things considered, then, one can say that since 1993 the powers of the President of the Republic have been somewhat circumscribed when it comes to the appointment of the Prime Minister whenever a general election produces a clear winner. Those powers can still be exercised whenever a governmental crisis intervenes during the life of a Parliament. Then, the President may explore two options: immediate dissolution of Parliament or appointment of another Prime Minister, but only if he has a reasonable chance of mustering a parliamentary majority and keeping it together and working. In sum, while the inauguration of Italian governments may have shifted towards a more 'immediate' and closer relationship with the outcome of the elections and the preferences of the voters, there still remain many opportunities for politico-institutional manoeuvres.

Since the selection and appointment procedures of the past seem to have, on the whole, survived, one can understand why Italian coalition governments continue not to be characterised by enough political cohesion or collective responsibility; and why the Prime Minister has never been in a position to acquire and retain enough power to lead his coalition government and to dismiss incompetent or disloyal ministers. Since no Italian Prime Minister enjoys the power to dissolve Parliament and all Italian prime ministers know that they can be replaced by their parliamentary majority or, more likely, when and because a strategically located party shifts its support, their ability to steer a clear uncompromising course have generally speaking been quite limited. In a sense, Berlusconi's 2001 government, which was based on a sizeable majority supporting an allegedly strong leader, can be taken to represent a test of how much the Italian politico-institutional system has changed (or not). Politico-governmental stability is a precondition of governmental effectiveness, and this may be the second test for Berlusconi's government and the ministers he claims to have personally recruited with reference to their competence. I am afraid that neither test has been passed satisfactorily. Not only has Berlusconi delivered far less than he solemnly and spectacularly promised when he signed on TV his personal 'Contract with the Italians', but he had to suffer a governmental crisis in April 2005. Moreover, he was repeatedly obliged to replace quite a number of his ministers even in top offices: three ministers of Foreign Affairs, one Minister of the Interior, two ministers of the Treasury, two deputy prime ministers and a host of minor ministers and under-secretaries.

In the pre-1993 period, faction leaders successfully proposed or imposed the names of individual ministers for two major reasons: first, because they were powerful within their respective parties and factions; second, because they were capable of representing the preferences of some interest groups supporting specific parties and factions and, as a consequence, could promise politico-electoral advantages to come. Ministries were a reward for past groups' behaviour or a commitment to future action.

To a large extent, powerful faction leaders and sub-leaders were put in charge of those ministries considered significant by their socio-economic reference groups. As a consequence, the powerful Small Farmers' Confederation, closely associated with the Christian Democrats, was the successful sponsor of almost all the ministers of Agriculture. It was impossible to become Minister of Education without the active support and the open acceptance of the very many Catholic associations operating in that field. The Minister of Industry had to entertain an almost symbiotic relationship with powerful industrial groups and for a long time with the National Association of Manufacturers (*Confindustria*). Almost as a corollary, the Minister of State Participation was to be the representative of the major public enterprises and was closely controlled by a specific DC faction.

A long time ago, two ideal types were formulated to describe and explain the relations between ministries and their socio-economic constituencies: *clientela* and *parentela*. *Clientela* is the relationship between a ministry's bureaucracy and the interests it is supposed to deal with. Due to lack of competence and resources,

Table 5.3 Governments of Italy, 1991–2006

No.	Year	Prime Minister	Party composition
10	1991	G. Andreotti	Christian Democrat, Socialist, Social Democrat, Liberal
11	1992	G. Amato	Socialist, Christian Democrat, Social Democrat, Liberal
		C. A. Ciampi	Independent, Christian Democrat, Socialist, Social Democrat, Liberal
12	1994	S. Berlusconi	Let's Go Italy, National A, Northern League, Christian (CCD)
		U. Dini	Independent, Left Democrat, Popular, Northern League
13	1996	R. Prodi	Popular, Left Democrat, Greens, Renewal
		M. D'Alema	Left, Popular, Green, Social Democrats, Renewal, Christians (UDEur), Communist (PdCI)
		M. D'Alema	Left, Popular, Democrat, Green, Social Democrat, Renewal, Christian (UDEur), Communist (PdCI)
	2000	G. Amato	Social Democrat, Left, Popular, Democrat, Green, Christian (UDEur), Communist (PdCI)
14	2001	S. Berlusconi	Let's Go Italy, National A, Northern League, Centre (UDC)
15	2006	R. Prodi	Left Democrats, Daisy, Communists (RC, PdCI), Values, Christian (UDEur), Rose (SDI), Radicals
16	2008	S. Berlusconi	Freedom, Northern League

Note: The first party indicates the Primer Minister's affiliation.

the ministry's bureaucracy becomes almost a client of those interests. It comes to depend on them even for technical advice. Therefore the most important decisions are really drafted, shaped or at least implemented according to the wishes of powerful interests. To a large extent, according to Joseph LaPalombara, this was the case with the Ministry of Industry *vis-à-vis* Fiat.

Parentela is the relationship between a ministry's bureaucracy, and often the minister him/herself, and outside interests when they share the same perspective, the same goals, the same values. This was, and in all likelihood remained for a long period, the relation between the Ministry of Education and the many Catholic organisations and associations active in the education field. Especially so because the Minister of Education had always been, with one short-lived exception, a Christian Democrat. With the passing of time, *clientela* and *parentela* may have changed in intensity, but not in quality. For instance, until its abolition by popular referendum in 1993, the Ministry of State Participation remained the client of all public companies and was not meant to orient their activities or to evaluate their performance, but only to transmit their requests to the Council of Ministers and vent their grievances. For some time the Ministry of Labour, usually allocated to a minister with a union background or endowed with some union ties, worked in harmony with the unions. In a typical relationship of *parentela*, it transmitted their demands and supported them in the usually complex and long-drawn-out process of bargaining with the employers and their confederation.

Much, though certainly not all this, has changed. Not only has the disintegration of the old party system made it imperative for interest groups to look for a more flexible relationship with the bureaucracy, but it has also offered some of them more independence. However, especially in the 2001 electoral campaign it became clear that thanks to the bipolar confrontation the National Association of the Entrepreneurs (Confindustria) could choose sides and throw its full weight behind Berlusconi. For his part, the leader of the House of Liberties could claim that the Confindustria programme was 'his programme'. One would expect the trade union movement to make a similar choice, though in the opposite direction, that is, in favour of the centre-left. Instead, because of their longstanding political division into three different national organisations, the trade unions have been lukewarm towards the centre-left government. Even the left-wing union the Italian General Confederation of Labour (CGIL) did not consider the centre-left government 'its own government', but just a friendly government who could be, and in fact often was, criticised.

Though not uniquely present in the Italian case, *clientela* and *parentela* were far more pervasive than other patterns of interest interactions with political and bureaucratic decision-makers. In Italy, for a long period of time the politics of interest groups continued to be dominated by political parties, their factions, their experts, whose power derived from their position as party spokesmen or women and not from their technocratic expertise. In light of the weakness of the Italian bureaucratic apparatus, it has always seemed out of place even to speak of the possibility of 'iron triangles': parties, interests, bureaucrats. Often recruited according to political criteria, mostly promoted according to partisan criteria, rarely endowed with specific technical knowledge or abilities, utterly lacking any *esprit de corps* or professional

pride, Italian bureaucrats, with the exception of a few relatively happy islands of integrity such as the Bank of Italy, some branches of the Ministry of the Interior and the Ministry of Foreign Affairs, were the happy prey of political sponsors, and of defensive and rent-seeking union activities.

The bureaucrats' inefficiency and short working hours are paid for by job tenure and limited demands on their energies. Obviously, this trade-off is not profitable for the state when it comes to a need for active intervention in some socio-economic areas. It has been and remains highly profitable for governing parties when it comes to the acquisition of electoral consensus. Often those relatively few ministers who want(ed) to govern – that is, to deal with interest groups on an equal footing – decide(d) to bypass the state bureaucracy. They proceed to create their own more or less restricted staff, their own political cabinet made up of loyal and competent collaborators. However, this way, on the one hand, the bureaucracy is not encouraged to improve its performance; on the other hand, the difficulties deriving from the implementation and the policy evaluation phases do not disappear. Indeed, by playing according to the rules, the disgruntled bureaucrats may seriously damage any governmental activity.

Overall, the Italian policy-making process can be characterised as of the *reactive* type and accomplished in *conditions of emergency*. More precisely, policy-making of some importance is rarely proactive, that is, initiated in the political sphere following the intuition of some clever politicians. On the contrary, it is usually reactive because it is the product of demands coming from some socio-economic sectors, from outside actors such as collective movements or interest groups, from international pressures and obligations. Policy-making of some importance is rarely the product of normal procedures in normal times. It is usually the product of emergency situations because suddenly an issue has become of burning importance. Perhaps the issue had been forgotten because of the lack of instruments to keep it on the political agenda. Perhaps it had been postponed for lack of consensus among the decision-makers. Perhaps it had been removed because of cultural inability to envisage a viable and acceptable solution, or because the groups pressing for a solution were not powerful enough, or because those opposing a solution were very powerful indeed. When the issue becomes salient, the solution becomes urgent.

There are several examples of reactive policies being adopted under emergency conditions. The entire story of the reform of the university system is a case in point. It had been debated for seventeen years and became an issue only following the violent student eruption of 1977. Still, the law was passed only some years afterwards. Probably the most significant case of a reactive policy taken into serious consideration only when it developed into an inescapable emergency is represented by reform of the electoral law. Since more information has already been provided above, suffice it to recall here that it took two popular referendums to put the reform of the electoral system on the political and parliamentary agenda. Though it was more than just a policy, the decision to embark on meeting all the criteria necessary to join the Euro was taken by the Italian government only at the last moment in autumn 1996 when it became clear that almost all the member states were ready and that the costs of staying outside were going to be extremely high. Finally, another good example of the next likely reactive policy will be the one concerning the pension

system, which has already been postponed, because of the hostility of the unions, for several years.

Because the two patterns of relations between politics and organised interests that dominated in Italy were those of *clientela* and *parentela*, there was not even a meaningful political debate about neo-corporatism and its potential contributions to policy-making. Imported from the international literature, the expression was first precisely utilised in the late 1970s. In that period, characterised by high inflation and growing unemployment, the socialist-communist trade union (CGIL) showed signs of developing some neo-corporatist availability, quickly rejected by the Christian Democratic trade union (the CISL). Later, in 1981, a quasi-neo-corporatist agreement between the employers and all the unions was signed thanks to the then Minister of Labour. Not much progress was made in the early 1980s. Most developments were blocked and became a lost cause when in 1984 the Socialist Prime Minister Bettino Craxi decided to curtail the indexation system by decree after having played with the idea, now strongly sponsored by CISL leaders, of tying the unions to the government in a true neo-corporatist pact.

The problem with the creation of a neo-corporatist system was, however, not so much political as mainly structural. The two most important conditions for the construction and functioning of a neo-corporatist system were missing in the Italian case. First, the union movement remained divided along political and cultural lines. Second, the party of the industrial working class, the Communist PCI, was never even close to governmental power. The three main trade unions, the CGIL, the CISL and the UIL, were closely affiliated to their respective parties, namely the PCI (later, the PDS), the Christian Democratic DC and the Socialist PSI. From a cultural point of view, that is, in their bargaining strategies, Italian unions have always exhibited profound theoretical and practical differences. They are preoccupied with representing all the workers, mainly at the national level, and pursuing both economic and political goals (CGIL) or with representing only unionised workers, essentially at the local and plant level, with exclusively economic goals (CISL). They tend to be either soft (UIL) or tough (CISL and CGIL) on the employers, and either soft (UIL, CISL and the socialists within the CGIL) or tough (the rest of the CGIL) on the government.

Understandably, the sheer fact that the PCI, correctly regarded as the party of the industrial working class, never had nor could legitimately aspire to a governing role prevented the establishment and consolidation of that initial condition of trust indispensable for the emergence and functioning of a neo-corporatist system. The working class was understandably suspicious of deferring its day-to-day requests in exchange for future gains, since no political player was in a position to offer them a credible guarantee. The neo-corporatist attempts that were made between the 70s and the 80s remained half-hearted and appeared ill founded.

The nature of the relationship between unions, parties and coalition governments is still a matter of discussion, conflict and disagreement. In the meantime, however, for several reasons common to West European union movements, and for some reasons peculiar to the Italian case, Italian unions have lost membership, representativeness, power. They are now a declining player in search of a role. However, it remains difficult and costly to govern against the unions or without taking into

account at least some of their preferences and obtaining some collaboration. Understandably, this is what the various centre-left governments have tried to do, offering both the unions and the industrialists the possibility of collaborating in the formulation of policies in the overall economic area as well as in the field of labour and industrial relations. These complex pacts, some of them requiring more flexibility on the part of the labour force in order to create more jobs, seem to have worked reasonably well. However, both the unions and the industrialists have expressed some dissatisfaction, but a new pattern of relationship is not in sight.

The Italian decision-making process is complex and cumbersome. All minor and major decisions are bound to pass through a series of stages and to seek the agreement of several players, incessantly engaged in reversible and opaque negotiations. In the last instance, all significant and insignificant decisions are subject to formal approval by a divided and not very disciplined parliament. It is no surprise, then, that the overall decision-making process is inevitably exposed to interference by many illegal activities. Where a multiplicity of actors takes part in allocating a conspicuous quantity of public resources, often to be disbursed according to party criteria, the likelihood of corruption is very high. Indeed, political corruption has been widespread in the Italian case and it remains a feature of the political system.

There have been basically two types of corruption. The first type, money paid out to policy-makers at all levels in order to influence their decisions, predominated in the long first phase of the democratic regime up to the mid-1970s. It must be added that, on the part of public companies, whose managers were appointed by governing politicians, this money was also intended to subsidise governing parties, their electoral campaigns and political structures. In the absence at the time of any system of public funding of political parties, this kind of financing was not only indispensable, but almost taken for granted, as quasi-legal.

Then, in 1974, in the wake of a major scandal involving oil importers who had bribed parties in government in order to secure higher prices for oil products following the Arab embargo, a law was passed financing political parties with state money. Among its provisions, the 1974 law forbade public companies from making donations to political parties. Therefore, to some extent, it liberated, so to speak, public managers from that kind of peculiar, sub-institutional obligation towards parties. However, the flow of 'black' money was not completely interrupted.

The second type of corruption became even more widespread and acquired a systemic character. In this instance, party secretaries and their collaborators, ministers, under-secretaries, members of parliament, and local politicians were active in exacting kickbacks on all public contracts and public works, licences and allocations of resources and activities. This scandal of massive proportions was uncovered first in February 1992 in Milan, then, few regional exceptions aside, throughout the entire country. It became known as 'Kickbackville' (*Tangentopoli*) and the corresponding large-scale investigation was called 'Clean Hands' (*Mani Pulite*).

The extent and depth of corruption derived from two factors. In the first place, all governing parties justified their requests for money, often sheer extortion, to industrialists, builders and contractors by pointing to the existence of the Communist threat. Their leaders claimed to represent the dam against that threat. Money was needed for increasingly costly electoral campaigns to counterbalance the superior

Communist Party organisation. Of course, this motivation lost all credibility with the collapse of international communism and the transformation and decline of the former Italian Communist Party.

In the second place, industrialists, builders and contractors were well aware that the same parties and, often, the same politicians who had already been in positions of power for a long time retained a credible chance of staying there just as long again. A change of governmental coalitions was not in prospect and, as long as there was a powerful Communist Party, from their point of view it was not even desirable. Kickbacks to governing parties and politicians could be justified, at least partially, as the 'price of democracy' and, to a lesser extent, as a sort of tax on their activities. Paradoxically, but understandably, some streaks of consociationalism survived for a while, so that, especially in Milan, where the PCI had long been part of the governing majority together with the PSI, some money was more or less indirectly poured into Communist coffers as well.

Though conspicuous, kickbacks have not prevented all Italian political parties from running high deficits. These were largely due to skyrocketing electoral expenditures, but in some cases also to the search for personal enrichment and a luxurious standard of living. Finally, because of the advent of commercial TV, electoral campaigns had become unbearably expensive and, trying to catch up with both the Christian Democrats and the Communists, the Socialists needed more and more money. They could get it only by pointing to their permanent role in the government and by exchanging favourable decisions for 'donations'.

In Italy, the relationship between money and politics has always been controversial and from the very beginning the law on the state financing of political parties has been challenged. A referendum to repeal the law in 1978 showed simultaneously great dissatisfaction and the extent to which the PCI and the DC were entrenched. The two parties barely succeeded in defeating the request: 44 per cent of the voters were in favour of repeal, 56 per cent against. In the ensuing years, the political climate changed drastically. In April 1993 more than 90 per cent of voters decided by referendum to do away with the law; more precisely, to stop the funds going directly to party parliamentary groups though not the electoral reimbursement. Indeed, the 1994 electoral law explicitly provides for substantial electoral reimbursements. However, all parties need more money and spend more money for their organisations. Hence, they have surreptitiously step by step reintroduced a form of state financing not only of their activities, but also of their structures. In any case, political corruption has not disappeared from Italian politics. Indeed, the ranking of Transparency International puts Italy year in, year out around thirty-second in terms of public morality, just above Nigeria and well below all European democracies.

INTERGOVERNMENTAL RELATIONS

In order to understand Italian intergovernmental relations precisely, it is necessary to always keep one premise in mind: Italian governments have constantly been weak both in terms of their likely and predictable stability and in terms of their decision-making powers. Therefore, those institutions and groups that were interested in

opposing a decision could just try to buy time and wait for the inevitable change in the government and/or the ministers and/or the policies. There has so far been no significant improvement either in the stability or in the decision-making powers of Italian governments. Indeed, two major changes indicate that many decisions will be taken elsewhere. Paradoxically, if this phenomenon is confirmed it may allow those Italian governments that are successful in gaining enough political stability to concentrate on a few, major decisions. The first very important change has been increasing Italian integration with the European Union. This is not a development that concerns Italy alone. However, some of its consequences have been more important for Italy than for other member states of the European Union. The case of the Euro is especially revealing. Italian public opinion and fundamentally all Italian governments, with the possible exception of the one led by Silvio Berlusconi from April to December 1994, have been, at least verbally, unabashedly pro-Europe in all its various expressions. This pro-European attitude has constituted a sort of threshold for the governmental acceptance of some parties. Gradually, though increasingly, the Communists shifted their position and their policies towards, at least in the late 1970s, full acceptance of and full participation in the European institutions and unification process. Hence, to some extent, one can say that the simple existence of a European democratic framework produced positive results for the Italian political system.

Leaving aside a longer story, in any case not made of active participation by subsequent Italian governments and of innovations suggested by them, the most important turning point has been represented by the criteria set at Maastricht in 1992 for joining the European Common Currency system. Though initially perplexed regarding the ability of his government successfully to meet those criteria together with the 'virtuous' European states, in 1998 Prime Minister Romano Prodi exploited the opportunity to put in order the Italian economic system, which had been disrupted by several years of 'merry financial dealings'. Long considered a sort of safety net, the process of European integration opened a not too large but very important window of opportunity for Italy through which it became possible to restructure the Italian economic system. Once the Italian economic system was put on its not too solid feet, it became necessary to continue to run the economy without deviating from the guidelines and the indicators of the Growth and Stability Pact. Then, 'Europe' has been utilised by several Italian governments in different ways. It provides an alibi: 'We, the politicians, are not responsible for these painful decisions; they are imposed upon us by Europe'. It is taken as a constraint: 'We, the politicians, cannot do more or differently; these are the demands of Europe'. It offers an opportunity: 'We, the politicians, can assure you that by behaving as Europe asks Italy to do great benefits will follow'. Above all it has worked as a safety net: 'Because we are part of a democratic Europe, no doubt the European Union will support democracy and the democrats in Italy as well as the Italian socio-economic system'. A few nuances of interpretation notwithstanding, only the extreme right, the Northern League and Communist Refoundation dare in different ways criticise the European Union and oppose some of its policies.

The overall consensus that the European Union is on the whole largely beneficial for the Italian economic and political system is not broken by any contrary view. Even

the critics are not asking for Italy to abandon the European Union, but just to redefine some of its positions and some of its policies. However, several criticisms have been made of all Italian governments for their limited ability to influence the decision-making process at the European level. The responsibility for this falls on the traditional handicaps of Italian institutions: the ministers, Parliament, the bureaucrats, Italian regional governments. Frequently changing ministers can neither grasp the importance of some issues nor exercise enough influence on their European counterparts/colleagues. A slow-working and cumbersome Parliament can neither intervene before the European decision-making starts, by suggesting counter-proposals and giving guidelines and support to the ministers, nor respond in the implementation process by effectively and in a timely manner translating European regulations and directives into the Italian legislative system. Bureaucrats, often selected according to patronage criteria, can rarely carry the day with their European counterparts, also because they cannot rely on a steady guide from their respective ministers.

Paradoxically, the most important development in the relationships between Italy and the European Union has taken place in one area where prestige counts enormously but cannot be translated into political power, that is, in the appointment of European Commissioners. Because of successful though different combinations of *fortuna* and *virtù*, Emma Bonino (1994–9) and Mario Monti (1994–2004) were given the opportunity to demonstrate their knowledge of the problems and their solid commitment to the European unification process. Moreover, because of his success in leading Italy into the Euro, Romano Prodi has been rewarded with the much more demanding task of leading the European Commission in difficult times and in uncharted waters (1999–2004), presiding over a major process of enlargement. However, not much of this personal prestige and accomplishment has reverberated on the Italian political system.

Political and institutional problems similar to those existing at the national level can be easily found at the regional level. Frequently changing governments, technically incompetent and overstuffed bureaucracies, a larger than acceptable dose of political amateurism have meant that most Italian regions have been less capable of obtaining and of spending European regional development funds. As a consequence, while several regions in the Republic of Ireland, in Spain and in Portugal have improved their lot and have increased their standard of living, most Italian Southern regions, with the exception of Basilicata, have made no leap forward. Whether this is due to the quality of the politicians and the bureaucrats or to the institutional mechanisms and their limited decision-making autonomy remains to be seen. In fact, it will soon be possible to discern which, thanks to one of the few significant institutional innovations introduced in the 1990s: the (quasi-)direct popular election of the president of the regional governments. It is not so much the mechanisms utilised to elect the presidents of the regions that are of special importance. What count more are two other elements: the first is that the winner, which is the elected President, gets a bonus of seats that consolidates and stabilises his majority; the second element is that the President cannot be replaced before new elections. In fact, it appears that regional instability has been significantly reduced, making it possible to proceed to the implementation of the President's legislative programme. In addition to the perspective concerning powers of decision-making

that are not new, but can finally be exercised to the full, depending on the personal and political capabilities of the presidents, there is another perspective from which one may want to evaluate the changes taking place at the regional level.

This perspective suggests that powerful regional presidents will attempt to acquire a new balance of powers between regional governments and the national government. A greater number of social, economic and political preferences will be taken into consideration, to the satisfaction of a greater percentage of voters in their respective regions. Of course, it is still too early to draw convincing lessons and definitive conclusions from the short Italian experience. Nevertheless, for the time being no full positive evaluation appears to be justified. Centre-left regional presidents have largely supported the actions and the proposals of the centre-left national government and centre-right regional presidents have challenged, in some cases with tremendous partisan determination, whatever the centre-left national government was proposing or doing. Both sets of regional presidents have been asking for more powers and more functions. For their part centre-left regional presidents have given a positive evaluation to the devolution law approved by the government. The law rejected by the centre-right opposition in Parliament has been predictably opposed by centre-right regional presidents, most vehemently so by the regional president of Lombardy and Veneto. When in 2005 the centre-right House of Liberties approved a constitutional reform shifting more powers to the regions, the centre-left opposed it and succeeded in having it, together (as we will see in the next paragraph) with all the other constitutional reforms, rejected by a popular referendum. Only future events will reveal whether a new more effective and more satisfactory equilibrium is reached. It will also be interesting to see whether the presidents of the Italian regions will acquire the national stature of US governors or, to resort to a more appropriate comparison, of the Minister-Präsidenten of the German *Länder*. At this point, in the case of the relationship between the Italian state and the regions, between the national government and the regional presidents, the situation must be defined as in transition. Their respective powers as well as their functions will probably be changing, but there are too many factors to be taken into account before making any appreciable prediction.

Always a sore point in the functioning of the Italian political and administrative system, the relationships between the politicians and the judicial system became tense and burning with the explosion of the investigation called 'Clean Hands' (*Mani Pulite*). In order to understand its developments, one must state very clearly at the outset that 'rule of law' is not exactly the most appropriate expression to define the Italian situation. Organised crime has always been powerful in Italy, so much so that, according to many analysts and commentators, in at least four Italian regions, Campania, Calabria, Sicily and Apulia, the state, that is, the police and the judges, cannot guarantee a decent amount of control of the territory and personal security. In those regions, the relationship between organised crime and politics is, indeed, very close. Protracted Mafia and *camorra* activities would be impossible without the connivance of some politicians; some astonishing political careers would be unimaginable without the support of organised crime. In some cases, it may not be necessary for the politicians to look for support from organised crime. It is the Mafiosi themselves who decide whom to support, when and why. The Mafiosi choose

who is going to be the winning horse and throw their weight behind him or her. Afterwards, they will ask for something in exchange, brandishing as a minimum the threat of shifting their votes and funds to other candidates or, even, of revealing their ties. Many economic activities are controlled by organised crime, so much so that all Southern Italian regions are deliberately avoided by foreign investors. For too long, some sectors of the judiciary, of local administrators, even of the police, did not clearly and consistently oppose organised crime. Then, at the beginning of the 1980s, several courageous judges, such as Giovanni Falcone and Paolo Borsellino, and some loyal civil servants, such as the then prefect of Palermo, General Carlo Alberto Dalla Chiesa, decided to confront the Sicilian Mafia. In due time, they were all murdered. The major change with respect to the past is that Mafia killers and Mafia bosses have all been apprehended and condemned, but their supporters and protectors within the political world have so far escaped being pursued by the law. Apparently, for some politicians Mafia votes do not stink. And new Mafia leaders have already appeared.

That said, the area where the confrontation between some judges and the political class has been most frequent, most tense, most bitter has been in those many illegal activities related to the financing of political activities: unlawful contributions, fraudulent budgets, kickbacks, embezzlement. Although since 1974 in Italy there has existed a system of public financing of political parties, state money has never been enough to cover all the costs of some lavish electoral campaigns and some over-staffed party organisations (plus the personal enrichment of some politicians). Ostensibly, most party leaders and parliamentarians justified their illegal activities by stating that some corruption in the financing party activities and electoral campaigns is 'the price of democracy'. For a long time, parliamentarians were also capable of protecting themselves against judicial action by rejecting the parliamentary authorisation the judges had to request in order to investigate the behaviour of a parliamentarian and to bring him (almost never her) to trial. Then, the parliamentary rules were changed. Instead of it being necessary to muster an absolute majority to approve the judges' request, it became indispensable to muster an absolute majority to reject it. In this entirely new ball game and under pressure from the mass media and public opinion, it became almost impossible for most parliamentarians to block the requests of the judges. At the end of the 1992–4 Parliament, more than one-third of the total number of Italian parliamentarians – that is, more than 300 of them – had received a judicial notice. However, because the Italian legal system offers many loopholes and because, of course, most politicians can employ very powerful teams of lawyers, several trials were never pursued to the end and several offences enjoyed the shield of the statute of limitations.

It is probably not true that there is less public support today for the anti-corruption judges. On the one hand, there is less mobilisation in favour of the judges; on the other, the issue of political corruption is even more politicised because Berlusconi, some of his close collaborators and some of the judges he allegedly bribed have all been indicted. For many Italians, however, the evaluation of the judicial system is made not on the basis of the struggle between the politicians and the judges or by the magistrates against political corruption and organised crime. It is made on the basis of the day-to-day performance of the magistrates dealing with civil cases.

With the exception of a few hardworking judges, the Italian judiciary is made up of many civil servants who lead a bureaucratic life, who are promoted through a seniority system without any quality control of their activities, who enjoy short working days, long vacations and high salaries. Public opinion being mixed, it is difficult to predict what kind of reception any attempt to reform and/or to 'normalise' the judges (in Berlusconi's words, 'to bleach the red robes') will receive. The criticisms made by Berlusconi of the Constitutional Court have been more disturbing because the Italian Constitutional Court has in fact played its role of 'guardian of the constitution' commendably. It is one of the few Italian institutions not really in need of any reform, except, perhaps, the introduction of 'dissenting opinions'. To sum up, like most other Italian institutions, the judiciary appears to be in transition: from an imperfect situation of considerable professional and organisational autonomy with respect to executive power, often, however, bordering on the corporatist protection of privileges, towards an unknown future.

STRATEGIES FOR INSTITUTIONAL REFORM

Notwithstanding their personal and partisan evaluations, all Italian politicians, scholars and commentators are well aware that the present institutional system cannot remain as it is. Generally speaking, there are two major points of view deriving from the fact that the electoral system remains an object of major contention and continues to be exposed to partisan reforms, and from challenges coming from popular referendums. The premise is that the 'old' political system was constructed on a proportional electoral law and that it was made to work, deliberately and/or out of necessity, by a proportional distribution not only of seats and offices, but also of several types of resources. Indeed, according to many analysts, the proportional principle was carried to the point of sustaining a sort of consociational democracy and its arrangements. Hence, those who are still favourable to 'proportionality' would say that, if it proves impossible to draft a decent PR law, any more or less majoritarian electoral system must be accompanied by some appropriate checks and balances. Those who criticised the old proportional electoral law – among other reasons also because it had fostered consociational devices and states of minds – and succeeded in reforming it, take the opposite view. They argue that the 2005 electoral proportional law has produced negative unbearable consequences. Therefore, a reform of the reform is absolutely indispensable before new elections take place (elected in 2006, the existing Parliament's term ends in 2011).

While there appears to be some agreement on the need for reform or at least for cosmetic embellishments, there is no agreement on the fundamentals. Nobody is any longer advocating the British model, while officially, though not in practice, the Left Democrats maintain that they would be in favour of the introduction of the French run-off electoral formula. It is clear that no party will be able positively to impose its favourite electoral formula. Since it is also clear that too many parties within their respective coalitions enjoy the role of veto players, it seems easy to predict two plausible outcomes: (1) no reform at all; (2) a reform introducing some proportional formula for the translation of votes into seats, accompanied by a very

low threshold for access to parliamentary representation. In the light of my overall interpretation of Italian politics in the past decade and my forecast for the next decade, I can draw two general conclusions: first, no reform of the electoral system will completely satisfy all party actors or the voters; second, the electoral system will continue to be an object of major political contention and controversy.

In the meantime, another discussion will remain heated both with reference to the method to be implemented in order to draft and approve any constitutional reform and to the substance; that is, precisely which reforms will bring to a successful completion the political and institutional transition, at the same time improving the functioning of the Italian political system and the quality of its democracy. As is perfectly understandable, a combination of personal and partisan preferences with systemic views has shaped the various proposals. The majority of politicians have evaluated the proposals put forward by their colleagues, by their parties and by the scholars engaged in this debate with an eye to their personal/political advantage or, more frequently, to their potential disadvantage. The debate has oscillated between those who are arguing that the reforms ought to be made with the agreement of all those involved (*quod omnes tangit ab omnibus probari debet*) and those who are advocating not only the right, but even the duty of a parliamentary majority to take responsibility and to make the necessary reforms. The centre-left, as is clearly indicated by the experience in 1997–8 of a special parliamentary Bicameral Committee entrusted with the power to draft proposals in four areas (the form of the state; the model of government; the judiciary system; parliament and the relationships with Europe), has taken the first position.

Under the chairmanship of Massimo D'Alema, then the Secretary of the DS, perceived to be the most capable Italian politician and the most committed to the success of the reformist efforts in order to prove his statesman-like qualities, the Bicameral Committee worked for one and a half years. However, no overall agreement was reached and, in June 1998, the leader of the opposition Silvio Berlusconi all but sank the proposals formulated by the Bicamerale. While Berlusconi's quasi official explanation was that the Committee had formulated low-profile proposals, his critics point to the fact that he had been unable to get what he wanted in terms of the reform of the judiciary, that is, tighter political control of all judicial activities. Be that as it may, in all other fields the Bicameral Committee had demonstrated that there are no widely shared solutions to the Italian institutional problems.

When the turn of the centre-right came, Berlusconi and his allies decided to go it alone. As I have indicated above, the House of Liberties redrafted almost half of the Constitutional Charter pursuing two fundamental goals. On the one hand, more activities and more power were, satisfying the requests of the Northern League, devolved to the regional governments. On the other hand, more political and institutional power was given, as both Berlusconi and Gianfranco Fini, the leader of National Alliance, had long advocated, to the Prime Minister. The new arrangement, to be accompanied by reform of the symmetric bicameralism providing for territorial representation of the regional governments, largely inspired by proposals coming from the centre-left, was dubbed 'strong premiership'. It was also meant to put aside forever the only alternative model that was circulating in the Italian

constitutional debate, French-style semi-presidentialism. To a large extent, though never precisely enough and without appreciating all the historical and political features that could not be created by any institutional mechanisms, the strong-premiership model was supposed to be or to be equated with the so-called 'Westminster model': a powerful Prime Minister leading his parliamentary majority. This was something Italy never enjoyed, but it is doubtful whether it could be shaped under the prevailing Italian political conditions, in which the two major coalitions hide the reality of a still fragmented party system.

In order to give more power and a better legitimacy to its candidate for the office of Prime Minister, prodded, after several vacillations, by Prodi himself, the centre-left decided to hold primary elections. Open to all voters, who only had to sign a pledge in favour of the Olive Tree coalition and to contribute €1 to the organisational expenses and to finance the subsequent national electoral campaign (the majority giving much more), an unusual and unprecedented primary was held on 16 October 2005. Unexpectedly, more than 4,300,000 voters turned out to choose among six candidates. Supported both by the Left Democrats and by the Daisy, Prodi received more than 3 million votes. However, the momentum of this intense mobilisation was quickly wasted when all party leaders of the centre-left coalition rejected all requests to hold primaries for the selection of parliamentary candidates.

The electoral law had been an informal part of the package of more ambitious constitutional reforms formulated by the House of Liberties and approved by its sizable parliamentary majority before the dissolution of Parliament in February 2006. Vehemently opposed by the centre-left, those reforms amounted almost to an overhaul of the Italian constitution, not only because they affected 56 articles out of 138, but because they were meant to reshape the major Italian institutions: the Presidency, the government, Parliament, and their mutual distribution of powers, as well as the relationship between the state and the regions, in the form of administrative and political devolution. In fact, in the House of Liberties' constitutional preferences there were two distinct logics. The first one was fundamentally to strengthen the powers of the Prime Minister with respect to both the President of the Republic and Parliament, or, more precisely, his/her own parliamentary majority. Hence, the President of the Republic was to be deprived of his power to appoint the Prime Minister and to dissolve Parliament, while in practice no parliamentary majority could replace the Prime Minister. The second logic was apparently to increase the powers of the regions at the expense of the 'central' state, though without giving fiscal autonomy to the regional governments.

In principle, both logics had been widely shared by several leaders and constitutional advisors of the centre-left. Indeed, the strengthening of the powers of the Prime Minister figured prominently in some of the centre-left constitutional projects. Therefore, their highly vocal opposition appeared a mix of partisan and expedient motivations. What could be said of the constitutional package is not so much that it was going to be a threat to Italian democracy, but that it was often confused and that it promised no improvement of the functioning of the political system. On the contrary, it might have backfired and led to frequent inter-institutional conflicts. When not approved by a two-thirds parliamentary majority, all constitutional reforms may (not 'must') be submitted to a popular referendum if this is requested

by 500,000 voters, or five regional councils, or one-fifth of the parliamentarians. In a show of strength, centre-left leaders successfully pursued all three paths to the popular referendum. A not so secondary purpose was to increase the involvement of the voters, to 'educate' and to mobilise them (against Berlusconi's government). The referendum was held on 26 June 2006 in the wake of the centre-left's electoral victory. There was a good turnout (52.3 per cent): 15,971,293 (61.3 per cent) voted yes to the cancellation of all the reforms, while 9,962,348 (38.7 per cent) voted no, that is, expressed their support for the reform. In only two Northern regions, Lombardy and Veneto, where the centre-right, especially Let's Go Italy and the Northern League, is electorally very powerful, did there appear to be a majority in favour of those reforms.

The reforms of the House of Liberties were defeated, but the overall issue of how to construct a better circuit connecting the voters to Parliament and parliamentary majorities with their prime ministers, and how to improve political representation by redefining the role and the powers of symmetric Italian bicameralism, are still very much alive. In fact, they are also somewhat tied to reform of the electoral law. But again there does not seem to be a satisfactory shared solution in sight. Since no transformation of the Italian model of government followed, all constitutional issues remain very much alive and are the object of serious controversies.

More precisely, the Prime Minister remains, at best, a *primus inter pares*. With the exception of the 2005 primary election, he (so far, no 'she') is chosen by party leaders, does not lead his parliamentary majority, may be replaced at any time because it is not up to him to make the decision to dissolve parliament and to call early/new elections. The traditional Italian problem of the instability of prime ministers has not yet found a solution. However, it is fair to stress that, because of the immense effort by Berlusconi to personalise his politics as well as all his electoral campaigns, and because of the bipolar competition, Italian voters have had the impression of being consulted and being allowed to vote directly for their Prime Minister. Constitutionally, of course, it is not so. However, there is no doubt that Berlusconi's role in the House of Liberties coalition is such that, politically, he has certainly achieved a sort of direct popular election of the Prime Minister. In any case, once in office, the Prime Minister will find that his powers are limited, that his majority is not compelled to be disciplined, that the bicameral system is resistant to any attempt to rationalise and speed up the decision-making process.

For those who believe that the Italian problem and, generally speaking, the most important problem of many political systems is not the speed of the decision-making process, but its quality, it is fair to add at least one remark. Not only has the Italian decision-making process always been slow and cumbersome; it has also not been transparent. In the First Republic this lack of transparency led to the politics of buck-passing. Since it was almost impossible to identify who was responsible for what was done and what was not done, it became politically fruitful/advantageous to pass the buck to allies, to the government, to the opposition and *vice versa*. The practice has only minimally improved in the present political transition. Political accountability appears still to be an elusive goal, and/or an eluded request, so much so that the proposals for a semi-presidential model of government were criticised on two counts: on the one side, because in case of a coincidence between the presidential

Table 5.4 Level of satisfaction with Italian democracy

	1987	1991	1997	2000	2004	2006
Very satisfied/fairly satisfied	26	20	30	36	46	53
Not very/not at all satisfied	72	78	67	62	52	44
Don't know; no reply	2	2	3	3	2	3

Source: Eurobarometer, selected years.

Note: Numbers are percentages of people in survey polls.

majority and the parliamentary majority too much power would be concentrated in the hands of the Chief Executive; on the other side, because in the case of cohabitation there would be the likelihood of conflict between the President of the Republic and the Prime Minister. Seen from the Italian perspective of the ills of the political system, any coincidence of the two majorities could speed up the decision-making process but also impose a lot of political accountability on the President. Cohabitation may make the decision-making process more difficult and perhaps slower, but it would shift a lot of accountability onto the Prime Minister. So far Italian political actors, especially minor parties, which are accustomed to exploiting their blackmailing power over the larger parties of their respective coalitions, have responded that they do not want any of either. Vested interests, not only those represented by the parties in Parliament, have succeeded in blocking any serious and significant reform. As a consequence, the Italian political institutional system remains in a unhealthy state of transition.

GLOBAL ASSESSMENT

Any assessment of a political system is bound to be influenced by two types of elements. The first is the evaluation of the previous political system; the second is the criteria/measures that are utilised. In the case of Italy, there is a third complicating element: the state of transition affecting the entire political system.

The First Italian Republic collapsed under the weight of excessive corruption, because of its inability to reform itself and to produce alternation in government. It has unjustly been buried by criticism of its later vices and not evaluated in a fair manner for some of its long-term contributions to the establishment, consolidation and even the growth of Italian democracy. In one sentence, one should not refrain from remarking that between 1948 and 1993 the Italian Republic had become, in spite of its traditional institutions, an economic giant, but because of the inadequacy of its institutions had not progressed much beyond the stage of a political dwarf. The next phase of the Republic, definitely not yet a Second Republic, was inaugurated in 1993 amid many exaggerated expectations, but also in the wake of great dissatisfaction and bitterness on the part of most citizens and some political actors. So far, for a variety of reasons, the new phase has not lived up to those expectations. The third phase is not yet in the making. However, major changes, positive and negative, have taken place. Some of them have already been hinted at in the previous

paragraphs. Here, a few additional and more systematic comments will be made, specifically focused on the authorities and the regime.

As to the authorities, on the positive side it appeared for a time that renewal of the political class, also because of generational reasons, might finally introduce new energies and produce new ideas. Not so. The 2006 elections witnessed a repeat of the competition between the same two leaders (69-year-old Berlusconi and 67-year-old Prodi) who had confronted each other ten years before in 1996, both surrounded and advised by the same old collaborators. On the negative side, it must be stressed that many members of the old political class have survived and continue to play a significant political role even in the new system. The second aspect is that the renewal of the political and parliamentary class has largely been the product of the appearance and the success of Let's Go Italy and, secondarily, of the presence in parliament of the Northern League. However, the appearance and consolidation of Let's Go Italy have not set into motion a process of collective renewal of the political class. Let's Go Italy has brought into the political system a number of representatives of a specific sector of society: businessmen and professionals with limited political competence and scanty interest in learning about politics. Political incompetence and professional arrogance have not renewed, and could not renew, Italian political life. On the contrary, contempt for politics and amateurism have certainly increased the distance between the average voter and politics. The traditional Italian cynicism has been strengthened and the rate of abstention has slowly, though irresistibly, gone up. Finally, the encumbering presence in the political sphere of the wealthiest Italian businessman, media tycoon Silvio Berlusconi (and his professional collaborators), created a very tense situation characterised by actual and potential clashes and was worsened by his ascent to power, by his conquest of Palace Chigi. This was so not only because of the overall conflict between his private interests and public duties, but also because of his conflict with the judiciary and his pervasive control of the television system.

Following Pippa Norris's (1999) useful three-fold differentiation, the evaluation of the Italian regime can effectively be broken down into its three components: regime principles, regime performance and regime institutions. It may be difficult to disentangle the performance of the regime from the democratic principles. Nevertheless, there is little doubt that the Italians have always been dissatisfied with the workings of their democratic regime. The percentages tell the story. I have chosen six different points in time: 1987, at the height of the five-party government, just at the end of Craxi's term as Prime Minister; 1991, when the cracks in the old Republic were already appearing; 1997, one year after the beginning of the Olive Tree governmental experiment; 2000, when that governmental experiment was coming to a somewhat disappointing end; 2004, in the midst of the long governmental experience of Berlusconi's House of Liberties; and 2006, during the electoral campaign.

As the percentages convincingly indicate, there have always been deep-seated reservations about the way Italian democracy works. For more than a decade these reservations appeared not to be exposed to contingent factors. They were not exposed to easy fluctuations influenced by changes in the government. Nevertheless, and ironically, the first not major increase in the percentage of satisfied citizens, though

admittedly it still did not amount to an absolute majority, appeared just one year before the centre-right defeated the incumbent centre-left government and in spite of an overall improvement in the quality of Italian democracy. Somewhat surprisingly, in recent years there has been a surge in the percentage of Italian citizens satisfied with the working of their democracy. In 2004, for the first time ever, more than half of Italians were expressing their satisfaction. Independent and reliable sources confirm that the findings of the Eurobarometer appear not to have been influenced by exogenous factors. My interpretation is that by the autumn of 2004, Berlusconi's coalition had offered, though with some internal tensions, a long period of governmental stability. Obviously, this rare achievement received a favourable rating and very significantly increased the percentage of Italians satisfied with the working of their democracy. Let me stress that in all likelihood Italians were giving a good mark not to the performance of the government, but to the working of their democracy, finally capable of assuring, if not the best of governments, at least a stable government. As to the small decline in the spring 2006 percentage, a plausible hypothesis would suggest that Italians may have reacted against the poor quality of the electoral campaign.

There is no doubt that democracy is the only game played in the Italian political system, but neither the players nor the way the game is played satisfy more than a slim majority of Italian citizens. As a consequence, a significant number of them, though comparatively not an excessive percentage (only about 20 per cent), tend to stay outside the political arena, that is, they do not even bother to vote. While, comparatively, the Italian abstention rate compares well with that of most European democracies, it has grown in the last three or four elections. On the whole, a limited degree of improvement in the workings of the institutions has been achieved. The reform of the electoral law, although imperfect and unfinished, has significantly and positively changed the type of the political-electoral competition. As discussed in the section on parties and the party system (on pp. 136–44), bipolar competition has created the need for an inclusive democracy in which, in contrast to the previous regime, which was blocked around the DC and permanently excluded both the extreme right and the Communist Party, all the relevant actors have found a role and the possibility of exercising some clout. Above all, alternation has not only become possible, but has already been practised a couple of times. Of course, some scholars have stressed that any alternation will create some, at least temporary, dissatisfaction among the losers (perhaps one might also measure the amount of 'happiness' of the winners). Analysts should, therefore, not make too much of the dissatisfaction of some sections, never the same, of the Italian voters. It is the cost of alternation. One can surmise that the majority of Italian voters are probably willing to pay that price. What makes that price excessive in some cases is the anxiety fuelled by the fact that the rules of the game, the procedures, the institutions are not fully established. They are not stable because both the debate concerning which institutions and the attempts to reform them seem to be heading in a partisan rather than a systemic direction. Unless, and until such time as, a single player or coalition of players succeeds in formulating new rules and constructing new institutions, the Italian political system and its democracy will continue to be the object of pervasive criticism, and understandably so. In sum, the proof of the vitality of Italian democracy

is that it is still changing. The level of citizens' dissatisfaction with its functioning, but not with its principles, is evidence that enough Italians care about improving it.

ACKNOWLEDGEMENT

Much of the rewriting of this chapter was accomplished in the Hilary and Trinity Terms of 2007 when I was Monte dei Paschi Visiting Fellow at the Centre for European Studies at St Antony's, Oxford, whose hospitality I gratefully acknowledge.

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