

Italy: Clear majority rejects Berlusconi's constitutional reform

By Marianne Arens and Peter Schwarz
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At the end of June, Italian voters decisively rejected the constitutional reform pushed through parliament by the right-wing coalition under former Prime Minister Silvio Berlusconi prior to losing the recent national election. Almost 62 percent opposed the reform, with only 38 percent voting for it.

It is the third defeat in a row for the Berlusconi camp. While the latter only narrowly lost April's parliamentary election, its losses in local elections held in May were substantially higher, and the clear rejection of the constitutional reform has surprised many observers.

The "No" votes clearly outweighed the "Yes," even in the north, the stronghold of the separatist *Lega Nord* (Northern League), and a region where the Berlusconi camp won several million votes in the April elections. The two regions of Lombardy and Veneto were something of an exception, but even here, the cities of Milan and Venice rejected the constitutional reform. In Rome, more than two thirds of those who turned out voted against the measure.

The participation by 53 percent of eligible voters far exceeded expectations. A combination of circumstances—voters having gone to the polls three times within the last three months, the oppressive heat and the Italian national team playing a World Cup match—had led many pundits to predict a far smaller turnout. Five years earlier, only 34 percent of those eligible voted in a constitutional reform. *Corriere della Sera*, the prominent daily newspaper, commented, "It is a happy surprise that predictions of a tired and discouraged public proved untrue."

Berlusconi's reform threatened principles that were introduced into the Italian constitution after the collapse of the fascist Mussolini regime in 1943. Berlusconi planned to extend presidential powers to the prime minister, destroying the system of "checks and balances"—the mutual control of the constitutional bodies, head of government, federal president, chamber of deputies, senate and the judiciary—that are supposed to prevent the return of a dictatorial regime. He also planned to increase regionalisation and thus hasten the

creeping dissolution of the unitary Italian state created in 1861.

The reform involved the amendment of 50 of the 139 articles in the 1948 constitution. The measures were cobbled together in great haste. According to Berlusconi, it had taken just three days for representatives of the government parties to write the new constitutional text, while sipping red wine and eating polenta in a mountain retreat in the Dolomites.

The amendments were drawn up in such a dilettantish manner that they also encountered fierce opposition from constitutional lawyers. Some 178 professors of constitutional law and 17 former presidents and vice-presidents of the constitutional court warned of a "dangerous reform," which provided the prime minister with "untenable authority" and which would provoke numerous disputes because of its ill-conceived nature.

Under the proposed reforms, the head of government (prime minister), whom the current constitution titles the "President of the Council of Ministers," and is a sort of first among equals, would be directly elected by the people as "prime minister," and would no longer be appointed by the federal president. He or she would have the right to appoint or dismiss ministers and dissolve parliament, all prerogatives that are currently the preserve of the president. In addition, he or she would decide the course of general policy as a "guiding authority."

Within the context of *devoluzione* (devolution), the 20 Italian regions would have received greater powers under the "reform" proposal, including control of the health system and schools, with their curriculum, as well as responsibility for the regional and local police. However, there were no plans to provide any financial transfer payments to bring equality to the different regions.

This would have inevitably led to a deepening of the social gulf between Italy's north and south, and to substantial attacks on fundamental rights such as education and health care for the population in the poorer southern regions. *Devoluzione* was a concession to the Umberto Bossi's Northern League, which belonged to Berlusconi's

center-right coalition. The Lega supports greater autonomy for the prosperous north and has sometimes demanded the establishment of a separate state.

Berlusconi's constitutional reforms were passed in parliament against the votes of the then opposition, which now forms the present government. The new head of government, Romano Prodi, advocated a "No" in the referendum, while Berlusconi strove to frame the issue as a kind of plebiscite on the new government—a tactic that thoroughly backfired.

Prodi immediately made clear, however, that he agreed in principle with the general direction of the proposals, and offered to hold discussions with the opposition about constitutional reforms. "The government has an obligation to begin a dialogue with all parties," he said, which should happen as quickly as possible.

The *Lega Nord* immediately responded to Prodi's offer. Roberto Maroni, the *Lega's* second in command and an employment minister under Berlusconi, suggested a possible change in coalition partners. "Political alliances are for us a tactical affair. We group together with forces that can help us to federalise Italy," he told the newspaper *La Repubblica*.

While Berlusconi has increasingly lost influence since the change of government in Rome, various members of his coalition are leaving the sinking ship. As well as the *Lega Nord*, the Christian Democrats are also looking around for new coalition possibilities. They continued to support Berlusconi only as long as he could secure power and influence for them. And there are even signs of dissent in Berlusconi's own party, *Forza Italia*.

Meanwhile, Berlusconi and his closest collaborators are sinking in a swamp of corruption scandals, against which they can no longer protect themselves since losing control of the levers of power.

The headlines have recently been full of the arrest of Prince Vittorio Emanuele of Savoy, the son of the last Italian king. The prince is under house arrest, accused of corruption, fraud and the exploitation of prostitutes. The Berlusconi government had passed a constitutional amendment in 2002 permitting Italy's heir apparent to return after 56 years in exile. Within months, the Prince of Savoy was heading a criminal gang in the gaming city of Campione. Some 13 other people are accused with him, including the press spokesman of Berlusconi's foreign minister Gianfranco Fini, the leader of the post-fascist National Alliance.

However, the Prince of Savoy is only one of many wealthy and illustrious members of the Italian elite who have pursued their dubious business in the shadow of the Berlusconi government.

The 36-year-old Raffaele Fitto, president of the Puglia

region and a member *Forza* Berlusconi's caught out when he demanded a 500,000 euro (US\$640,000) bribe for a construction contract. The Christian Democrat Salvatore Cuffaro, president of the Sicilian region, is under suspicion of having had contact with the Mafia. Cesare Previti, an ex-defense minister and a close friend and personal lawyer of Berlusconi, faces a spell in prison after the constitutional court overturned a law that had granted him an amnesty for bribing judges. The real estate broker Stefano Ricucci is already in jail after he had tried to buy the daily paper *Corriere della Sera* using some 400 million euros (US\$512 million) in illegal funds on behalf of a financier who is close to Berlusconi.

And finally, Berlusconi's football club AC Milan is under suspicion of having been involved in the systematic manipulation of games, a scandal that is presently shaking the Italian sports world and whose significance cannot be underestimated.

While Berlusconi's world is now "collapsing like a house of cards," as one commentator described it, the Prodi government is preparing to carry out the tasks that the ruling class expects of it and for which Berlusconi proved too weak: consolidating the budget through welfare cuts and increasing taxes for the masses, making the job market more flexible, and continuing the military deployment in Afghanistan. In the autumn, parliament will face the first vote on the new budget.

So far, Prodi has been able to rely on the successor organisations of the Italian Communist Party—the Left Democrats, the Italian Communists and *Rifondazione Comunista*. These parties kept their members and voters in line by telling them it was only possible to remove Berlusconi from power by supporting Prodi. Now that Berlusconi is gone, this will prove much harder.

But Prodi has taken precautions. The fragmenting of the right-wing camp now offers him new potential coalition partners. The Italian party landscape could once again enter into flux. The service that the so-called "left" can now attempt to provide is to support the bourgeois regime long enough to prevent the development of an independent movement of the working class in Italy, while the ruling elite once again reorganises itself.

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