

Party System Developments and Electoral Legislation in Italy (1948-2009)

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Abstract: This article analyses the evolution of the Italian electoral laws after World War Two and the entry into force of the 1948 Constitution with the establishment of a party system built around the pivotal role of the DC which lasted until the 1990s. Later it focuses on developments after the crisis of that party system, and the introduction of two new electoral laws (in 1993 and in 2005). Great attention is devoted to the relationship between the electoral formulas adopted, and the structure, format and mechanics of the party system. However, relevant supporting provisions are not ignored, because of their effect on the party system and on governance (or the form of government as constitutional lawyers call it): the reference is to parliamentary regulations, access to the media, public financing of parties and lists. All these developments are considered within the more general framework of the institutional changes in the way local and sub-national entities have been run in Italy since the middle of the 1990s. Special attention, finally, is devoted to the strikingly different outcomes of the 2006 and 2008 elections and their impact on the most recent party-system developments.

Keywords: Italian party system; Electoral Legislation in Italy; Italian transition; Parties' Strategies and Electoral laws.

Introduction

This article focuses on the most recent developments in the Italian party system and system of governance. It first analyses the evolution of electoral laws after World War Two until the profound crisis which affected political institutions at all levels, formal and informal. The new governance arrangements introduced in the 1990s are then investigated as well as the electoral laws and their implementation along with the significant changes in the party system. Special attention is devoted to the new electoral system adopted in 2005, its flaws, its first controversial application in 2006 and the rather peculiar but fortunate conditions which prompted the major parties to choose entirely different, and coordinated, line-up strategies in view of the 2008 elections. These different strategies brought about a strikingly

different outcome which laid down the preconditions for the potential establishment of a new and unprecedented party system. This article will evaluate these developments and discuss their future prospects.

Electoral systems in Italy from World War Two until 1993

Within the Constituent Assembly (1946-1947) no one argued against the view that proportional representation had to be the main criterion for elections to the lower Chamber. After all, proportional representation had been introduced in 1919 and was in force before Fascism; the system used for election of the Constituent Assembly itself had been very similar to the law of 1919. However proportional representation as such was not entrenched in the text of the 1948 Constitution.

Even though a deal was struck to elect the new Senate on the basis of the single-member, simple plurality system, and even though the Alcide De Gasperi cabinet introduced proposals that pushed in this direction, a few weeks later an amendment proposed by a prominent leader of the Christian Democratic Party (Democrazia Cristiana, DC), Giuseppe Dossetti, and backed by the left, ensured that the Senate would also be elected according to an almost purely proportional system.¹ This test confirmed what had already become evident from the proceedings of the Constituent Assembly: post-war Italy was destined to become a democracy based upon mass political parties (Bettinelli, 1982; Scoppola, 1991) and run by cabinets supported by coalitions formed by a plurality of parties.

Soon the 18 April 1948 elections laid the premises of the party system that would characterise Italy for the next 45 years. The DC led by De Gasperi won a striking victory and conquered 305 seats out of 574 in the Chamber (53 percent) and 130 out of 237 in the Senate (55 percent). At that time however, with the exception of larger cities, proportional representation was not applied to the election of municipal and provincial councils.

A few months before the next elections, in part inspired by French precedents, De Gasperi decided to try to free his party from the need to obtain the support of more than one or two minor parties. The immediate goal was to free himself from Vatican interference aimed at forcing the DC to take on board the neo-fascist extreme right; the more general goal, given that the DC was already a party of rather autonomous factions, that of limiting the need for the lengthy and difficult negotiations that seemed to be required prior to almost every single cabinet initiative.

The institutional tool meant to deliver this goal was a change in the Chamber electoral law that would introduce a kind of majority-assuring proportional system with a threshold: the list or the coalition of lists that obtained a majority of votes (that is, at least 50 percent of the valid votes plus one) would be able to lay claim to 380 of the 590 seats (that is, 64.4

percent). Among winners and losers the allocation of seats would be proportional. This would have ensured the DC a comfortable majority and the opportunity to negotiate with potential partners from a very strong position without being dependent on them and of course without the need to deal with the extreme right. The potential number of extra seats was very high (up to 14 percent) but the problem was that, with such a large number of seats accruing to it thanks to the law, the winning coalition would have been extremely close to the number of seats required to amend the Constitution (393). With 49.85 percent, the De Gasperi-led coalition fell short of the threshold by about 40,600 votes: a clear political defeat.

De Gasperi's leadership of the DC soon came to an end and the new ruling group within the party changed strategy: the lack of institutional support forced it to look for a new approach to coalition building, one based upon the search for more reliable and larger allies, and more specifically, the enlargement of future coalitions to the Italian Socialist Party (Partito Socialista Italiano, PSI). A fundamental step was to free Pietro Nenni's PSI from its close alliance with the Italian Communist Party (Partito Comunista Italiano, PCI): to this end the repeal of the 1953 system was a necessary step, as was the broadest possible extension of the principle of proportional representation.² The electoral systems used to elect the provincial and municipal councils became proportional and in 1964 the systems were extended to all municipalities over 5,000 inhabitants.³ The significance of this development cannot be overstated because proportional representation in all relevant municipalities was instrumental in allowing even small parties to take root all over the country and proved to be a fundamental tool of electoral mobilisation.

Further measures designed to ensure the consolidation of both a proportional democracy based upon a plurality of political parties, and the *Repubblica dei partiti* (Scoppola, 1991), followed. They included the new proportional law for the first elections of the Regional assemblies (Law 17 February 1968, no. 108); exemption of the parties already represented in Parliament from the requirement to collect the signatures otherwise necessary for the participation of candidates in a wide range of elections; the introduction of public party financing both through the reimbursement of election expenses and through an annual contribution to the costs of parties' central offices; new parliamentary regulations designed to grant equal powers to all parliamentary groups regardless of their size, combined with very low thresholds for the formation of parliamentary groups (20 members in the Chamber and 10 members in the Senate, about 3 percent of the total); the most proportional of all Italian electoral laws, the law for the election of Italian members of the European Parliament (Law 24 January 1979, no. 18). Under these circumstances, the increase in the number of groups within the Chamber of Deputies – which rose from 7-8 in the 1950s

to 9-10 in the 1970s and 1980s, to 12 in the eleventh legislature (1992-1994) – should come as no surprise.

La Repubblica dei partiti in turmoil, a flawed system of governance under stress and the resort to new electoral laws

By the end of the 1960s Italy was in crisis and a few years later it had become apparent to many that it would be much more difficult to overcome the problems highlighted by the students' and the blue-collar protests than in other European countries. Between 1968 and 1976 the nation was run (so to say) by no less than 11 different cabinets – staffed by the DC alone or by the DC in coalition with between one and three other parties – and led by five different prime ministers. Furthermore, Parliament was dissolved five times before the end of its natural life (in 1972, 1976, 1979, 1983 and 1987).

Scholars started talking about a new form of government from the early 1970s; the first of a series of government reports stressing the need for institutional reform was presented in 1979; in 1982 the first parliamentary committees on constitutional revision met. The most sustained attempt to achieve change came with the establishment of a Parliamentary Committee on institutional reform formed by members of both chambers and which met between 1983 and 1985.

However not a single amendment was adopted. And although the cabinets now led by non-DC leaders such as Giovanni Spadolini and Bettino Craxi – along with others led by DC politicians heading five-party coalitions comprising the DC, the PSI, the Italian Republican Party (Partito Repubblicano Italiano, PRI) and the Italian Liberal Party (Partito Liberale Italiano, PLI) – were able to pass important laws, the only relevant innovation was the abolition of secret voting in Parliament: a small revolution which for the first time made coalitions a little more stable and close-knit. But the electoral laws remained sacrosanct.

Understandably recognised as the true constitutional foundation of the regime, proportional representation was not to be endangered. At the end of 1989 and at the beginning of 1990 the seventh Andreotti cabinet successfully staged four confidence votes in succession in order to defeat proposals that would have introduced the direct election of mayors. The PSI continued to veto electoral reform fearing that innovation would almost certainly reduce its coalition potential and therefore its influence, which was much greater than its share of votes.

The impossibility of alternation in government,⁴ and a ruling class unwilling to contemplate any significant change aimed at improving the effectiveness and responsiveness of government, prompted the rise of a grass-roots movement that aimed to by-pass both parties and Parliament through recourse to the form of direct democracy provided for by article 75

of the Constitution. The drive for institutional change combined with a variety of other elements brought about a crisis that would affect the Italian polity for many years thereafter. These other elements included the financial problems of the public administration which caused a spectacular rise in tax revenues from 30 to over 40 percent of GNP in only ten years; growing competition within the European Union along with the establishment of the single market and the signing of the Maastricht Treaty; the fall of the Berlin Wall and the end of the Cold War (which weakened the DC's electoral appeal as the main bulwark against communism); the worrying growth of organised crime in large parts of the South; the new judicial inquiries into corruption which revealed the generalised recourse to illegality on the part of most if not all parties in seeking to finance their activities. In 1991, a referendum abolished the system of preference voting, which, by allowing voters to express preferences among the candidates appearing on the lists fielded by their chosen parties, had been one of the traditional institutional supports of factional politics within the DC and other parties. In 1993, a second referendum abolished the 65-percent clause associated with the electoral system for the Senate (see note 1). A third referendum was avoided because, by passing a law on the direct election of mayors, Parliament rendered it redundant (Law 25 March 1993, no. 81).

The institutional strategy adopted during the transitional phase: its constraints, its rationale, its instruments

I will not dwell here on the details of the crisis and its development. What needs emphasising is that in the eventful XI legislature (from 1992 to 1994) the DC and its allies still had large majorities – both in the Chamber of Deputies (with 350 seats out of 630) and in the Senate (where they had 173 of 315 seats). These figures alone explain why the drive for change met strong resistance: they placed reformers outside and within Parliament up against a cunning and rarely transparent but forceful body of opposition; and reformers could do nothing other than agree to compromises. This must be borne fully in mind because since then undeserved criticism has often been levelled against the changes introduced at that time, their flaws being ascribed to the reformers rather than – as they should have been – to those who refused to accept clear cut and more courageous innovations.

For political scientists it will come as no surprise that the important innovations approved by the XI legislature had to take into account the interests of a multiplicity of still influential actors. These continued to act as an insurmountable obstacle in the way of constitutional reform⁵ Nevertheless, under the pressure exerted by the referendum movement, important legislative innovations were introduced: they were a mix of

almost accidental reforms and reforms passed in order to meet the demands of a more rational institutional strategy.

A very relevant example of the latter was the new law on local and provincial governance: Law 81 passed in 1993 introduced a well-crafted system meant to combine direct election with stable governance based upon multiparty coalitions (constructed *before* rather than *after* the elections) and fragmented assemblies. Voters were to be allowed directly to elect the mayor using a majority runoff system. Each candidate would be linked to one or more party lists but, having made a choice of candidate, the voter could then vote either for one of the candidate's supporting lists or for a list linked to one of the other candidates. Victory for a candidate mayor would give an automatic majority of 60 percent of the seats to the list or lists supporting him or her. The assembly would retain power to dismiss the mayor but this would automatically bring about its own dissolution and new elections since the composition of the assembly was the fruit of the (personal) electoral success of the mayor.⁶ This law would have a major impact on the political system by anticipating its transformation in a bipolar direction.

The most relevant examples of the first were the new electoral laws for the Chamber of Deputies and the Senate. After agonising parliamentary negotiations, the deal that was concluded involved the mere 'legislative translation' of the outcome of the referendum on the Senate electoral law and its extension to the electoral system for the Chamber of Deputies. The two new mixed member systems entailed the election of 75 percent of the members of each chamber through the single-member simple plurality method. The remaining 25 percent of the members would be elected through proportional representation inclusive of nation-wide or regional thresholds (4 percent for the Chamber). There was a link between the two allotments of seats designed to compensate for the effects of plurality. The main difference between the two systems was that voters would vote with one ballot only for the Senate and with two distinct ballots for the Chamber. As the then prominent DC leader, Ciriaco De Mita, said this was meant to protect each party's identity and to differentiate what the single-member plurality system was bound forcefully to merge. The rationale was the same as for the local electoral law, namely, to combine the strong drive towards a pattern of majoritarian democracy with a sort of 'insurance policy' meant to secure the right of each single party elite to survive as such: which is precisely what happened.

The implementation of the 1993 Chamber and Senate electoral laws

A short appraisal of the implementation and impact of the 1993 electoral laws is necessary in order to understand subsequent developments. The mixed member systems of 1993 were used three times, to elect the XII

(1994-1996), XIII (1996-2001) and the XIV (2001-2006) legislatures. They were twice subject to a referendum – aimed, on each occasion, at abolishing the proportional part of the system, but on neither occasion successful.⁷ By means of the following itemised observations, we can take stock of how the laws worked.

- After a further short legislative term (XII), there were two full terms without premature dissolution (XIII and XIV). A pattern of alternation in office began to take shape: in 1994 a brand new centre-right coalition won; in 1996 victory went to the centre-left coalition led by Romano Prodi; in 2001 the centre-right led by Silvio Berlusconi once again took office. Leaving aside the XII transitional legislature, the XIII parliament was presided over by centre-left coalitions still internally unstable (there were three prime ministers and four different cabinets); the XIV legislature by contrast was led by a single prime minister (Berlusconi) at the head of two cabinets, the first establishing by an ample margin the post-war record for the longest period in office.

- Pre-electoral instead of post-electoral coalitions became standard, thanks to the single-member districts. By 2001 this had also brought about a kind of informal direct election of the Prime Minister (with no room for presidential mediation). From 2001 the names of the leaders of each coalition began to appear as part of party symbols appearing on ballot papers. This development was consistent with the general drive towards the personalisation of politics at all levels of government in Italy as elsewhere.

- The 4 percent threshold was effective. As few as five lists were eligible to receive seats in 2001. However, parties felt that coalitions were still needed if they were to be truly competitive and the leaders negotiating these coalitions used the single-member simple plurality system in a strategic way, granting to each of the coalesced parties a number of ‘non-competitive’ or ‘assured’ seats corresponding to their share of proportional votes. This brought about the so-called ‘proportionalisation’ of the plurality system and a fragmentation of parliamentary representation that was no less pronounced than it had been under the proportional system in force between 1948 and 1992. Once more political elites showed their ability cunningly to use the new rules, circumventing their constraints, in order to pursue their partisan interests.

- The mostly welcome consequences of the new system were dampened in their effects by the lack of homogeneity and by competition within the winning coalitions (not to mention the defeated ones), which undermined and lessened the effectiveness of governance.

- The attempt, in 1997 and 1998, to negotiate reform of the Constitution failed once more,⁸ while all of the secondary underpinnings of political fragmentation were kept in place and new ones introduced. These

included the parliamentary regulations concerning the formation of groups and their powers; the provisions for public funding of parties (re-introduced after the 1993 referendum had struck down earlier public-funding provisions and now extended to parties with as little as 1 percent of the vote); public financing of broadcast media controlled by all organisations represented by at least one member of Parliament; access to free radio and TV time for all parties fielding candidates regardless of their share of the vote in the previous election; the so called *par condicio* law, designed to curb the competitive advantage enjoyed by Berlusconi due to his ownership of the largest private media conglomerate; exemption, for all parties with at least two members of the Italian or European parliament, from the requirement to obtain the signatures otherwise necessary for them to field candidates. When set beside the rationale underpinning the 1993 reforms and new rules concerning regional governance, these provisions show clearly that until 2007-08 not only had fragmentation never been felt to be a problem by the Italian political élites, but it had been regarded as a constraint to be respected and the necessary premise of innovation.

- Instead of criticising the 1993 laws for flaws which were not theirs (or which were the unavoidable consequences of the context which led to their approval) we should be impressed by their positive effects on the party system and on the functioning of government thanks especially to the single-member, simple plurality aspect. To this one must add the effects of Berlusconi's decision to join the political fray. The systemic effect of the political initiative of this controversial entrepreneur (now a consummate politician with a political career spanning 15 years) was the unification of the centre-right, the provision of a political home for most former-DC voters, the transformation of the Northern League (Lega Nord, LN) into a party fit to govern, the legitimisation of the former neo-fascists⁹ and bipolarisation of the party system. On the other side of the left-right divide, similar processes, although subject to greater resistance, had been developing, though they were crippled by the greater fragmentation of the centre-left, by its multiple and strongly-felt allegiances to old identities, by its limited inclination to accept personal leadership, by its greater degree of factionalism and in general by the fact of being perceived as the most direct heir of the *Repubblica dei partiti*. Nevertheless, third forces soon lost any influence; the PCI transformed itself into the non-communist Democratic Party of the Left (Partito Democratico della Sinistra, PDS) and later Left Democrats (Democratici di Sinistra, DS); the former Christian Democrats along with most politicians of the parties once allied to the DC split in all directions, most of them siding with the left. In any case, the party system shaped by the transition of the early 1990s and by the 1993 electoral laws turned out to be completely different compared to the previous one. Still fragmented, it was clearly bipolar and featured entirely new or profoundly transformed parties: within these the political élites of the *Repubblica dei*

partiti were still present to a variety of degrees, but for the first time no party was regarded as unfit to govern. This was the effect of bipolarisation, the essential underpinning of periodic alternation in office at all levels of government.

- As far as the more technical elements of the 1993 electoral laws are concerned, the most obvious flaw (especially in the case of the system used for elections to the Chamber of Deputies) was the lack of transparency of the link between the single-seat candidates in the plurality part of the system and the lists competing in the proportional arena:¹⁰ this enabled parties to deploy shrewd means of circumventing the constraints involved, which in 2001 made it impossible to elect 13 MPs, so that for the entire term the Chamber consisted of only 617 members (with no negative consequences, it must be said, and with savings of not less than €30 million).

- By the middle of the first decade of the twenty-first century the Italian party system had started slowly to consolidate in spite of on-going resistance by those who continued to pursue the ambition of a third force at the centre of the system – one that would play a determining role by virtue of a capacity to coalesce with right or left – as did the Union of the Centre (Unione di Centro, UDC), the party led by Pierferdinando Casini. However, the absence of constitutional changes (which might ‘put the seal’ on a renovated polity); the constant tensions between a proportional culture and a majoritarian trend (made possible by too many inconsistent secondary laws and regulations as described above); the lack of the kind of binding constraint which could be obtained only by formal direct election of the premier (or some other solution of this kind); the lack of leadership and cohesion on the left, and in general the unavoidable resilience of a political culture that gave space to too many individual actors: all this made the consolidation slow and uncertain.¹¹

A new electoral system after only three elections and twelve years of plurality

While the Chamber of Deputies was discussing some amendments to the 1993 law designed to deal with the problem, described above, of the link between the plurality and proportional arenas, in 2005 the majority, with no advance notice of any kind, introduced a proposal designed entirely to change the electoral system. The project was adopted in record time in the face of heavy criticism from all sides but with limited resistance from the centre-left opposition (Law 21 December 2005, no. 270).¹²

The new law is a mixed system in the sense that it ensures to the winning list or coalition of lists no less than 340 seats in the Chamber however many votes they obtain provided that a minimal threshold of 10

percent is reached. If a single list or coalition obtains 340 seats or more in any event, on the basis of the votes it obtains, then the effects of the system are strictly proportional. Losing lists and coalitions obtain no more than 277 seats. Among the winners and the losers seats are allocated on a strictly proportional basis. A threshold of 4 percent (the same as the one used for the proportional part of the 1993 law) must be surmounted by each list to be represented. In order to encourage smaller parties to coalesce, the threshold is lowered to 2 percent for parties in coalition and the party in coalition below that threshold with the most votes is also entitled to participate in the distribution of seats. Single lists and coalitions must designate a leader (supposedly the future prime minister in the event of success although the law states that the powers of nomination of the President of the Republic are not infringed by this provision). This system can be defined as a 'majority-assuring proportional system' (Shugart and Wattenberg, 2001: 598) or a 'majority-assuring list system with a proportional allotment of seats'.

The same system applies to the Senate but within each of 17 of the 21 Regions or autonomous Provinces – with the effect that the outcome of the Senate election is the net result of 17 distinct votes, plus the vote, using the 1993 system, for the senators representing Bolzano and Trento; the vote, using proportional criteria, for the two senators of Molise, and the vote, using the single-member, simple plurality system, for the senator representing the Valle d'Aosta.¹³ Some have defined this as a veritable 'lottery' (D'Alimonte, 2007) because it makes the outcome of the competition for the Senate very difficult to predict unless a single party or coalition wins homogeneously (which is hardly likely be the case considering the traditional territorial cleavages that have characterised the Italian political system since World War Two and, according to some, since well before then (Vezzoni, 2008: 197; Diamanti, 2003).

For the election of both the Chamber and the Senate, voters have one single vote and they can choose among party lists; the allocation of seats to each list is determined on a national (or regional) basis; then the seats are distributed to the lists presented in each of 26 multi-member districts. Candidates are elected according to their placements within lists and voters have no additional preference vote (as has been the case since 1993, as is the case in provincial elections and in contrast to the situation in most regional and all municipal elections). In practice, single-seat districts have been abolished even for the Senate where they had existed since 1948.

In seeking to account for such a sudden and relatively unexpected change in the electoral system, it is possible to discern both partisan and systemic reasons. Among the first, the most relevant appears to have been the recognition that the centre-right parties systematically obtained fewer votes in the single-seat districts compared to the sum of the proportional votes for each individual party – and thus the decision to abolish the single-

seat plurality districts. A second aim was to make the vote less complicated under the (correct) assumption that the average centre-right voter is more apt to make mistakes than the average centre-left voter. In fact a dramatic fall in the number invalid and blank ballots followed. It is also possible that the return to proportional representation was meant to reduce the damage of an election that was already given up for lost and to accentuate the difficulties the centre-left would face in remaining united, formed as it was, by numerous partners (ITANES, 2006). In other words, the hope was to change the balance of perceived advantages of the electoral system from the centre-left to the centre-right.

The systemic rationale for change was to try to replicate the local and regional systems which we have described above: constitutional constraints do not allow identical systems (since direct election of the Prime Minister is not possible); but there is little doubt that the 2005 electoral system resembles both the local and the regional ones, which are also majority-assuring proportional systems, with the additional feature of direct election of the chief executive. This is no minor difference as the French case proves; furthermore local and regional voters can also vote for the candidate mayor *only*.

As has been stressed by D'Alimonte, the 2005 system must be regarded as the legitimate heir of more than one relevant precedent: the 1923 Acerbo electoral law (featuring a very large number of extra seats – up to 66 percent of the total – and a 25 percent threshold) ; the 1953 De Gasperi law (featuring a slightly smaller number of extra seats and a much higher – 50 percent – threshold), and the already-mentioned municipal, provincial and regional electoral laws. In short, the 2005 law was a reform that can be regarded as a distinctively Italian electoral speciality (D'Alimonte, 2007: 59-66).

The flaws of the new electoral law

For both constitutional and political reasons, the 2005 law provoked widespread and in part well grounded criticism. From a constitutional perspective the law is flawed in two ways: it does not allow all voters to take part in the choice of the winning party or coalition,¹⁴ and it is utterly inconsistent with the bicameral nature of the Italian parliament. Italy is the only country in which the cabinet must retain the confidence of *two* chambers elected in different ways by different electorates: this simply means that no electoral law can ever ensure an identical outcome to the two elections, a true puzzle. This makes particularly absurd the introduction of two parallel majority-assuring proportional systems which seem designed to increase the risk of diverging outcomes. Indeed in 2006 the results of the

elections came extremely close to producing different majorities in the two chambers.¹⁵

Another set of flaws is related to the incentive provided for a revitalisation of individual parties' identities, soon reflected within Parliament by the formation of a particularly large number of parliamentary groups: these numbered 7 in 2001 and became 13 in 2006. If one can agree with those who have emphasised the separation between the Italian electoral and parliamentary arenas (Parliament remaining an arena of intense intra-coalition competition, see Bull and Rhodes 2007: 664-65), the 2005 law risked reconciling them not on a centripetal but on a centrifugal basis.

Furthermore, the law seems to be designed to foster 'maximum coalitional inclusiveness', that is, to induce larger parties to take on board all potential allies, regardless of any homogeneity on policies, in order to defeat the opposing coalition. Such a development – it was feared – would make governing particularly difficult: the premature end of the first legislature elected using this law demonstrated how well-grounded these fears were.

Finally the law's provisions for closed lists and multiple candidacies¹⁶ reduced still further the already limited confidence of many voters in the party system: those having the traditional nostalgia for preferential voting were joined by those who emphasised that the combination of closed lists and multiple candidacies grants to the party in central office, so to say, a final say on who is to be elected *after* the votes have been cast, thus further curbing voter's choices (Chiaramonte, 2005; Fusaro, 2007).

Between the XV and the XVI legislatures

As has already been analysed in several scholarly works (Bull and Rhodes, 2007; D'Alimonte and Chiaramonte, 2007; Feltrin and Fabrizio, 2007; ITANES, 2006; Vezzoni, 2008), the outcome of the 2006 election reinforced some of the pros and some of the cons of the new system. Every single vote proved essential, with the Chamber election being won by the centre-left thanks to a difference of only 24,755 votes nationwide. But the majority in the Senate turned out to be only a couple of seats and the cabinet had to rely on continuous negotiations with single senators, especially those elected by the Italians resident abroad, and on the support of most of the seven life-senators.¹⁷ For the Chamber only 156,720 votes out of 38,153,343 (0.4 percent) had not been cast for one or the other of the two largest coalitions: an 'almost perfect' degree of electoral bipolarisation. But after 21 excruciating months of difficult governance by the Prodi cabinet (in spite of widespread perceptions that it was one of the longest since 1948), the 2005 law was unanimously regarded as an instrument for the construction of broad coalitions fit to win elections but unfit to run the country.

Prodi resigned in January 2008 after being defeated in a vote of confidence in the Senate. After some attempts to introduce yet another electoral reform¹⁸ (which failed because of the lack of a common strategy and even more because the centre-right could not accept any delay to the holding of new elections once the Government had resigned), Parliament was dissolved prematurely for the first time since 1996. Long before, around 820,000 signatures had already been submitted to the Central Office for referendums requesting the sixth referendum on the electoral law, one designed to change provisions of the 2005 law in such a way as to achieve more cohesive winners, to foster the establishment of a two-party system and to ban multiple candidacies.¹⁹

The voting patterns apparent at the 2008 election of the XVI parliament – resulting in the third consecutive alternation in power and Silvio Berlusconi's landslide victory – are known and have been studied by several scholars (Di Virgilio, 2008, 2009; Feltrin and Natale, 2008; Florida, 2008; Fusaro, 2008; ITANES, 2008; Mannheimer and Natale, 2008). The most obvious task is to understand how it has been possible in less than two years for the same party system, applying the same electoral system, to produce such a strikingly different outcome. This can be summarised by a few figures: the 2006 election produced a Chamber with 13 groups and a Senate with 11 (not to mention the 'parties' represented); the 2008 election produced a Chamber with 5 and later 6 groups, and a Senate with 5. In 2006, only 156,720 voters were 'not coalesced'; in 2008, the 'not coalesced' voters were 5,702,416. In 2006, the largest two parties and groups obtained 357 seats (57.9 percent); in 2008, 483 (78.3 percent).²⁰ In other words, from one election to the next, Italy's chambers passed from being among the most fragmented in Europe to being among the least fragmented: still bipolar, but with many fewer groups, the pre-condition for more effective governance.

This outcome had become possible at the end of 2007, and likely in January 2008, when the leader of the newly founded Democratic Party (Partito Democratico, PD), Walter Veltroni, announced that his party would 'run alone' at the forthcoming election, and when he and Berlusconi later met to signal that they were trying to find an agreement on *how* to compete, combining their partisan interests with those systemic interests which the first application of the 2005 law had ignored.

Veltroni's decision was consistent with the attempt to establish the PD as one of the two pivotal parties within a bipolar system bound slowly to become something resembling a two-party system or at least a bipolar multiparty system organised around two larger parties much more influential than their allies. Veltroni's bold strategy had been made appropriate by the circumstance that rightly or not the second Prodi cabinet had become discredited because of its continuous internal conflicts

on just about every single issue. Voters appeared fed up with loose and excessively broad coalitions; furthermore, all the polls were suggesting that in the event of elections the centre-left had no chance whatsoever of winning. This made an 'all-inclusive' coalition of the kind that had brought the 2006 (non-)victory, useless and unpopular.

The PD's strategy – which was equivalent to investing in a 'glorious' but constructive defeat provided voters awarded a decent number of votes to the new party – prompted Berlusconi to go the same way. So he was able to abandon efforts to revive his (and Gianfranco Fini's) alliance with the most reluctant allies (UDC and La Destra). As the centre-left was more fragmented, Veltroni was sacrificing around 5 million potential votes, while Berlusconi was sacrificing little more than 3 million (D'Alimonte, 2008: 21). These two parallel strategies worked well and transformed both parties²¹ and especially the PD from donors (of seats *to* smaller allies) to beneficiaries (of seats *from* smaller parties).

The outcome of the 2008 election was the product of a number of disparate factors including differential turn out (which was particularly low among centre-left supporters) and an increase, from 6 to 9, in the percentage of voters switching between centre-left and centre-right, with two thirds switching from centre-left to centre-right and one third moving in the opposite direction (De Sio, 2008: 57). However there is a widely held view that what truly made the difference was the line-up strategy chosen by Veltroni and Berlusconi: see, in particular, Di Virgilio (2008, 2009) who argues that the line-up strategies have constantly been the single most influential variable in post-1993 Italian electoral history. Of course, it should also be acknowledged that if the line-up strategy of the main parties was an essential premise, it was also widely supported among voters ready to make strategic choices, that is to say, to cast their votes for one or the other of the major players, giving up choices based upon ideologies and/or traditional political identities (Schadee and Segatti, 2008: 71-82).

Within the framework of their broader evaluation of the Italian case, Bull and Rhodes (2007) emphasise that parties had changed but the system had not yet reconsolidated because of the separation between the party system's electoral and parliamentary arenas. The first had changed (through the electoral-law reforms) but Parliament had remained an arena of intense intra-coalition competition (Bull and Rhodes, 2007: 664-65). Bardi (2007: 729) notes that it was as if there were two different party systems in Italy, a centripetal one moulded by the electoral laws and a centrifugal one moulded by parliamentary regulations. There was an entire set of other provisions meant to allow if not stimulate a vast proliferation of small parties (designed to accommodate the survival of very small political elites, rather than true differences of opinion among voters).

Since the issue of *West European Politics* edited by Bull and Rhodes (2007) was published, major developments have gone precisely in the

direction of reconciling that separation. It is still too early to say whether we can consider the 2007 conclusions of Bull and Rhodes outdated. 'Italy', they wrote, 'may no longer be an "incomplete democracy", but its political and policy systems are still beleaguered by fragmentation, clannish behaviour, the power of minority vetoes...' (2007: 668). One thing is however certain: electoral outcomes and parliamentary groups are, significantly, aligned more than ever before; there is very limited differentiation and in both arenas there has been a dramatic reduction in fragmentation, which was precisely the effect and the primary cause of the disappointing results of the innovations introduced in the decade of long transition from 1993 to 2005, and the subsequent widespread (although not entirely grounded) 'feeling of dashed expectations' (Bull and Rhodes, 2007: 660).

Most recent developments: the dawn of a new party system?

What has happened since the 2008 elections? Is the trend towards a reorganisation of the Italian party system around two pivotal parties still on the agenda? We all learned a long time ago that political and institutional change is not a linear and undisputed process; and the developments we are focusing on are certainly no exception. Let me list a series of events which might push in one direction or the other.

Among the steps forward I would list: the birth of a new party of the centre-right, the People of Freedom (Popolo della libertà, PdL) led by Silvio Berlusconi and born from the fusion of Forza Italia and the National Alliance (Alleanza Nazionale, AN) turning an electoral alliance into a single party (on 29 March 2009);²² the last-minute decision of the two main parties to add to the law applying to the election of Italian members of the European Parliament a significant threshold of 4 percent, consistent with the 2005 law; the refusal of the major parties to accede to the reimbursement of the costs of the 2009 European election to *all* lists with only 1 or 2 percent of the votes as proposed in Parliament; the consensual legislative process ending with adoption of the law implementing article 119 of the Constitution (fiscal federalism).

Among the developments of uncertain outcome, I will list the 2009 electoral-law referendum held on 21 and 22 June. It is very difficult to foresee what will happen now that the referendum has failed for lack of a quorum.²³ Another uncertainty, which has been referred to time and again in the last 15 years, is whether Berlusconi will be able to deliver his masterpiece, that is to say, to leave a party strong enough to survive his own retirement.

Among the steps backwards, I can list: the decision by Veltroni to make an exception to his choice to 'run alone', coalescing the small party,

Italy of Values (Italia dei Valori, IdV) led by former prosecutor Antonio Di Pietro, the result of which was a striking success for IdV;²⁴ Di Pietro's failure to honour his commitment to a single parliamentary group with the PD and his decision effectively to compete against the PD, acting as a veritable thorn in the PD's side, a major factor in the undermining of Veltroni's leadership; the unfortunate demise of the shadow cabinet which Veltroni established at the start of the legislature as a potentially effective instrument of parliamentary opposition; Veltroni's resignation as leader of the PD in February 2009 as a consequence of widespread internal criticism of the very essence of the party's strategy. This is by far the most relevant development: if the PD changes its strategy and turns again to the pursuit of broad but patchy coalitions built only for the purpose of 'beating Berlusconi', then depending on the polls, the new Pd might be tempted to do the same and behave accordingly: in that case, the trend towards an (almost) two-party system could then be jeopardised.

Conclusion

I would like to conclude my paper by offering some more general remarks. A first remark is, the electoral system is very important, but it is part of a larger mosaic: there is need for a comprehensive approach in order effectively to achieve institutional change (aside from appropriate national electoral rules, effective change requires other congruous electoral laws, as well as congruous provisions regulating the public financing of parties and lists, access to the media, parliamentary regulations, and so on). In order to stabilise major institutional innovations (brought about by new electoral laws, coherent provisions of the kind listed above and significant changes in the party system) the support of constitutional change is very important as a shield against any attempt to go backwards. The consolidation of the party system is likely to be both the premise and the effect of such effort.

The electoral system may include well-selected incentives tailored to the pursuit of specific systemic improvements, and the Italian case demonstrates that those incentives do work; it also shows though that how the political actors behave on the ground matters no less. Those actors have shown themselves to be rather clever in turning any incentive to their own advantage: this requires a process of permanent maintenance of those incentives. In any instance, there is no *necessary* chain of causation between incentives and the outcome of elections.

The Italian case also confirms that, as has been known for a long time, political parties' strategies and their institutional policies go hand in hand; parties tend to consider the latter instrumental to the pursuit of the first and it is not easy to engineer a context within which the pursuit of their partisan interests coincides with pursuit of the systemic interests of the polity.

The developments I have discussed show that the world-wide trend towards weaker and weaker parties on the ground is shared by the Italian party system (Katz and Mair, 1992; Bardi, 2007). In fact both the party in central office and the party in public office have become stronger compared to the party on the ground. Many specific features of the electoral laws we have been studying, and the increasingly frequent resort to primaries (in particular on the part of the centre-left: see Pasquino and Venturino, 2009), are the product and the cause of arm-wrestling between the parties in public office and the parties in central office: the temporary outcome of this struggle can only be evaluated in relation to each single party and remains uncertain.

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¹ The amendment astutely maintained the single-member districts but required a 65 percent threshold to be surmounted, a near impossibility: in 44 years out of around 3,000 senators fewer than 50 achieved it. The districts where no one had achieved the necessary 65 percent were to be allocated by applying the d'Hondt proportional formula to the votes obtained by candidates linked together by party allegiance (see Fusaro, 1995: 40).

² Being essential if the PSI was to be able to abandon its alliance with the PCI.

³ Municipalities with more than 5,000 inhabitants represent only 28 percent of the total of 8,100 circa, but they include 81 percent of the population.

⁴ Until 1981 all Cabinets were led by Christian Democrats and until 1994, the DC was the largest partner in every governing coalition.

⁵ A second parliamentary committee met to no avail between 1992 and 1994.

⁶ Reflecting Italians' inborn taste for Latin expressions this system is known as 'the *simul simul* system' (*simul stabunt aut simul cadent*, meaning 'they live together or together they fall').

⁷ In 1999, 91.5 percent of the voters registered their approval of the proposed abolition, but the turnout, at 49.6 percent was slightly less than the quorum of 50 percent plus 1. In 2000 a large majority of the voters (82 percent) was again in favour of reform, but turnout had fallen significantly to 32.4 percent.

⁸ Having produced proposals for the complete re-writing of part two of the Constitution (comprising articles 54 to 139), the third parliamentary commission for constitutional reform led by leader of the Left Democrats (Democratici di Sinistra, DS), Massimo D'Alema, was disbanded in June 1998.

⁹ This process had started already in 1993 thanks to the new law for the election of mayors when Gianfranco Fini, still the leader of Italian Social Movement-National Right (Movimento Sociale Italiano-Destra Nazionale, MSI-DN), became a credible candidate (opposed by Francesco Rutelli) for mayor in Rome and was unexpectedly endorsed by Silvio Berlusconi, at the time apparently not involved in politics.

¹⁰ Voters for the Chamber had two separate ballots. With one they voted to elect the member of Parliament for their single-member constituency. With the other they voted to allocate one fourth of the Chamber seats (155) among parties obtaining at least 4 percent of the vote. Every single-member constituency candidate was linked to one or more party lists; and from the total of votes obtained by each list a certain number, corresponding to the votes obtained by the winning plurality candidates linked with it, was subtracted before allocating the seats proportionally.

¹¹ A good measure of the process of consolidation is the degree of inter-group mobility of the members of each chamber and especially the Chamber of Deputies. In the XIII legislature there were 8 groups (1996) and 26 deputies belonging to the residual 'Mixed Group' (*Gruppo Misto*) for deputies with no other group to belong to, and there were still 8 in 2001 but with 4 entirely new groups and as many that had disappeared, while the number of deputies belonging to the *Gruppo Misto* had grown to 94 (+68). In the XIV legislature all 8 of the groups in existence at the beginning continued to exist as such at the end of the legislature and the *Gruppo Misto* had grown only from 49 to 64 (+15).

¹² In fact proportional representation appealed to many smaller parties of the left.

¹³ Another major difference is that the ordinary threshold is 8 percent and the lower one, for lists fielded as part of coalitions, is 3 percent in each Regional district.

¹⁴ Neither the voters resident abroad nor the voters of Valle d'Aosta can vote to 'elect' the new government.

¹⁵ With the Italian Parliament as it is, this risk cannot be avoided, but the 2005 systems increase it recklessly.

¹⁶ Every single candidate is allowed to run in each of the 26 districts for the Chamber or in each of the Regions or autonomous Provinces.

¹⁷ The Constitution provides for up to five senators for life designated by the President of the Republic; in addition, it stipulates that all Presidents of the Republic automatically become life senators upon leaving office at the end of their mandates.

¹⁸ The main efforts were along the lines of either a relatively selective proportional system similar to the one used in Spain (involving districts with a small number of candidates and the d'Hondt formula with a high 'natural' threshold) or a purely proportional system similar to the one used in Germany, with a formal threshold. In both instances the number of parties in Parliament might have been reduced, but bipolarisation of the party system would have been put in jeopardy (especially with the German model, openly preferred by the opponents of bipolarity like the UDC).

¹⁹ The referendum which was admitted by the Constitutional Court and postponed because of the dissolution of Parliament sought to abolish electoral coalitions and grant the majority premium to the single winning list. As a side effect it would have abolished the lower 2 percent threshold and applied a 4 percent threshold to all lists.

²⁰ This also meant that the PD's strategy paid off very well in terms of seats won: the winning Olive-tree Alliance (Ulivo) obtained 220 Chamber seats in 2006, the defeated PD 211 in 2008; while in the Senate the Ulivo parties combined obtained 112 seats, the PD obtained 116 in 2008. This constituted a spectacular defense of the party's members in office.

²¹ In fact the People of Freedom (Popolo della libertà, PdL) in 2008 was still an electoral alliance between Forza Italia, the National Alliance (Alleanza Nazionale, AN) and some smaller organisations.

²² See the site of the new party: www.ilpopolodellaliberta.it. Founding organisations are: Forza Italia, AN, Christian Democrats for Regional Autonomy (Democrazia cristiana per le autonomie), New PSI (Nuovo PSI), People's-party Liberals (Popolari liberali), Social Action (Azione sociale), PRI, Libertarian Right (Destra libertaria), Freedom Clubs (Circoli della libertà), Good-government Clubs (Circoli del buon governo). President of the party is Silvio Berlusconi; national coordinators are Sandro Bondi, Ignazio La Russa, Denis Verdini.

²³ As in the previous electoral law referendums held in 1999 and 2000, a large majority of voters expressed themselves in favour of reform, but the turnout (23 percent) was below the quorum of 50 percent.

²⁴ It is noteworthy that both junior partners – IdV and the Northern League – within the two mini-coalitions led by Veltroni and Berlusconi scored great successes.