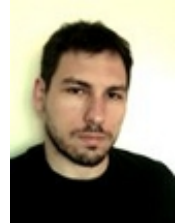


The outcome of Silvio Berlusconi's trial will have little effect on Italy's government – for now

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Last week saw convictions for former Italian Prime Minister Silvio Berlusconi for abuse of office and underage prostitution. **Mattia Guidi** writes that while Berlusconi is still an important part of Italy's relatively new coalition government, the conviction is likely to have little effect, as his party, the Popolo della Libertà has suffered a decline in support, and fresh elections would leave it in no better a position. While Berlusconi's place in the Italian Senate may be safe for now, that may still change by the end of the year if his appeal against an earlier conviction for tax fraud fails.



Last week, three judges of the Tribunal of Milan found Silvio Berlusconi guilty on charges of abuse of office and underage prostitution, and sentenced him to 7 years of prison and perpetual ban from public offices. The facts are pretty well known. One night in May 2010, Berlusconi (who was Italy's prime minister at that time) was informed that Karima El Mahroug (a 17-year-old woman that had attended private parties at Berlusconi's home in Arcore) had been arrested with charges of theft. As the girl was without an identity document, the public prosecutor ordered the Police to detain her or send her to a community for minors until she was identified. Yet, Berlusconi called the Police station claiming that the minor was Egyptian President Hosni Mubarak's niece, and asked the Police officers to give regional council member Nicole Minetti custody of her in order to avoid a diplomatic incident. Whether or not the Police officers believed the story, they released Karima and disregarded the public prosecutor's order. The trial, started in February 2011, has been hindered by an attempt of the parliament to move it to a special tribunal for ministers in Rome, arguing that the Tribunal of Milan was not competent. Numerous delays also occurred because of Berlusconi's 'legitimate impediments' that he invoked for not attending the trial – that he was prime minister and later running the last election campaign.



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This verdict follows two other unfavourable judgements, namely the confirmation of his first conviction for tax-fraud (the appeal of the so called "Mediaset trial") of 8 May and the judgement of the Constitutional Court (on 20 June) against his claim of legitimate impediment in the abuse-of-office trial. It is not surprising that Berlusconi feels besieged by hostile forces. The latest judgement is only a first instance one, but the charges (especially the one concerning sex with an underage prostitute) are ignominious, and obtaining a more favourable verdict in the appeal does not seem an easy task. However, the court's decision will not have immediate consequences for the government of Enrico Letta, and the reason is quite simple: Berlusconi is not as strong as it appeared to be only a few weeks ago. The municipal elections held in many cities between the end of May and the beginning of June saw his party (PDL, *Popolo della Libertà*, People of Freedom) lose almost everywhere, and its principal competitor, the PD (*Partito Democratico*, Democratic Party), win many important cities and rise up in polls again.

If national elections were held now, Berlusconi would have no chances of obtaining a majority in both houses. In

other words, the “balance of power” in the parliament would be like the actual one, if not worse. This explains why PDL members have recently urged the government to adopt measures to boost economic growth, but at the same time Berlusconi has promised to continue supporting Letta’s executive. The general feeling is that any decision on the government will be postponed to the end of the year, when the Court of Cassation will issue the final judgement on the Mediaset trial. If the Court affirms the first instance and appeal judgements, Berlusconi will have to leave the Senate and will be banned from elections for five years. In case of conviction, anything could happen. But (almost) nothing will happen before then.

Another reason why Berlusconi is so cautious is that President Napolitano has explicitly stated that he will not call new elections until a [new electoral law](#) is approved. This means that, even if the PDL forced Letta to resign, a new government, supported by the PD, Mario Monti’s *Scelta Civica* (Civic Choice) and some former MPs of Beppe Grillo’s 5 Star Movement, could form. To sum up, Berlusconi does not like this government, but it is the best he can get in the current scenario. Moreover, he is having a hard time trying to keep his party together. In the PDL, “hawks” and “doves” are confronting and struggling over the party’s strategy in the near future. Hawks would like to force the government to resign and hold elections in autumn, before the Court of Cassation judgement – to be sure that Berlusconi can be elected before then. Doves argue that elections are very difficult to obtain in the present situation, and that winning them would not be as simple as hawks think.

Berlusconi really appears to be swinging between opposite positions. On the one hand, he feels like he was “deceived” by Napolitano and those who convinced him to support the Letta government; his illusion was that the political “pacification” should have saved him from unfavourable judgements in his trials, but this has not happened (and could not happen). On the other hand, he realises that he must be very cautious in his next moves, because he does not have easy solutions at hand, either in the parliament or outside. He publicly promises to support Letta, but in private talks he seems to be preparing for elections. He would like to rename his party, like the movement he founded when he entered politics in 1994, *Forza Italia*, but no one knows what political positions will prevail within it, and what will happen to the centre-right coalition. Although many of PDL’s doves claim that Berlusconi’s trials will not affect the government and the party’s future, everything ultimately seems to depend on the judges, once again.

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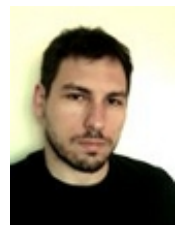
Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.

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