

true **A Italian History**

How did Berlusconi come into power and what effect did this have on Italian democracy



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Executive Summary

Ever since the start of the Italian Republic in 1946, the Italian political system seems to have experienced instability. It has had more than 60 governments in a 60 year period. In 1992, the political system collapsed and that which external factors attempted to achieve in the 1960s until the 1980s but failed to manage, occurred naturally when it collapsed all by itself. With the dissolution of the parties that ruled Italy for almost half a century, a great void was created into which Berlusconi stepped into politics. Berlusconi represented something new, something that had nothing to do with the corrupt political system and that spoke the language of the people. He was, in fact, not a politician at all, but a wealthy businessman, owning the three largest commercial television channels in the country. According to him, no-one else could lead the country better than someone who had experience in building a successful business empire from nothing.

In fact, Berlusconi proved to be the longest serving Prime Minister of the country since the Second World War. He was the only Prime Minister who managed to complete a full term in government, in a country where a government lasted approximately a year. This appearance of stability is in contrast to the controversies surrounding Berlusconi. At the moment, he is accused in court of having slept with a girl when she was minor. He has a long list of trials and accusation for, amongst other things, bribery, false accounting and corruption. Italy is not even considered anymore as a country with a free press, but downgraded, since Berlusconi came to power, to 'partially free'. From the reforming spirit of 1992, nothing is left and Italy seems still to be a country in transition.

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1. Introduction

1.1 Tweet revenge

At 74 years old, Silvio Berlusconi is Italy's longest serving Prime Minister since the Second World War, as well as one of the country's richest businessmen, owning one of Italy's most successful football clubs, AC Milan. His investment company owns companies in several branches and the three largest private Italian television stations. As Prime Minister, he exercises control over the three public television channels in Italy. Berlusconi is surrounded by controversies, varying from conflicts of interests, accusations of several charges, his negative statements on the Italian judiciary and his current trial on charges of having paid for sex with a call girl when she was a minor. It is almost unthinkable that a man with such a record could be elected three times as Prime-Minister in a modern Western democracy. Italian voters did not seem to care about this when they went to the ballot-box in 1994, 2001 and 2008. A voice of opposition against Berlusconi from society, however, seems to have found the world wide web as a means to express itself. Illustrating this, in December 2010, Berlusconi was present on a EU summit in Brussels. He was meeting with the 27 leaders of Europe to discuss the Euro zone debt crisis. In the main hall of the Brussels building of the summit, there was displayed an experimental 'tweet-wall.' Posts tagged '#euco' appeared live on the giant plasma screens. Soon after it was launched, Italian Twitter users flooded it with anti-Berlusconi messages. The system was literally bombarded with attacks on their Prime Minister and after two hours, EU officials had to switch off the 'tweet wall' to avoid causing embarrassment to Berlusconi.

1.2 Motivation

Berlusconi continues to govern Italy, being convinced that he is the country's best option, although not everyone shares his opinion. As an outsider, I am quite fascinated by the situation since, in The Netherlands, the Dutch 'audience' is not used to so much political drama and sensation. Being from Italian origin myself, I wanted to know more about Italian history and politics, especially since it was my Italian grandparents who took part in the rebuilding of post-war Italian society.

1.3 The central question and sub questions

This dissertation focusses on the central question: *“How has the post-war political system contributed to the rise of Silvio Berlusconi and what consequences does this have for the Italian democracy?”* In order to answer this question, this dissertation is divided into three parts. Firstly, a brief history of the post-war politics. It was in this period that, with the founding of the new constitution, a foundation was created for the political tone in an era that lasted for almost 50 years. In the third chapter, several causes contributing to the collapse of the Italian political system will be explained. This will help to gain a better understanding of the circumstances leading to Berlusconi entering politics and eventually coming to power in 1994. In chapter four, the last part of this dissertation, the consequences of Berlusconi's governance will be analysed. In order to do that, it is also relevant to describe briefly his life and career. I will also discuss some major conflicts of interest and conclude whether Berlusconi is controversial or not. Lastly, the role of the Centre-Left politicians in Italy and the European Union will be discussed.

1.4 Justification of research methods

My investigation in to the Italian political system and its Prime Minister, Silvio Berlusconi, is mostly based on desk research. I used several English, Dutch and Italian books on Italian history. In choosing the books, I tried to choose writers with an objective view as possible. Historians, such as Paul Ginsborg and Jaap van Osta, wrote clear and detailed chronicles on Italy's past. To get more background information on characters that I encountered during the readings, I used the encyclopedia of Wikipedia. I also used books on Silvio Berlusconi himself, written also by Paul Ginsborg, Anne Brandbergen and Alexander Stille and Berlusconi's own autobiography “Una Storia Italiana”. I have watched several documentaries and current affairs programs covering news that has hit the headlines and which covered interviews with well known Italian journalists. I searched the internet for news articles from large European newspapers. I have also visited the websites of Silvio Berlusconi (such as www.forzasilvio.it and his political party www.pdl.it) and subscribed to his newsletter to get an impression of what Berlusconi and his party stand for and how he and his party presents themselves to the public. Lastly, I consulted the Charter of Fundamental Rights of the European Union and the reports of the Freedom House, an independent watchdog organization that, amongst other things, monitors freedom in the world.

2. Creating a foundation for post war politics

2.1 The beginning of the Republic and the new Constitution

On 2 June 1946, for the first time in over twenty years - and the first time ever for Italian women - the Italians held a free general election. They had to choose, by referendum, between the Monarchy and becoming a Republic. They had also to elect their representatives to the Constituent Assembly, whose principal task was to draw up the new Constitution of the Republic. A month before the referendum, King Victor Emanuel III, in a last attempt to save the Monarchy, had abdicated in favor of his son, Umberto II. The prospect of a new king, however, was not enough to cancel the memory of the Monarchy's involvement with Fascism. With a tight majority, Italy voted in favor of becoming a Republic, with majorities in the North and Centre voting such, while Rome and Southern Italy voted mainly to retain the Monarchy. (Van Osta, 2008 & Ginsborg, 2003)

2.1.2 The Constituent Assembly

In the elections for the Constituent Assembly, the Christian Democrats (DC) became the largest party, followed by the Socialists and then the Communists. Alcide De Gasperi, founder of the Christian-Democrats, formed a new government with the Socialists, Communists and Republicans. From that point on, the Christian Democrats governed for almost 50 years, in collaboration with other parties. The solidarity between the parties, and the political will to solve the post war problems together, produced remarkable results. The national economy recovered very quickly and a foundation was made for an economic miracle. Despite this, the coalition plunged in to crisis in May 1947 due to fundamental disagreements regarding the economic future of the country. This crisis spelled the definitive end of participation in government by the Communists. (Van Osta, 2008)

2.1.3 The Constitution

The Constituent Assembly drew up the new Republican Constitution in a period of 18 months, with it coming in to force on the 1st of January 1948. The founding fathers of the new Republic had one main

goal: to avoid any similarities to a strong fascist state. For that reason, the assembly chose a non-presidential republic. The President would not be elected directly by the people, but by the Parliament. The President would be the Head of State, but not the head of the Government and his role would be more ceremonial than official. (Van Osta, 2008) The Italian Constitution embodies a fairly standard system of representative democracy based on two Houses of Parliament, called the Chamber of Deputies and the Senate. The Chamber is elected once every five years by a system of proportional representation based on multi-member constituencies. The Senate is elected on a regional basis through a mixed system of proportional representation and single-member constituencies and was originally elected once every seven years (later reduced to five). Historian, Paul Ginsborg describes the Italian system of proportional representation as an extremely 'pure' one, allowing small parties, even with less than 2 per cent of the votes, to be represented in the Chamber of Deputies. Such a system had the obvious advantage of safeguarding minorities and accurately reflecting public opinion and it would make it unlikely that any one party would gain an absolute majority. It did, however, encourage the dispersal of votes, making weak coalition governments almost inevitable. (Van Osta, 2008 & Ginsborg, 2003)

The democratic character of the constitution was made clear in several articles describing a decentralised, regionally governed Italy. The Constitution, however, left the responsibility of realisation to the legislator. The Governments did not hurry to implement the idea of regional self governance, and it did not become a reality until the 1970s. (Van Osta, 2008)

2.1.4 The elections of 1948

After the Constitution came into power on the 1st of January 1948, the parliament elections followed on the 18th of April that year. The outcome of that election was decisive for the political development of the post war period. The Christian-Democrats (DC) was again the biggest party, dominating Italian politics, with more than half of seats in the Parliament. They went on to govern for 44 consecutive years, and the Communists remained in permanent opposition. To hold on to this Governmental power, De Gasperi presented a new electoral law in 1952, that would provide the ruling coalition or party, a comfortable majority. Although the bill was accepted, it did not serve the DC well and, not long after, they were forced to withdraw it after pressure from their allies. It would not be the last time that a ruling party tried to strengthen its position by changing the electoral law. Although the continuing

presence of the DC in the Government and the Communists in the opposition seemed a stable factor in post war politics in the First Republic, the average length of a Government was not even one full year. Even through the many crisis' which caused governments to fall, the DC maintained governmental power until 1992. (Van Osta, 2008)

2.2 The economic miracle

In less than two decades, Italy changed from a peasant country (well over 40 percent of the laboring population was active in the agrarian sector) and became one of the major industrial nations of the West. The Gross National Product more than doubled. New industries emerged (manufacturing items such as scooters, washing machines, refrigerators etc) and delivered goods that conquered the world market. At the end of the 1960s Italy (especially Northern Italy) became an industrialized country. In 1971, only 17.2 percent of the laboring population was still active in the agrarian sector. (Van Osta, 2008) One of the reasons for this success was the end of Italy's traditional protectionism. Italy was in the forefront of European economic integration. Italy's industry had reached a sufficient level of technological development, and had a sufficiently diversified range of products, to be able to respond positively to the creation of the Common Market. (Ginsborg, 2003) The so called 'economic miracle' could not have taken place without the low costs of labour. The high level of Italian unemployment in the 1950s ensured that demand for work far exceeded supply and this caused massive migration from the countryside to the cities in the North, with predictable consequences in terms of wage rates. With labour costs as low as they were, in combination with low production costs – Italy had its own energy resources available (oil and gas) - Italian firms were highly competitive in the International markets. 'The miracle' was also made possible due to the measures taken during the period of reconstruction. The strict monetarist policy of the Minister of Finance, Luigi Einaudi, had stopped inflation and reinforced confidence in the Lira. People started saving again and the banks invested those savings in industry. Finally, the US money from the Marshall Plan was not only used to restore damaged fabrics, but also to reorganize the steel and cement industries. (Van Osta, 2008 & Ginsborg, 1990)

2.2.1 The impact of the economic miracle

‘The economic miracle’ had a deep impact on Italian society. The modernization did not only bring blessings. The reconstruction of the country ran to seed quickly and disturbed the social cohesion.

The Christian Democrats were the party of modernization and the economic miracle, but they ignored the social consequences. The huge migration from the countryside to the cities caused an immense growth of their population, far more than the cities could handle and the immigrant families were forced to live in appalling conditions. The social provisions, such as schools, hospitals and transportation, were inadequate. Hospitals had insufficient nurses and doctors and beds spilled out from the wards and in to corridors. The schools had insufficient classrooms. The labor conditions in the small and medium sized factories were very harsh. The working day was rarely less than ten to twelve hours long. Contracts were always short-term. At the same time, the increased prosperity developed a consumption society, where self-assured citizens made a stand for their individual rights. As a consequence, just beneath the surface, social discontent developed and came to a climax in late 1960s. (Van Osta, 2008 & Ginsborg, 1990)

2.3 The era of protest

The 70s and 80s were characterized by protest, violence (especially terrorism) and democratic disorder. Therefore these years are described in history books as the ‘Plumb years’ – “Gli anni di piombo”. The roots for these Plumb years can be found in late 1960s, more exactly a period known in history as “1968”. Paul Ginsborg uses the term “The era of collective action” for this period, which gives a good indication of its character. (Ginsborg, 1990) This was an epoch of mass student protest and working class struggle that developed in Italy during the late 1960s and early 1970s. The main actors were students, later joined by laborers and intellectuals. (Della Porta, 1986) Discontent spread from the schools and universities into the factories and then out into the whole of society. In comparison to the protest movements in other European countries, such as France and Germany, the Italian protest movement became the longest and most profound one. (Passerini, 1995)

2.3.1 The origins of the protest movements

In the 1960s the Centre-Left Governments failed to respond to the multiple needs of a rapidly changing Italy. These Governments had talked endlessly of reform but could not fulfill the expectations. (Ginsborg, 1990) The origins of the student movement are to be found in the education reforms of the 1960s. Mass scholarisation was developed with the introduction of compulsory secondary education in 1962 and the opening of university access. The universities were not well prepared for the large increase of students and many students entered a system which was in advanced state of malfunction (Ginsborg, 1990) and the political parties tried to implement their plans for the education reforms without consulting the educational institutes. (Welschen, 1996) This in combination with the revival of Marxist thinking among students, caused the development of student movements. (Welschen, 1996) The students made clear that their aspirations to radical change would only make headway if they carried them to the working classes and managed to convince them of the necessity and viability of their cause. The student movement, therefore, turned rapidly away from universities towards the factories because, they argued, that it was there that the battles were to be fought. (Ginsborg, 1990)

In 1968, the strikes and actions of the laborers were fed by the conviction that they did not profit sufficiently from the progress of the Italian economy which had taken place in the years before. Therefore the laborers felt they should claim a bigger part of the profits. Eventually the exchange of experiences between students and labor movements increased and it caused them to strive for democracy through direct action. (Welschen, 1996) The year '68 was much more than a protest against poor conditions. It was an ethical revolt, an attempt to turn the tide against the predominant values of the time. The students and, soon, the whole population, had to be prevented from 'interiorizing' the values of a capitalist society. (Ginsborg, 1990) This '68 movement started to settle accounts with the after-war-law-abiding reaching its climax in the Hot Autumn of 1969. (Welschen, 1996)

2.3.2 Terrorism

The history of terrorism in Italy starts with an answer on the Hot Autumn: the notorious bomb explosion at Piazza Fontana at Milan, 12 December 1969, committed by right-wing terrorists. This terrorist assault represents the beginning of the 'Strategy of the tension' – 'La strategia della tensione' –

and it became the symbol of black terrorism. Autumn 1970 was the beginning of the symbolic red terrorism, when the first pamphlets of the Red Brigades – Le Brigate Rosse – were found in some Milanese fabrics. (Della Porta, 1995)

2.3.3 Left wing terrorism

The Piazza Fontana bomb explosion was one of the many events that provoked the development of left extremist violent groups. Mario Moretti¹, one of the founders of the Red Brigades stated in an interview:

“The whole movement felt the bomb at Piazza Fontana as an attack (...), something, the state, someone, that is not only the counter-party in business, cornered us. The clash was no longer against the 'boss', the institutions, parties and syndicates, there was the state. The autonomy of the laborers, the spontaneity were not longer enough. This is how the Red Brigades were born in the fabrics.”
(Mosca & Rossanda, 2004, p. 20)

These new left – combatants also believed that the protest movement could not do it on its own and that it was losing the battle. (Mosca & Rossanda, 1994) It no longer offered any answer and as the early part of the 70s passed, and the revolution came no nearer, their impatience grew. The red terrorists wanted to accelerate the course of history by transforming political action into political violence by using the armed struggle. By choosing to work clandestinely and to use violent action, they cut themselves off from reality, replacing it with their own invented world.

Another important contribution for the development of left terrorism was the 'failing' of the left-wing politics: The Italian Communist Party – The PCI. Especially the decision of Enrico Berlinguer² to move closer to the Government and to strengthen its alliance with the DC – the Christian Democrats – known as the Historic Compromise was, according to Paul Ginsborg, a crucial mistake, causing more violent action. The PCI tried to establish its credentials as a 'responsible' government party and it became ominously silent on crucial issues concerning politicized youth – the right to demonstrate, police powers, preventive detention, and prison reform. The PCI became a most zealous defender of

¹ Mario Moretti was one of the founders of the Red Brigades, who directed the Brigades until his arrest in 1981.

² Enrico Berlinguer (1922 – 1981) was an important leader of the Italian Communist Party.

traditional law and order measures. In this way, the Communist wanted to prevent the spread of violence, but their policies were creating a more fertile terrain for the terrorists. (Ginsborg, 1990)

2.3.4 The Strategy of the Tension

The bomb explosion at the Piazza Fontana in Milan started the Strategy of the Tension. These assaults were done by right wing extremists. Behind those right-wing groups stand actors of the secret intelligence services and the army. They wanted to create the preconditions for an authoritarian regime by letting the people believe that the attacks were part of a Communist revolt. (Celani, 2004) In Greece, this strategy was successful, and the neo-fascists, and sections of the secret services, were trying to repeat the pattern in Italy. (Ginsborg, 1990)

2.3.5 Tragic figures

The terrorism from both the red and the black sides, grew dramatically throughout the 1970s. The aggression from the left side produced an impressive number of casualties between 1970 and 1982. The most 'notorious' assault from the red side was the kidnapping and murder of Aldo Moro³ by the Red Brigades in 1978. From the black side, the slaughter of Bologna in August 1980, remains unforgettable. (Della Porta, 1995)

As the era of protest and the Plumb years passed by at the end of 1980s, the political system had survived, but more difficulty was heading its way and it did collapse finally – not through attacks from outsiders, but all by its own doing.

³ Aldo Moro (1916 – 1978), since 1946 a leading figure in the DC and Italy's Prime Minister 1963-1968 and 1974-1976. He was kidnapped by the Red Brigades at 16 March 1978 and killed at 9 May 1978.

3. The Fall of the First Republic and the Rise of Silvio Berlusconi

In this chapter we will look at the years prior to the rise of Berlusconi. I will look at several causes contributing to the collapse of the Italian political system, in order to gain a better understanding of the circumstances leading to Berlusconi entering politics and eventually winning the election in 1994.

3.1 A blocked and degenerated political system

The 1980s were mainly characterized by a blocked and degenerated political system. The Christian Democrats were the ruling party from 1945 onwards and it seemed unlikely to change. For a Western democracy, this was rather unusual and it indicated the anomaly of the Italian political system. The cause can be found in a combination of the structure of the political system, the electoral system and the voting pattern of the Italian people. (Ginsborg, 2001)

3.1.1 The Constitution and the dispersion of power

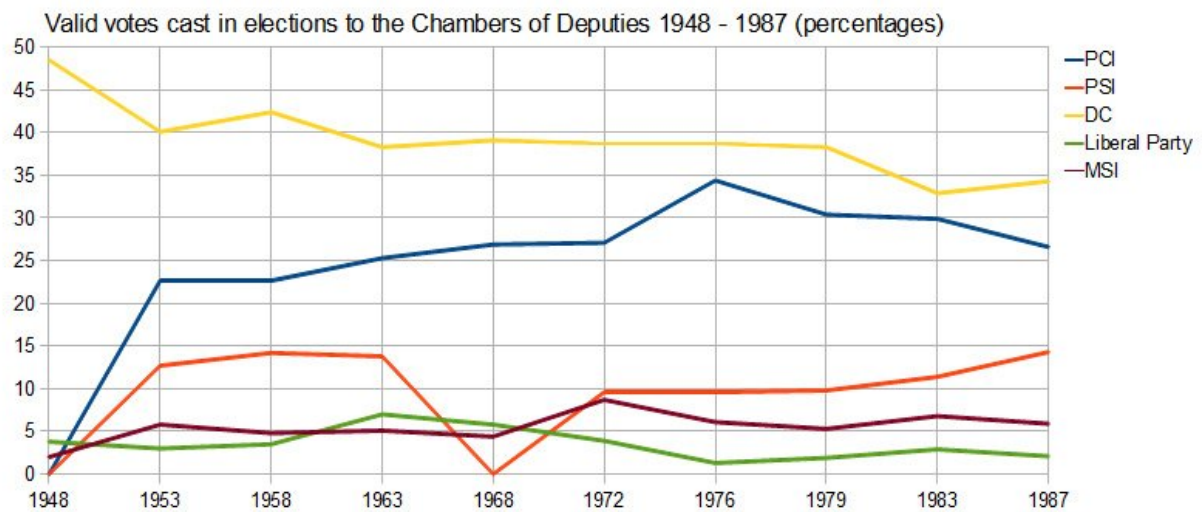
As described in the previous chapter, the founding fathers of the Constitution wanted to avoid any resemblance to a strong fascist state. As a result, the basic imprint of Italian democracy was anti-authoritarian and pluralist. Its intent, as Paul Ginsborg quoted David Hine in his chronicles about contemporary Italian history, was to “*disperse power rather than concentrate it*”. (Italy and its discontents, 2001, p. 139) That meant that no single part of the state, no institutional force, had a clear and autonomous mandate to govern. It ensured that neither the Government, Parliament, President of the Republic, public administration nor the courts could constrain the power of the others. By lacking a hierarchy of command, the relations between different elements of the state were more horizontal than vertical. What was supposed to be a system of checks and balances, however, turned out to be a cause of weak and ineffectual government. (Ginsborg, 2001)

3.1.2 The electoral system

The electoral system of proportional representation was not beneficial either. This system ensured a plurality of voices in Parliament, but it could not provide governments with clear majorities or mandates. Consequently, government coalitions formed after an election consisted of one major party with a host of smaller allies, making it less likely to maintain a stable government. (Ginsborg, 2001) In the 1980s, a highpoint was reached when government coalitions consisting of five parties, known as the 'Pentapartito', were formed.

3.1.3 The voting pattern of the electorate

The lack of alternation in power and the developed pattern in Italian politics was also caused by the stability of the voting patterns of the Italian electorate for over 40 years. The line graph below charts the voting patterns of the Italian electorate from 1948 till 1987. The lines in the graphic are quite consistent. The Christian Democrats are the dominant party for all those years, followed by the Communist Party in a good second place, and the Socialist Party mostly taking third place.



Due to the factors discussed above, the average length of a Government coalition in the period from 1946 to 2006 was 346 days, resulting in approximately 58 different governments in 60 years. (Ginsborg, 2003, *A History of Contemporary*, p. 442)

3.2 The demand for political reform and the rise of the Northern League

The blocked and degenerated political system and the various corruption scandals that I will discuss later in this chapter, created a demand for political reforms. These demands were strengthened by the growing power of the Mafia and their shocking assassinations of several high profile figures, such as general Alberto Dalla Chiesa, who was gunned down in 1982 after being appointed to tackle such violence and the magistrates Paolo Borsellino and Giovanni Falcone in Sicily. There was also the revelation of the existence of the secret organization Gladio, and the involvement of the CIA in internal politics during the Cold War. In the North of Italy, the demand for reform expressed itself by the rise of the neo-localist organisation, the Northern League (the Lega Nord) with Umberto Bossi as its leader, seeking independence for Northern Italy. One of its main slogans was 'Roma Ladrona' which stands for 'Rome, the big thief', believing that the values of the North - entrepreneurship, efficiency, the capacity to work hard and save - were in contrast with those of a perceived lazy and parasitic South. They believed that the prosperity provided by the North was disappearing in to the pockets of corrupt Southern civil servants in Rome. They called for revolt and resistance against the Roman politicians and parties, their inefficient bureaucracy and the increasingly vexatious taxes. They promised 'freedom' by means of autonomy (either secession or federalism) and liberation from centralized oppression and corruption. They believed that governments should be locally based, staffed by local people and taxes collected and spent locally. (Ginsborg, 2001 & Van Osta, 2008)

3.2.1 The referendum of June 1991

The Lega Nord was not the only form of protest. A new generation of Italians refused to accept the immobility of politics under the rule of the Christian Democrats and they found existing political parties uninspiring. One political figure to give ear to the call for reforms, was a courageous politician Mario Segni, a young Christian Democrat. He noticed the limitations of the Parliament's contribution and doubted the possibilities of renewal due to the blocked political system. He wanted to break the stranglehold of party politics and strive for more effective government. His aim was to correct the system from below, by means of a referendum proposing changes to the electoral law, by abolishing the multiple-choice preference votes in elections for the Chambers of Deputies, amongst other things. By doing so, he hoped that a democratic alternative would be possible, because the electoral system of proportional representation had made it possible for the Christian Democrats to stay in power for

unlimited time. The Christian Democrat party, the Socialist party and the President of the Republic, as well as the popular mass media, were very hostile to the idea, however the date of the referendum was fixed for 9 June 1991, a Sunday in early summer. Bettino Craxi, President of the Council of Ministers, advised Italians to go to the sea for the day, in the hope that the necessary quorum of voters would not be reached. Instead, the referendum result proved a great surprise: the majority of the electorate (62.5 percent) had voted and 95.6 percent had said 'yes' to the abolition of multi-preference voting. This signal could not be ignored and, within a few months, a new electoral law was created. Mario Segni managed to break the political system from the outside but, what he did not suspect at that time was that the system would collapse, on its own, only six months later. In February 1992, shortly before the elections, a corruption scandal exploded which would take hold of the entire Italian political system. (Ginsborg, 2001 & Van Osta, 2008)

3.3 Corruption and the clean hands campaign

As a result of the proportional electoral system, as described previously, the Christian Democrats had always to govern with many other parties. A sort of consensus democracy developed, where all parties had a place. The negative side effect, though, was the rise of 'partitocrazia'⁴: parties managing to gather too much power, so that they actually became a state within the state. (Van Osta, 2008)

The power of the parties was especially felt under the surface, at the level of the 'sottogoverno' where an extensive corrupt system of clientelism merged. Throughout the 1980s, such corruption was rife amongst the 'Pentapartito' governments. Parties and politicians divided the entire society with each other and distributed Government money in exchange for political power. In reverse, they charged heavily for their favours. Donatella della Porta and Yves Mény defined political corruption as "a clandestine exchange between two 'markets': on the one hand, the political and/or administrative market and, on the other, the social and economic." The object of exchange was usually money for privileged treatment or information. (Ginsborg, 2001 & Van Osta, 2008)

⁴ Definition of 'Partitocrazia' according to the Oxford Italian Dictionary: 'Concentration of power in the hands of political parties to the detriment of parliamentary democracy.'

3.3.1 Tangentopoli

During those years, corruption scandals involving politicians hit the headlines from time to time. Such cases were only the tip of the iceberg and, in 1992, the entire system of corruption and its workings were revealed when the 'Tangentopoli' (Bribesville) scandal exploded in Milan. The young magistrate, Antonio di Pietro, ordered the arrest of the Socialist Superintendent of a municipal old people's home, Mario Chiesa. His arrest led to new judicial investigations and, within a few weeks, the Milanese magistrates discovered a whole network of corruption in Milan. Milan used to be known as the moral capital of Italy. The scandal spread throughout Italy and judicial investigations started in other cities, where thousands of politicians and entrepreneurs were caught in a short period. It became obvious that bribing was an essential part of the political and economical system. It is wrong, however, to conclude that the widespread system of political corruption was merely a child of the 1980s, being revealed in the beginning of the 1990s. Its origins were deeply rooted in the political practice of the country. The magistrates accumulated evidence of recent periods during their investigations but the collusion between politicians, businessmen and civil servants had a much longer history in the Italian Republic, most of which remains completely uncharted. (Ginsborg, 2001 & Van Osta, 2008)

3.4 The end of the First Republic

The 'Bribesville' crisis of April 1992 had many faces. Paul Ginsborg has described it strikingly in his book 'Italy and its Discontents' (2001, p. 249): *“From the palace of justice of Milan, it was a battle against corruption and for the restoration of the rule of law. From the Bank of Italy it was a crisis of debt, and the lack of international confidence in the Italian economy. From Lombardy the Veneto it was a revolt against Rome in the name of neo-localism and small-scale entrepreneurship. At Montecitorio its focus was on the demise of the old élites, and the impelling need to create new rules and modes of operation for the political system. In the fragile civil society of Palermo, it was a desperate fight against Mafia power.”*

All ruling parties suffered losses in the elections of April 1992. As the historian, Jaap van Osta, puts it: *“The Christian-Democrats had lost their moral right to govern the country, but the opposition did not obtain that right either.”* (Een geschiedenis van het moderne Italië, 2008, p. 327) It was clear that the

scandal had a strong hold on politics, the judicial investigations of the magistrates tormented the whole political class and all Government parties, as the ex-Communist party, were under attack. In view of the circumstances, an outsider, the socialist Giuliano Amato, was appointed as the new Prime Minister. In the short period that he served his country, seven of his ministers were forced to resign. In December 1992, Bettino Craxi, the leader of the Socialist Party and former Prime Minister, was charged with several complaints. He had to resign as party leader in 1993 and when he lost his parliamentary immunity he fled to Tunisia, where he lived until he died. In the summer of 1993, the number of requests for the abolition of parliamentary inviolability was 395 for members of the parliament and senators. This was a third of all parliamentarians. (Ginsborg, 2001 & Van Osta, 2008)

In the aftermath of the 1992 elections and the Clean Hands campaign being in full swing, the two principal ruling parties, the Christian Democrats and the Socialist Party, disappeared, as well as their minor allies, the Liberals, Social Democrats and Republicans. Now that those parties were swept away, a great void had been created in the centre of Italian politics. It was into that space that Silvio Berlusconi stepped.

3.5 Berlusconi enters the political arena

The elections in March 1994 became a closure of two stirring years. The first Republic came to an end, and the second Republic emerged. The dissolution of the Christian Democrats in January 1994 blew open an enormous gap in the Italian political landscape. It was then that media magnate, Silvio Berlusconi, decided to take a highly unusual step of entering the realm of Italian politics. (Darraj, 2005) On 15 January 1994, the president of the Republic, Oscar Luigi Scalfaro, announced anticipated national elections for the end of March. On 26 January, Silvio Berlusconi sent a videotape of approx. 9 minutes, recorded at his villa at Arcore near Milan, to Reuters, RAI⁵ and his own television channels, announcing that he would participate with his own political party 'Forza Italia' in the elections. He declared that his love for Italy was the motivation for going into politics. He wanted to modernize the state and create a new Italian miracle. By airing the tape on national television, Berlusconi showed that he understood the power of influence provided by the media. In his speech, he mentioned that his father had taught him, in Italy, to become an entrepreneur. Such a reference to his father was appealing

⁵ RAI stands for Radiotelevisione Italiana, the Italian state owned public television

to the Italians and their patriarchal culture, valuing family and the male figurehead. (Ginsborg, 2001 & Ginsborg 2005 & Darray 2005 & Van Osta, 2008)

3.6 Forza Italia and the elections campaign

Berlusconi was considering, for some time, founding a political force of his own. He did deny the rumours at first, saying that he wanted to avoid the inevitable clash of interest that would arise as a political candidate and media owner. (Stille, 2006) In the summer and autumn of 1993, Berlusconi spent much time watching political talk shows. He concluded that the politicians he saw on television were just boring, grey, party slaves. Most of those had no experience with television performance and often gave long-winded, incomprehensible speeches. Berlusconi concluded often: “*There is no one. No one!*” (Stille, 2006, p. 173) He seemed to be right. The political class that had survived the “Tangentopoli” was, perhaps, more honest, but it was second or third choice substitute players from the First Republic. He was convinced that he would be a far better politician. It was the chance of a lifetime: half of the Italian electorate were ripe to be picked and his only opponents were insignificant characters. In July 1993, he organized a secret meeting with his closest advisers to discuss the issue. Although two of the three advisers were against it, Berlusconi chose to go ahead. In order to choose the name and the image of the new organization, he employed all the considerable marketing, advertising and polling techniques of Fininvest. Never had the creation of a political force been studied so minutely and scientifically, and never before had it assumed the form of a party so closely linked to a single business enterprise. On 5 November 1993, Forza Italia came into being. (Osta, 2008 & Ginsborg 2001 & Ginsborg 2005) According to Marco Maraffi, in his essay published in Gianfranco Pasquino's Critical Dictionary of Italian politics, Forza Italia proved to be a very successful personal electoral machine, and was firmly controlled by Berlusconi. All of its collaborators came directly from Fininvest, Publitalia or one of Berlusconi's other companies. Owning his own party was a big advantage over other leaders of political parties. Berlusconi did not need to take account of anyone or anything and this gave him much liberty. He could exercise power within his movement, free of any opposition or counterweights. (Maraffi, 1995)

3.6.1 A coalition with the Northern League and the National Alliance

After having declared, on national television, that Berlusconi would participate in the elections, he succeeded in putting together a coalition 'The Pole of Liberty' with the Northern League in the North of the country and 'The Pole of Good Governance' with the National Alliance in the South. Without Berlusconi, this coalition would have been impossible to imagine, since the leader of the Northern League, Umberto Bossi and the Leader of the National Alliance, Gianfranco Fini, disliked each other. The Northern League was potentially separatist and racist, believing that the Risorgimento⁶ was a big mistake, and the National Alliance was strongly nationalist, believing in a strongly centralized and interventionist state. This alliance did not seem very promising for the future, but it served its purpose to win the elections. (Van Osta, 2008)

3.6.2 The elections

Berlusconi led the campaign in an American way: glamorous, personalized and with a media man's eye of what was attractive, necessary and acceptable. He made full use of his media empire, while other political parties had difficulties getting any air time or media interest. He spoke in simple and direct language, which was the opposite to the dull, complicated and often incomprehensible language of other politicians. He promised the Italian people one million new jobs, liberty from the state and from the Communists and from excessive taxation. (Van Osta, 2008 & Ginsborg, 2005)

The elections proved to be a victory for Berlusconi and his allies, gathering 42,9 percent of the vote in the Chambers of Deputies, which translated to 58,1 percent of the seats in the Lower House. The first Berlusconi Government became a fact on the 11th of May 1994. (Van Osta 2008 & Ginsborg, 2001)

In the next chapter, I will take a closer look at Berlusconi, his motives for entering politics and some of the controversies surrounding him.

⁶ The 'Risorgimento' – the Italian unification process. It was the political and social movement that agglomerated different states of the Italian peninsula into the single state of Italy in the 19th century.

4. Berlusconi in power

The first Berlusconi Government lasted only a few months, until December 1994, when his coalition with the Northern League and the National Alliance fell apart. In 2001, Berlusconi again won the election and he managed to be the first Prime Minister to bring a Government to full term in post war Italy. He lost the election again in 2006 to Romano Prodi with his Centre Olive Coalition. After Prodi's Government fell, Berlusconi won the election in 2008 and he is still Italy's Prime Minister today. In 2009, his party, Forza Italia, merged with the National Alliance to create a new right wing party, 'Il Popolo della Libertà' – 'The People of Freedom'. (Ginsborg, 2001 & Ginsborg, 2005 & Van Osta, 2008)

He has hit the headlines throughout Europe on many occasions with news that makes him controversial. I will look at some of the arguments and I will attempt to discover if Berlusconi really is a controversial figure. Who is Berlusconi though? First I will take a look at his life and early business career.

4.1 A self-made man – 'Una Storia Italiana'

In 2001 during the election campaign, a magazine about Berlusconi's life, named 'Una Storia Italiana', was sent to millions of households. He described himself as a “self-made man” who built an entire empire from scratch by working hard. I would describe this as the Italian version of The American Dream. (Stille, 2006)

4.1.2 Berlusconi's youth

Berlusconi was born on 29th September 1936 in Milan, the eldest child of Luigi Berlusconi, a bank clerk, and Rosella Bossi, a housewife. The couple had two more children: Antonietta (1943) and Paolo (1949). As for most families in times of war, they were difficult years. Being pregnant with her second child, Rosella had to evacuate the city with the young Berlusconi, to escape the bombing of the Allies. His father, Luigi, escaped to Switzerland in order to avoid being drafted into the army of the Republic

of Salò. Berlusconi was seven years old at the time and it was two years before his father was reunited with his family. (Ginsborg, 2005 & Stille 2006)

After the war, Berlusconi was sent to a strict boarding school with a good reputation, run by priests of the Salesian order. During that time, Berlusconi revealed an enterprising spirit. Achieving good grades himself, he sold homework for money to his school companions. After school, he went to the State University of Milan, where he studied law. During his student period, Berlusconi maintained himself by singing and selling vacuum cleaners. He gained his degree in 1961, with a thesis about advertising contracts, obtaining the highest vote and receiving a prize from the Manzoni advertising company. (Ginsborg, 2005 & Stille 2006)

4.1.3 The construction business

Berlusconi began his career in the construction business. His first project was the construction of four blocks of flats in Milan after managing to secure funds from the bank where his father was employed. He founded his own company, Edilnord S.p.a., and his next project, to build an apartment complex in the Brugherio quarter near Milan, to accommodate 4000 people, was more ambitious. His third project, Milano Due, was the one which made Berlusconi's name. This project, the creation of a new neighbourhood designed for wealthy Milanese families, started in 1970 and was completed in 1979. Milano Due was situated in the municipality of Segrate, near the Milan airport Linate. It contained schools, a hotel, a church, an artificial lake and a hospital. It even had its own local television station, TeleMilano, which later evolved into Canale 5. TeleMilano, first considered by Berlusconi as a nice extra, became the beginning of his television empire. (Ginsborg, 2005 & Stille 2006)

4.1.4 Building a television empire

The building of his television empire, in the 1980s, changed Berlusconi into a figure of national repute. In the 1980s, the Constitutional Court clarified that private television stations were allowed to broadcast, but only on a local basis. National broadcasting was reserved for public television. Berlusconi found a way around this ruling and risked illegality when buying up all local stations in the whole of the peninsula, establishing a network for his Canale 5 and, finally, owning three national

commercial channels, acquiring Rete 4 and Italia 1. When, in 1984, three magistrates gave orders for Berlusconi's television stations to be partially blacked out due to the breach of the ruling, it was the Prime Minister, Bettino Craxi - Berlusconi's political patron - who helped him resume the national transmissions. (Ginsborg, 2005 & Stille 2006 & Van Osta 2008)

4.1.5 His marriages

In his private life, Berlusconi was married twice. His first marriage was to Carla Dall'Oglio in 1965, with whom he had two children. In the 1980s, he met actress Veronica Lario, in a theatre he owned when she was performing in a play. They had an affair and eventually she became pregnant and gave birth to their first child. Berlusconi recognized the child as his and, a year later, he divorced his wife Carla. Berlusconi had two more children with Veronica and he married her in 1990. On 3 May 2009, Lario announced that she was filing for divorce after Berlusconi attended the 18th birthday party of Noemi Letizia. (Ginsborg 2005 & Stille 2006 & “Veronica Lario prepara il divorzio Berlusconi: «Provo dolore, non parlo»”, 2009)

4.2 The controversies

In this part of this chapter I will try to answer the question if Berlusconi is controversial and look into the arguments. There is much written on this and, even now, the news of his notorious parties and involvements with call girls and the accusation of having slept with a call girl from Moroccan origin, minor aged at the time, are constantly in the headlines. It is, for me, impossible to discuss every single argument therefore I will concentrate on the three most important arguments which have been chasing Berlusconi ever since the start of his political career. Before I do that, I believe it is relevant to look into his motives for entering politics, in order to understand the controversies. Finally we will look at the role of the Centre-Left and the European Union.

4.2.1 Berlusconi's motives of entering the political arena

In the speech he recorded at his villa at Arcore, which was aired on national television on the 26th of January 1994, Berlusconi stated that he decided to take the plunge and step into politics because of his love for Italy. Critics question these motives and believe that Berlusconi had his own selfish reasons for entering the political arena. (Van Osta, 2008) I will take a look at these arguments.

4.2.2 The Clean Hands Campaign

As I wrote in the previous chapter, a group of magistrates, led by Francesco Saverio Borelli, the chief prosecutor of Milan, launched the Clean Hands campaign in 1992. As result of the media hype and intense public interest, other cities began to follow Milan's lead. Paul Ginsborg states: (2005, p. 62) *“It can be safely said, paradoxical though it may appear, that without the reforming zeal of Francesco Saverio Borrelli, the distinguished magistrate who was to become the Chief Procurator at Milan, Silvio Berlusconi would never have been Italy's Prime Minister.”*

The arguments for this statement are the following: Silvio Berlusconi had watched the unfolding of the corruption scandals with growing alarm. Former Prime Minister and leader of the Socialist Party, Bettino Craxi, a close friend and political patron of Berlusconi, had been charged with 11 complaints and fled to Tunisia. Much of the Milanese business world, which Berlusconi knew well, was being prosecuted in the trials of Tangentopoli. His own business had only been marginally involved in the investigations, but it was not in the best of economic health. Fininvest's debts had grown dramatically and, in the autumn of 1993, under pressure from the banks which were the firm's principal creditors, Berlusconi started worrying about the future and asked a political scientist from Milan, Giuliano Urbani, to research the political consequences of the new election law. Urbani's results were concerning: if there were elections, the Left, dominated by ex-communists, would gain a majority with 65 % in the parliament. (Van Osta, 2008 & Ginsborg, 2005 & Stille, 2006)

4.2.3 Berlusconi's commercial television empire in danger

The prospect of the Left's victory was a sign for Berlusconi that he had to take immediate action. It was a warning for a potential disaster for Fininvest. The ex-Communists had always opposed expansion of commercial television. Berlusconi's near-monopoly of commercial television seemed to be in danger. The Government, temporarily lead by former Governor of the Bank of Italy, Carlo Azeglio Ciampi, was actively considering a revision of the Mammì telecommunications law of 1990, favourable to Berlusconi's empire, in order to force Berlusconi to dispose of one of his television channels. If the Left were to come to power, they would definitely have seen to it. (Van Osta, 2008)

Becoming Prime Minister would be in his best interest. This statement is reinforced by his actions during his Governments, which I will discuss in the next paragraph.

4.3 Conflicts of interest

What makes Berlusconi particularly controversial as Prime Minister, are the several conflicts of interests. Francesco Pardi, founder of the group of Firenze: the 'Laboratorio per la democrazia' explained the three biggest conflicts of interests. I will take a closer look at each of them. (Tegenlicht, 2004)

4.3.1 Business interest v. the best interest of the nation

Firstly, Berlusconi is extremely rich. He possesses many companies and operates in different sectors: television, press, film industry, finance world, assurances, constructions, food industry, the radio and more. So, as Minister President, he is in a situation where he needs to take decisions on things that directly affect him, where the general interest can clash with his private interests. (Tegenlicht, 2004)

Berlusconi disregarded the accusation of illicit conflict of interest. Despite this, when he was pressured from every side, he promised he would make arrangements to dispose the control of Fininvest temporarily. He did not, however, kept this promise. (Van Osta 2008)

Private and national interests would be inextricably intertwined and confused. (Ginsborg, 2001) An example of this conflict of interest was obvious when Berlusconi had a meeting with Rupert Murdoch, Australian-American media mogul, at the beginning of 2003. Also present was Fedele Confalonieri, President of Mediaset and oldest friend of Berlusconi. The meeting concerned the future of Italy's television network and Murdoch's plans to create Sky Italia, a pay TV channel. This meant that Italian commercial television would be now dominated by a Berlusconi-Murdoch duopoly. Ginsborg stated: "In such situation, so one would imagine, the role of an Italian Prime Minister is to identify what is likely to be in the best interest of the nation, and in particular of public television. But how can he, if he is simultaneously Prime Minister and proprietor of one of the two enterprises involved, and if his oldest friend is invited to represent the interests of that very enterprise?" (Ginsborg, 2005)

4.3.2 Attacking the judicial power

A second conflict of interest, according to Francesco Pardi, were the trials running against him. He could afford to attack justice continuously.

The fear of being investigated at the beginning of the explosion of the corruption scandals, was one of his motives for stepping into politics. The legal problems of Berlusconi and his clan have always received priority action in the centre-right coalition. It was his personal struggle to stay out of the hands of the judges as he had been charged with several complaints. He did not only attack the judicial power verbally, as he recently did by saying in public that the judges and magistrates were the cancer of democracy, ("Rechters en magistraten zijn de kanker van de democratie", 2011) because he had to appear in court. Under his governance, numerous laws were established that allowed a large number of Italians to carry on unpunished. I will take a look at some of those controversial laws.

Some decrees were passed, such as the law on the term of limitation of many crimes, including corruption and a law that made prosecution of accounting fraud almost impossible. It became also possible to transfer hidden black money to Italy from abroad by paying a small fee. In December 2001, Italy attempted to block the introduction of an European warrant of arrest for crimes such as corruption, fraud and the laundering of 'dirty' money. Also the law into legitimate suspicion was reintroduced, meaning that any citizen on trial could claim that there existed the legitimate suspicion of the court's non-neutrality, and could ask to transfer his or her trial elsewhere. As result three of

Berlusconi's trial accusations were dropped by the judiciary. ("All Iberian, Berlusconi assolto, 'Falso in bilancio non è più reato'", 2005 & Marco Mensurati, 2002, "Caso Lentini, reati prescritti") It was also due to legitimate suspicion that the constitutional court dismissed Berlusconi's case. ("Your other trials", 2003 & Van Osta 2008)

4.3.3 Law on international rogatories

On 5 October 2001, a law on international rogatories⁷ came into being, making the transmission and admission of legally relevant documentation from other countries more complicated (for example, by demanding original copies of bank statements and trial transcripts). The Economist stated in an open letter to Berlusconi, that the Swiss authorities were upset by the Government's use of the accord on judicial co-operation for political purposes. They could not see how they could continue to cooperate. If records of banking transactions were in the Swiss bank's digital archives, would a printout of these archives be an original or a copy document? The Economist, quite rightly, asked Berlusconi in their letter why the law was necessary. ("Your other trials", 2003 & Ginsborg 2005)

4.3.4 Immunity law

Above all, in June 2003, a new law was pushed through the Parliament, granting legal immunity for the duration of their tenure to persons holding the 5 highest offices of the Italian state. The Constitutional Court ruled against this law in October 2009 ("La Corte Costituzionale italiana dichiara illegittima la legge sull'immunità che protegge Berlusconi", 2009) and January 2011. (Hooper, 2011)

4.3.5 The silent death of the Clean Hands Campaign

According to Professor of Criminology, Amato Lamberti, the attacks of Berlusconi on the judicial power were a threat to the constitutional state. *"This gives a wrong signal. If you know how to get round a law you don't have to live by it."* (Netwerk, 2005) Berlusconi's unceasing propaganda war

⁷ A letter rogatory or letter of request is a formal request from a court to a foreign court for some type of judicial assistance. The most common remedies sought by letters rogatory are service of process and taking of evidence.

against the judiciary and his attempt to bring judges to heel and destroy the autonomy of the judiciary, has affected the sense of justice of Italians and caused public opinion to distance itself from the magistrates. This is illustrated in the following:

Antonio di Pietro, one of the magistrates who launched the Clean Hand Campaign in Milan, used to be a hero for millions of Italians. Many years later, when he was walking on the Piazza Duomo in Milan, two boys called him a murderer. Di Pietro concluded that these boys were bombarded with false information provided by the television, (Arends, 2009) which brings me to the third conflict of interest, namely Berlusconi's influence on the media.

4.3.6 Controlling the media

A third conflict of interest, according to Francesco Pardi, is the control he has over the media. So, in a democratic society, if a man with political power has all the resources to influence the electorate, then something is wrong. (Tegenlicht, 2004)

Under Berlusconi's rule, Italy suffered from a concentration of media power. Through his private media holdings and political power over the state television networks, Berlusconi controlled almost 90 percent of the country's broadcast media. He was barely Prime Minister when he set his sights on public television, dismissing the entire board of the RAI and appointed his own businessmen and a conservative historian in their place. (Van Osta, 2008 & Ginsborg 2005)

4.3.7 Censorship

In May 2004, one of RAI's star television broadcasters, Lilli Gruber, quit after having worked there for 20 years and presented Italy's leading 20:00 news. In an interview with the Dutch television program, 'Netwerk', she stated her reasons: *"Since Berlusconi came to power, we have seen the situation deteriorate. Never before was the coverage of news so one-sided, in favour of the views of the Government. In a news bulletin I talked about the controversial Gasparri media law⁸. That went*

⁸ "The Gasparri Law, new media reform legislation replacing the Mammì Law. Among other things, such legislation increased the maximum limit on an individual's share of the media market, allowing Berlusconi to retain control of his three national TV channels (one of which was still using a frequency which by law should have gone to another channel). The legislation also

too far, I was called immediately by my director. I had not to say that that law was controversial, although this law was labelled as unconstitutional by the President”(2004)

Lilli Gruber was not the only journalist to have problems under the governance of Berlusconi: Sabrina Guzzanti was banned from television after one transmission of her satire show Raiot; Michele Santoro's program, Sciuscà and Danielle Luttazzi were also banned from TV when Berlusconi accused them of using public television in a criminal manner. (“Berlusconi: «Via Santoro, Biagi e Luttazzi»”, 2002) Also, the President of the RAI, Lucia Annunziata, resigned from her job due to Berlusconi's conflict of interest. Berlusconi walked out of an interview when she asked him pressing questions. The political board accused her of not being neutral during the interview. (Alessandra, 2004) Many journalists are being sued for libel if they openly criticise Berlusconi. (Tirone, 2010) Even the international media has not been safe against complaints of Berlusconi: When The Economist published in the article “Why Berlusconi is unfit to govern Italy” in 2001, the court in Milan ruled in favour of The Economist. (“Berlusconi to sue The Economist”, 2001 & Court ruling in case Berlusconi v. the economist, 2008)

4.3.8 The Freedom House

The Freedom House is an organisation that monitors freedom in the 195 countries that are members of the United Nations. Since 1980, it has annually published the global press freedom rankings. According to the Freedom House, a free press plays a key role in sustaining and monitoring a healthy democracy, as well as contributing to greater accountability, good government and economic development. The Freedom House researches freedom of the press in each country by analysing the following three questions: (Freedom House, 2011)

- What are the legal arrangements on freedom of press?
- How big are the connections with politics?
- To what extent are the media independent?

(Network, 2004)

enabled the roll-out of digital television and internet based publishing, and hence his government claimed it resolved the problem of conflict of interest and his media monopoly "by opening up more channels". The law was initially vetoed by the President of the Republic, Carlo Azeglio Ciampi, on charges of being unconstitutional. After being slightly modified, the law was adopted on 3 May 2004". http://en.wikipedia.org/wiki/Policies_of_Silvio_Berlusconi 21 May 2011

4.3.9 Partially free

From 2002, Freedom House moved Italy's rating down from 'free' to 'partially free' as result of, according to the annual report of that year, high media concentration and increased political pressures on media outlets. Furthermore it stated in the report: 'The country's free and independent media institutions are threatened by Government interference and the highest level of media concentration in Europe. (...) Berlusconi's substantial family business holdings control the three largest private television stations and one newspaper, as well as a significant portion of the advertising market. As Prime Minister, he is able to exert influence over public-service broadcaster RAI as well, a conflict of interest that is one of the most flagrant in the world. However, the concentration, the concentration is considerably less in the print media, which continue to be critical of the Government. On the most recent rankings, Italy is in 75th place - lowest of all Western democracies.

These are the main controversial arguments about Berlusconi. There are even more issues that critics use against him: his alleged connections with the Mafia; his P2 lodge membership; the recent sex scandals. In every self respecting democracy, it would be unlikely that a Prime Minister with such a record would not be forced to resign from his function. For example: In 1998, Bill Clinton, the President of the United States, was impeached by the House of Representatives ("Impeachment of Bill Clinton", 2011) after charges of obstruction of justice arose from the Monica Lewinsky scandal⁹. If Berlusconi's own political movement and voters continue to support him, what about the Centre-Left and the European Union? In the next paragraph, I will take a closer look at their role. (Freedom House, 2002 & 2006 & 2009)

4.4 The role of the Centre-Left

From 1995 – 2001, the Centre-Left had opportunity to deal with Berlusconi's conflict of interests. Instead, no law was passed during the years of Centre-Left governance. No reform of the Italian media system was undertaken, no effective media authority was introduced in order to force Berlusconi to choose between politics or media. (Tegenlicht, 2004) No strong line was taken on the incompatibility of Berlusconi being simultaneously the leader of the opposition and under trial on a number of serious

⁹ The Monica Lewinsky scandal was a political sex scandal emerging from a sexual relationship between Bill Clinton and the White House intern Monica Lewinsky. http://en.wikipedia.org/wiki/Lewinsky_scandal

charges. (Ginsborg, 2005) Why did the Centre-Left hesitate on taking a strong line on the need for justice to be seen to be done and on calling for Berlusconi's resignation?

4.4.1 Misjudgement of Prime-Minister D' Alema

The Centre-Left may have calculated that it could be useful to keep Berlusconi in a doubtful position, in order to say that he is unfit to govern. His judicial scandals and media influence were considered to be obstacles to become Prime-Minister. So perhaps it was better to let leave Berlusconi where he was, rather than to call for his resignation as leader of the opposition. D'Alema, then Prime-Minister, thought he had Berlusconi in his pocket but, as was proved later, he was incorrect. (Ginsborg, 2005 & Ginsborg 2005)

4.4.2 Christian-Democrat past

The political alliance of the Centre-Left consisted of many that came from a Christian-Democrat past. They were opposed to taking any determined measures, either of judicial nature or regarding Berlusconi's dominant media position. For them, a 'laissez-faire' attitude and allowing bygones to be bygones was the wisest one to adopt. (Ginsborg 2005 & Ginsborg 2001)

4.4.3 Referendum

The Centre-Left coalition (the Olive Tree) were also scared of losing electoral support. This fear was based on the result of a referendum, held in 1995. It was initially promoted by activists in civil society in order to limit Berlusconi's media power. The Italian electorate had been asked to decide whether the law should limit the number of television channels held by any one person. The referendum was presented on Berlusconi's channels as an attempt by the law to destroy the free choice of evening viewing. The voters had said no to this limitation by 57 percent. (Ginsborg 2005 & Ginsborg 2001)

4.5 The role of the European Union

Italy is one of the founder states of the European Union. This Union is based upon several treaties, in which agreements are made based on the universal principles of freedom, democracy and the rule of law. Member countries are obligated to maintain these rules. (Charter of fundamental rights of the European Union, 2000) When we look at the conflict of interests of the Prime-Minister of Italy, this indicates an anomaly of Italy's democracy. I will now take a closer look at the role of the European Union.

4.5.1 Charter of Fundamental Rights of the European Union

In article 11 of the Charter of Fundamental Rights of the European Union (2000), freedom of expression and information is guaranteed. It says that everyone has the right to freedom of expression. This right includes the freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. It also says that the freedom and pluralism of the media shall be respected.

I have already pointed out that The Freedom House downgraded Italy from 'free' to 'partially free' due to Berlusconi controlling 90 percent of the Italian broadcast media and his constant interference, causing journalists and programmes being banned from public television and broadcasting one-sided information in favour of the Government. This clearly goes against article 11 of the Charter of Fundamental Rights of the European Union.

4.5.2 According to the Copenhagen Criteria

An important question arises: Why did the European Union not take any action against this conflict of interest, especially if the Charter is so clear regarding this argument? If Italy were not part of the European Union and applied for membership now, it would not meet all the criteria and becoming a member could surely not be guaranteed.

“Stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities” (“Accession criteria”, 2011 May 21) is one of the Copenhagen Criteria. Again, if Italy were applying for membership, would the European Union grant Italy membership after considering that the Prime Minister openly attacks the judicial power and calls the magistrates and judges “the cancer of democracy”? (“Rechters en magistraten zijn de kanker van de democratie”, 2011)

Paul Ginsborg shares this opinion in an interview, when he says that Europe should question if Italy meets the criteria that the European Union lays upon itself to the countries wanting to belong to it. What would Europe say about a candidate country where the judicial power is meddled with and the Prime Minister controls a majority of the press and television? If the EU really wanted to do something of value, it should surely suspend Italy's membership until it meets all the democratic criteria. (Arends, 2009)

4.5.3 In the European Parliament

At European level, quite the opposite signal was given in December 1999 when Forza Italia became part of the Christian-Democrat group (the European People's Party) in the European Parliament. Berlusconi found willing sponsors in Helmut Kohl¹⁰ and Aznar¹¹, both anxious to increase the numbers in their group. The Economist might well have declared that Berlusconi was 'Unfit to Govern' in an article published in April 2001 (“Fit to run Italy?”, 2001), but a year and a half earlier, senior Christian Democrat politicians in Europe had decided otherwise. (Ginsborg 2001)

4.5.4 The EU presidency

In July 2003, Berlusconi became President of The Council of Europe, a post that Italy held until December 2003. On the 2nd of July, Berlusconi made his opening speech to the European Parliament. Afterwards the Deputies questioned him and Martin Schulz, the Vice President of the German Social Democrats in the Parliament, asked him to explain why Italy was blocking the idea of an European arrest warrant for crimes such as corruption, why it had introduced the new law on rogatories and why

¹⁰ German politician. He was Chancellor of Germany from 1982 to 1998.

¹¹ Spanish politician. He was Prime Minister of Spain from 1996 to 2004.

the request of the Spanish magistrate, Garzón, to remove Berlusconi and Dell'Ultri's European Parliamentary immunity had not reached the Assembly. They were provocative, but legitimate, questions. Berlusconi replied that he knew a producer in Italy who was making a film about the Nazi concentration camps: *"I shall recommend you, Signor Schulz, for the role of camp guard."* (Ginsborg, 2005, p. 52) The uproar in the international press, including its liberal and conservative sections, was immense. Berlusconi apologised, but then denied that he had ever done so.

Not even such widespread criticism after the incident at the European Parliament translated to any concrete European action. The politicians of the European Union, even those politically opposed to Berlusconi, seem content to turn a blind eye. (Ginsborg 2005)

5. Conclusion

This dissertation has looked at how the post-war political system contributed to the rise of Silvio Berlusconi and what consequences it had for the Italian democracy. The answer to these questions start at the drawing up of the Constitution in 1948. Due to their Fascist past, the Founding Fathers of the Italian Republic strove to create an anti-authoritarian and pluralist Italian democracy. Although this idealistic view sounded good, in practice it turned out to be one of the causes of weak and ineffectual government. The electoral system of proportional representation ensured a plurality of voices in Parliament, but it did not provide governments with clear majorities and mandates.

As a result the Christian Democrats governed the country for almost half a century in unstable coalitions with several smaller parties, causing a sort of consensus democracy where all parties had a place. A negative side effect was the rise of 'partitocrazia'. Throughout the years, an extensively corrupt system of clientelism emerged, where the parties distributed Government money in exchange for political power, charging heavily in reverse for their favours.

This network of corruption was discovered in Milan in 1992, when a group of judges launched the Clean Hands Campaign, causing the collapse of the political system and dissolving the political parties that had ruled in Italy for almost half the century. The great void caused was an open door into politics for Silvio Berlusconi. He seemed to be a 'fresh face' and, as a businessman, he had nothing to do with the old, arrogant, political class. He discovered a gap in the market by using simple and direct language during the election campaign of 1994. His political party 'Forza Italia' proved to be a very successful personal electoral machine and was firmly controlled by Berlusconi. Berlusconi's party was neither a place for political discussion, nor for democracy. Another great advantage he had was owning three commercial television stations, which served him very well in his campaign while other political parties had difficulties getting any air time.

The electorate voted for Berlusconi because he stood for something new and completely different from politicians in the old Republic. They were being associated with ineffective governance, clientelism, corruption and arrogance. What the Italians did not realise was that the business emporium of Berlusconi was actually a product of that same corrupt system. Unfortunately, with Berlusconi in power, corruption, clientelism and arrogance has not disappeared, it merely has a 'new face'. I even

believe that it is safe to conclude that not only is, in some ways, Berlusconi a continuation of the old political system, the state of Italian politics has even deteriorated.

The arguments for this statement is very obvious: conflicts of interest. Possessing a large business emporium and being the Prime-Minister simultaneously does not provide a guarantee that he will put the interests of the Italian State first, over his business interest.

In other areas, Berlusconi has shown that his personal interests always seem to receive precedence. His governance is a government that seems to make a stand only for it's own interest. They create laws that seem to suit them very well, especially when it comes to keeping himself out of the hands of justice. For example, he did not change the law on the term of limitation of many crimes because he thought this would serve the best interest of the country. The actual reason was that, in this way, he could be cleared of some charges that he was accused off. A Prime Minister who openly tries to undermine the rule of law, who openly calls judges and magistrates the cancer of the democracy, obviously has little respect for the laws in his own country. This is the worst signal a leader, who is supposed to set an example, could send to the general population.

Similarly, he did not dismiss the entire board of the RAI because he thought this would serve the best interest of public television. He did this to strengthen his influence in controlling the media. George Orwell once said in his book "1984": "*He who controls the present, controls the past. He who controls the past, controls the future.*" (Orwell, 1949, p. 44) Berlusconi must have understood this very well for the television broadcast is censored and manipulated in his favour. Presenting only one-sided news to the Italian people creates a distortion of the truth. In the future, how will history regard Silvio Berlusconi and other important events and political figures if the media can whitewash the facts? I believe it is a worrying fact that Italy has the lowest rank of all modern Western democracies on the Freedom House chart on the freedom of the press.

The fact that the European Union fails to take any strict measures against the Italian Prime Minister, due to lack of unity, makes it appear incapable of dealing with the undermining of democracy. This worries me, because what if in one other founding member state, a real threat to democracy and civil liberties arises? Can we trust the EU to do everything in their possible power to protect democracy and the rights of the ordinary citizens? Also the role of the Centre-Left Governments in 1995 – 2001, in

neglecting to act upon the conflict of interest, made the definitive take over possible for Berlusconi's in 2001. (Van Osta, 2008)

The fact that Berlusconi is the longest serving Prime Minister of a country that has known more than 60 governments in a 60 year period, and who was the first that managed to complete a full term in government, creates, in this case, a false portrayal of stability. Many thought that the events of 1992 could not get any worse. The political system seemed to have hit rock bottom then. Normally when something has hit rock bottom, the only way is up. Unfortunately, the downward momentum seems to have continued. One can only hope that Italian politics has finally reached the furthest depths and will soon begin to ascend.

List of references

Accession criteria. (2011, May 21). From the Europe.eu website:

http://ec.europa.eu/enlargement/enlargement_process/accession_process/criteria/index_en.htm

Alessandra, A. (2004, April 29). *Annunziata: via Cattaneo e il Cda della Rai*. From the Corriere website:

http://archiviostorico.corriere.it/2004/aprile/29/Annunziata_via_Cattaneo_Cda_della_co_9_040429033.shtml

All Iberian, Berlusconi assolto 'Falso in bilancio non è più reato'. (2005, September 26). From the La Repubblica website: <http://www.repubblica.it/2005/i/sezioni/cronaca/allibe/allibe/allibe.html>

Arends, E. (2009, March 31). *Berlusconi komt overal mee weg*. From the Volkskrant website:

http://opinie.volkskrant.nl/artikel/show/id/3034/Berlusconi_komt_overal_mee_weg/page/6%2008

Arends, E. (2009, July 14). *Democratie Italië verkeert in nood*. From the Volkskrant website:

<http://www.volkskrant.nl/vk/nl/2824/Politiek/archief/article/detail/337459/2009/07/14/Democratie-Italie-verkeert-in-nood.dhtml>

Berlusconi: «Via Santoro, Biagi e Luttazzi». (2002, April 18). From the Corriere website:

http://www.corriere.it/Primo_Piano/Politica/2002/04_Aprile/18/rai.shtml

Berlusconi to sue The Economist. (2001, April 27). From the BBC website:

<http://cdnedge.bbc.co.uk/1/hi/world/europe/1300985.stm>

Caso Lentini, reati prescritti. (2002, July 5). From the La Repubblica website:

<http://ricerca.repubblica.it/repubblica/archivio/repubblica/2002/07/05/caso-lentini-reati-prescritti.html>

Celani, C. (2006, May 3). *Die Strategie der Spannung in Italien*. From the Neue Solidarität website:

<http://www.solidaritaet.com/neuesol/2004/13/spannung.htm>

Charter of fundamental rights of the European Union. (2000, December 18). From the Europe.eu website archive: http://www.europarl.europa.eu/charter/pdf/text_en.pdf

Court ruling in case Berlusconi v. the economist. (2008, August 26). From the Economist website archive: <http://www.economist.com/media/pdf/20080905122118632.pdf>

Darray, S.M. (2005). *Major World Leaders: Silvio Berlusconi*. First edition. Philadelphia: Chelsea House Publishers.

Della Porta, D. (1986). *Unwanted Children: Political Violence and the Cycle of Protest in the Italy*.

Della Porta, D. (1995). *Il Terrorismo*. Part of *La Politicia Italiana, Dizionario Critico 1945-1995*. First edition. Bari: Editori Latezza.

Fit to run Italy? (2001, April 26). From the Economist website:
http://www.economist.com/node/593654?story_id=593654

Freedom House. (2011). From the Freedom House website: <http://freedomhouse.org>

Freedom House. (2002). *Italy*. From the Freedom House website:
<http://freedomhouse.org/template.cfm?page=251&year=2002>

Freedom House. (2002). *Italy*. From the Freedom House website:
<http://freedomhouse.org/template.cfm?page=251&year=2006>

Freedom House. (2002). *Italy*. From the Freedom House website:
<http://freedomhouse.org/template.cfm?page=251&year=2009>

Ginsborg, P. (2001). *Italy and its discontents 1980-2001*. Second edition. England: Penguin Books.

Ginsborg, P. (2003). *A History of Contemporary*. First edition from 1990 by Penguin. Second edition. New York: Palgrave Macmillan.

Ginsborg, P. (2005). *Silvio Berlusconi, television, power and patrimony*. Second edition. New York: Verso. First published by Verso in 2004.

Gruber, L. (Television journalist). (2004, May 25). *Netwerk* “Interview met TV-journaliste Lilli Gruber” [Television broadcast]

Hooper, J. (2011, January 13). *Italian court waters down Berlusconi immunity law*. From the Guardian website: <http://www.guardian.co.uk/world/2011/jan/13/italian-court-berlusconi-immunity-law>

Impeachment of Bill Clinton. (2011, May 22). From the Wikipedia website:
http://en.wikipedia.org/wiki/Impeachment_of_Bill_Clinton

La Corte Costituzionale italiana dichiara illegittima la legge sull'immunità che protegge Berlusconi. (2009, October 7). From the Italia Dall'estero website :
<http://italiadallestero.info/archives/7941>

Lamberti, A. (Professor of Criminology). (2005, June 22). *Netwerk* “Berlusconi & de mafia”. [Television broadcast]

Maraffi, M. (1995). *Forza Italia*. Part of *La Politicia Italiana, Dizionario Critico 1945-1995*. First edition. Bari: Editori Latezza.

Mosca, C & Rossanda, R. (2004). *Mario Moretti, Brigate Rosse, una storia italiana. Intervista di Carla Mosca e Rossana Rossanda*. Third edition. Baldini Castoldi Dalai.

Orwell, G. (1949). *1984*. First Edition 1949. E-book: From the Planet E-book website:
<http://www.planetebook.com/ebooks/1984.pdf>

Passerini, L. (1995). *Il Sessantotto*. Part of *La Politicia Italiana, Dizionario Critico 1945-1995*. First edition. Bari: Editori Latezza.

Phillips, L. (2010, December 17). *Tweet revenge: Italians bombard EU summit wall with Silvio Berlusconi insults*. From the Guardian website:
<http://www.guardian.co.uk/world/2010/dec/17/tweet-wall-eu-berlusconi-insults>

Rechters en magistraten zijn de kanker van de democratie. (2011, May 9) From the De Morgen website:

<http://www.demorgen.be/dm/nl/990/Buitenland/article/detail/1261650/2011/05/09/Rechters-en-magistraten-zijn-de-kanker-van-de-democratie.dhtml>

Santoro, M. (Journalist). (2010, February 17). *Tegenlicht Una Storia Italiana*. [Television broadcast]

Stille, A. (2006). *Silvio Berlusconi: de inname van Rome*. Translated from English by Heppe, H. Original title: *How a beautiful European country with a fabled history and a storied culture was taken over by a man named Silvio Berlusconi*. New York: Penguin Press.

Tirone, A. (2010, January 11). *Travaglio Vs Previti: la corte d'appello annulla la condanna*. From the Giornalismo Blog website: <http://www.giornalismoblog.it/blog/2010/01/11/travaglio-vs-previti-la-corte-dappello-annulla-la-condanna/>

Veronica Lario prepara il divorzio Berlusconi: «Provo dolore, non parlo». (2009, May 3). From the Corriere website: http://www.corriere.it/politica/09_maggio_03/veronica_lario_divorzio_1cdc96a6-37a8-11de-8d05-00144f02aabc.shtml

Van Osta, J. (2008). *Een geschiedenis van het moderne Italië*. Third edition. Amsterdam: Wereldbibliotheek.

Waterfield, B. (2010, December 17). *EU shuts off twitter television screens after Berlusconi insults*. From the Telegraph website: <http://www.telegraph.co.uk/news/worldnews/europe/eu/8209941/EU-shuts-off-twitter-television-screens-after-Berlusconi-insults.html>

Welschen, T. (1996). *Het Italiaanse complex. Partijen en bewegingen van 1970 tot 1990*. Bussum: Thoth.

Your other trials. (2003, July 31). From the Economist website: <http://www.economist.com/node/1921931>