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## Special Issue: Changing Politics. Government, Parliament and Parties in Italy at the Dawn of the 18<sup>th</sup> Legislature

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## Introduction to the Special Issue

# Changing Politics: Government, Parliament and Parties in Italy at the Dawn of the 18<sup>th</sup> Legislature

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### The Italian Parliament: A delegitimised institution?

The public's distrust of the Italian parliament has spread like a pandemic over the past few years. According to the Eurobarometer data, in the last fifteen years the portion of the Italian population declaring a measure of trust in the country's highest representative institution has never exceeded one third.<sup>1</sup> Apparently, the Italian political system has proven unable to tackle citizens' distrust, as the gap between those who tend not to trust the Italian parliament and those who tend to trust it still amounts to more than 20 percentage points, also after the start of Legislature XVIII in March 2018. This is perhaps surprising, as the Italian elections held in 2018 brought about a number of novelties in the party system and in the institutional framework. At the same time, however, some political dynamics in the Italian parliament did not change after the 2018 elections, and this has probably helped to preserve the image of the Italian parliament as a 'delegitimised' institution. It is especially on these patterns of continuity and discontinuity with the past that could be observed at the start of Legislature XVIII that the present Special Issue focuses.

Trust in the Italian parliament began to visibly decline in 2007, well before the effects of the economic crisis were felt. The image of parliament probably deteriorated due to a combination of various factors, some long-term and others of a contingent nature. 2007 was the year of the agony of the second Prodi government, which lacked a legislative majority in the Senate and was exhausted by continuous internal conflict. It was the year

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<sup>1</sup> Data retrieved from the webpage of the Eurobarometer Interactive Research System: <https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Chart/getChart/chartType/lineChart//themeKy/18/groupKy/89/savFile/201> (last accessed 7 January 2021).

of V-day<sup>2</sup> in the squares of many Italian cities, an event that launched Beppe Grillo's party, the Five Star Movement (Movimento 5 Stelle, M5S). But 2007 was also the year of publication of a best-selling book entitled 'La Casta', written by Gian Antonio Stella and Sergio Rizzo, which was devoted to documenting and stigmatizing the less than honourable behaviour of the Italian political class. A second marked fall in the level of trust in the Italian parliament took place in the autumn of 2011 when the effects of the Eurozone crisis became visible in Italy and a technocratic cabinet led by Mario Monti was sworn in after Prime Minister Silvio Berlusconi had to resign. It seems hard to distinguish between factors such as the actual performance of the Italian parliament, citizens' disaffection with political institutions, the narratives put in place by political actors and how the media frame political events. These factors are intertwined and feed into each other by building an image of parliament that is perhaps more negative than what the institution deserves.

Undoubtedly, the functioning of Italian political institutions during the so-called Second Republic has not fulfilled the expectations of many. Seen through the eyes of scholars, the 'alternation' period appears marked by contradictory tensions. Just to limit ourselves to the institutional aspects, we can mention the repeated and unsuccessful attempts to enact a 'big reform' aimed at giving parliament a structure compatible with the majoritarian aspiration of the party system and, on the other hand, the adoption of various measures to increase transparency and efficiency in the decision-making process. The general elections of 2013 marked another turning point, with the entrance into parliament of the Five Star Movement, a new anti-establishment political force (at that time) that presented itself as an alternative to all political parties. The M5S was strongly opposed to the existing political elites, considered as being mainly responsible for the country's poor economic performance and moral conditions. Once in government, since 2018, the M5S has tried to carry out its radical reform programme of the representative institutions, but its main achievement has been to enact a reduction in the number of parliamentarians – a constitutional reform which was then approved in a referendum by Italian citizens in September 2020.

## Why this special issue

The low levels of Italian citizens' trust in representative institutions and the political events just mentioned that have occurred in recent years may lead one (especially scholars of Political Science) to wonder whether this deficit can be attributed not only to politics in its strictest sense but perhaps also to how politics is studied and reported. Back in September 2018, we – the Standing Group on Government, Parliament and Representation – organised a panel on the study of representative institutions at the Annual Conference of the Italian Political Science Association (SISP) in Turin. At the basis of that panel was the belief that going beyond the rigid boundaries between disciplines and the distinction between academics and professionals can improve our understanding of representative institutions in Italy and abroad.

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<sup>2</sup> 'V' stands for an Italian offensive exclamation. On V-day, this exclamation was generally addressed to Italian politicians.

A second event, held in Rome again under the aegis of the SISP, was devised and organised with the same aim. That workshop, which took place in June 2019, involved a number of scholars (from Political Science and other disciplines) and professionals interested in understanding if and how the Italian parliament has changed in Legislature XVIII. The current legislature indeed presents some elements of novelty if compared to the previous ones, both in terms of party system configuration and in terms of the institutional framework. The collection of articles in this Special Issue is a first output of the workshop we held in Rome in 2019. This Special Issue involves not only Political Science scholars, but also practitioners in the Italian political institutions. The contributions benefit from insights from disciplines such as public law, data science, political communication and linguistics. Combining different skills is indeed essential to create a more complete, multi-faceted analysis of parliament and, more in general, of representative institutions.

## **Contents and findings of the Special Issue**

All the articles in this Special Issue highlight elements of continuity and discontinuity with the past that characterize the start of Italian Legislature XVIII. The Special Issue opens with Alice Cavalieri's article, showing that changes and inertia survive mixed together. In spite of the electoral victory of 'populist' parties – the Five Star Movement and the League – in the 2018 elections, the budget law approved at the beginning of Legislature XVIII, probably the most important policy appointment and contentious moment of the year, did not testify unambiguously to an enduring radical change taking place. As Cavalieri points out in her article, the most disruptive feature of the Conte I cabinet's budgetary process was the attempt to openly infringe the European Commission restraints of the multiannual deficit. On the one hand, such an attempt was pretty successful in terms of symbolic position taking but much less successful in terms of concrete 'financial' outcomes. The prompt reaction of financial markets led the government to partially revise the planned deficit size. On the other hand, the budgetary law enacted by the so-called 'yellow-green' cabinet fulfilled two crucial policy promises made by the coalition parties – the Five Star Movement and the League – during the electoral campaign, by increasing the financial amount spent on social protection, in particular on the 'citizenship income' and on the extension of pension eligibility criteria.

According to Cavalieri's definition, the coalition between the Five Star Movement and the League was 'irresponsible' as regards domestic and international systemic constraints, even if less so than in its intent, but perfectly 'responsive' towards the electorates of the two ruling parties. Nevertheless, the 'index of transformativeness' used by the author shows that the overall rate of change associated with Conte I's original budget proposal with respect to the previous budgetary law was lower than the change brought about by other governments' budgetary bills during the Second Republic in similar circumstances, namely after a government alternation at the beginning of a new legislature. Interestingly, despite its different political nature, the Conte II government – formed in 2019 involving the Five Star Movement together with the Democratic Party (*Partito Democratico*, PD) and other left and centre-left parties – was almost unable to correct the budget structure decided by the previous government, while it was sensitive to and respectful of the supra-national restraints. In other words, the coalition between

the Democratic Party and the Five Star Movement, contrary to the previous one, was not very responsive (above all towards PD voters), but it was responsible. The season of radical changes seemed to have already expired. However, the aspect that reveals the greatest continuity with the past is the strong agenda-setting power of the government vis-à-vis parliament. This continuity can be seen not only between the two governments led by Giuseppe Conte, but also between these and the other governments of the last few years. The index of transformativeness computed by Cavalieri shows that the budgetary law is always very similar to the budget scheme originally proposed by the government. In other words, what the Italian government proposes in terms of budget structure is always substantially confirmed by parliament, no matter which parties are in government.

Italian Legislature XVIII was different from the previous ones not only with regard to the type of government formed after the elections but also in terms of formal rules. While several scholars have focused on the electoral system adopted for the first time in the 2018 elections, in their article Andrea Pedrazzani and Francesco Zucchini turn their attention to the reform recently made to the internal rules of the Senate. In 2017, an extensive reform of the Rules of Procedure of the Italian upper chamber was enacted, revising over one-third of the articles of the standing orders. The revision was celebrated as a crucial reform which would bring discontinuity in the way parliamentary business is conducted in the Senate, as it was expected by many to make decision-making in the upper house more efficient and rapid. This is because the reform introduced more restrictive rules for forming new parliamentary party groups, rationalized several steps of bill examination, strengthened the role of permanent committees in the legislative process and modified the rules for bill assignment to committees.

After summarizing the main contents of the reform and the process leading to its approval in 2017, Pedrazzani and Zucchini focus on the new rules for bill assignment in the Senate. According to the new assignment rules, bills are now normally sent to committees acting in a drafting capacity or a legislating capacity, and not in a reporting capacity (as was the case under the previous rules in the Senate and under the current rules in the Chamber of Deputies). This change was widely expected to enhance the legislative ‘efficiency’ of the Senate. Analysing the law-making data available so far, the authors offer a preliminary evaluation of the impact of the new rules, showing that the Senate’s legislative efficiency has not (yet) increased since the reform. More specifically, two findings are highlighted in the article. Firstly, the political circumstances at the start of Legislature XVIII have often led senators to resort to committees acting in a reporting capacity in order to approve bills – a procedure that has become more costly since the reform. Hence, the new rules have failed to speed up the approval of bills through committees acting in drafting or legislating capacity. Secondly, the post-reform Senate of Legislature XVIII has systematically lower levels of legislative productivity if compared with the pre-reform Senate of Legislature XVII. Quite unexpectedly, the productivity ‘gap’ seems wider when bills are examined in the same committees, well before being considered for approval on the floor.

In her article, Chiara De Micheli analyses whether and how the unprecedented political landscape which emerged after the 2018 elections has affected the functioning of key aspects of the Italian political system. In particular, the article offers a preliminary assessment of the impact of changes in the party system on dynamics observed in the so-

called ‘government-parliament sub-system’. In so doing, patterns of continuity and change are highlighted with regard to law-making in the Italian parliament at the beginning of Legislature XVIII. Expanding on a growing research programme on the evolution of the Italian political system during the Second Republic, the author examines the use of a number of law-making instruments and procedures such as ordinary laws, law-decrees, delegations, votes of confidence and the decentralized approval of bills. Within the conceptual framework developed in the article, frequency in the use of these tools and practices can be associated with key factors like the degree of fragmentation in the party system and electoral volatility. Preliminary findings on law-making data collected at the start of Legislature XVIII highlight links between parliamentary fragmentation, electoral volatility and the characteristics of the legislative process in Italy. As pointed out by the author, persistently high parliamentary fragmentation is associated with the frequent use of decree-laws, delegating-laws and legislation protected through votes of confidence by the Italian governments, at the expense of ordinary legislative procedures. Moreover, high electoral volatility seems to lead governmental actors to promote the executive’s initiatives through non-ordinary instruments of legislation. By showing a high degree of decision-making efficiency, these instruments help government parties to respond – or at least, appear as more responsive – to the political demands of volatile voters.

In his contribution, Valerio Di Porto reviews the main events of the first Conte government, seeking to establish a connection between the political-institutional aspects of this (unprecedented) government coalition and the use it made of legislative instruments, as well as between the devaluation of parliament and the success of legislative parliamentary initiatives. In this review the author also compares the first months of Italian Legislature XVIII with the first months of the preceding legislative terms, going back to 1996. Di Porto concludes that the first Conte government and the legislature in which it operated differentiate themselves from the preceding ones in terms of the types of action mainly orientated to the present and to constitutional reforms – apparently small but huge in terms of impact. An example was the reduction in the number of parliamentarians, which was strongly supported by the Five Star Movement and then approved by the referendum held in September 2020.

Exactly like the other legislatures taken into account in Di Porto’s comparison, the current one will end with a government and a parliamentary majority which are different from the initial ones, but (so far) with the same prime minister. Of course, the emergency and relative actions related to the outbreak of the Covid-19 pandemic (not covered by the author) have made the ‘present day’ mentioned in the article’s title even more significant and have thrown into the game further variables that will need to be explored at the end of the legislature, in order to have an overall view and evaluation of both Conte governments.

The last article in this Special Issue concentrates on elements of continuity and discontinuity in the nature of the main players of party competition at the start of Legislature XVIII. The elections held in March 2018 have been repeatedly described as the triumph of the populist parties. However, the characteristics which make a party ‘populist’ are still the subject of fierce debate. The article by Claudia Roberta Combei, Matteo Farnè, Daniela Giannetti and Luca Pinto pays specific attention to political discourse to understand whether and to what extent prominent politicians belonging to

populist and non-populist parties focus on different topics. From a methodological point of view, this work utilizes – and contributes to – the growing body of literature using the text-as-data approach. In particular, the authors analyse party manifestos through a dictionary approach to estimate the degree of populism of Italian parties and an unsupervised learning method to capture the policy content of Tweets. Moreover, the authors take a step forward to measure the populist tone of Tweets. The results are interesting in at least two respects. On the one hand, the analysis of party manifestos considers both the M5S and the League as populists but denies that the extreme-right Brothers of Italy (*Fratelli d'Italia*, FDI) belongs to the same category. This finding, based on clear and explicitly declared criteria, has the merit of reinvigorating the debate on how to measure populism, going beyond impressionistic judgements. On the other hand, and on more substantive grounds, the article reveals that the issue dominating the agenda of both populist parties, albeit to a different degree, has been immigration, which has also been discussed in populist tones by the League. Interestingly, also the Tweets posted by politicians belonging to Brothers of Italy frequently addressed migration, but they did so in a non-populist tone.

## Concluding remarks

Italian Legislature XVIII opened with great hopes for discontinuity from the past. The Conte I government, formed by two anti-establishment parties, promised to finally deliver that ‘change’ which Italian citizens had been expecting for a long time. With regard to the functioning of parliament, Roberto Fico – the new President of the Chamber of Deputies and a prominent figure in the Five Star Movement – made several promises in his inaugural speech. First, in its role as the central representative institution, the new parliament would be able to resist external pressures. It would cut its costs. Finally, the Chamber of Deputies would learn the lesson of the Senate and reform its Rules of Procedure.

A number of novelties are undeniable, starting from the reduction in the number of parliamentarians. At the same time, the contributions of this Special Issue reveal that, in several regards, the radical changes expected by many have not occurred: the most relevant policy outputs have been imposed by the government on parliament without much discussion and the new rules introduced in the Senate have proved insufficient to improve the efficiency of the legislative process. In these respects, the keyword of this legislature has still been continuity rather than change. This conclusion is valid even when looking at the communication strategies of the parties: while the advent of new media imposes new ways to relate with the public, the most debated themes have not changed very much: migration, a topic that became salient on the public and political agenda about two decades ago, in the early 2000s, remains a signature issue for many parties.

As mentioned above, in this picture one can risk overlooking the most important, and perhaps only significant change: the reduction in the number of parliamentarians approved by the Italian parliament and confirmed by a large majority in the popular referendum held in September 2020. This institutional change – jointly with a likely new electoral system – will perhaps bring a major transformation in the way the Italian parliament functions. In which direction it will go, though, it is too soon to say.

# Responsiveness, Responsibility and the Role of Parliament. Public Budgeting in Italy in the Time of Techno-Populism

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## Abstract

Institutional frictions ruling the public budget narrow a government's possibilities to implement its electoral stances and policy preferences. At the same time, parties increasingly move around between the choice to be responsive and the need to be responsible. These have become major challenges in Italy, particularly after the 2018 elections and in the era of techno-populism, when many parties took office while advertising themselves as expert problem-solvers and the only ones able to give a voice to popular demands. Measuring the allocation of expenditure and budget changes in Italy during the XVIII legislative term, the paper studies the trade-off between responsibility and responsiveness and populism where budget policy is concerned. It also sheds light on the balance of power between the executive and the legislative, investigating how the first and second Conte governments steered and exploited the budgetary process to protect their spending preferences.

## Introduction

The political earthquake of the 2018 national elections, a consequence of sharp critiques of representative democracy and of a profound process of party system deconstruction, has invested Italian politics. While the key players of this period are not brand new in the Italian political arena, their characteristics have changed substantially during recent legislatures. An overview of the XVIII legislative term is as follows. After weary post-electoral negotiations, the Five Star Movement (M5S) and the League formed a coalition government sealed by the so-called 'Contract for the government of change', characterized by striking anti-elite rhetoric. In fifteen months of government, they had to balance their promissory agenda as quarrels emerged because of divergent policy preferences, which exacerbated latent tensions and eventually led to the government's fall.<sup>1</sup> Employing a strategy to avoid new elections, the M5S and the Democratic Party (PD) agreed on a joint platform to form a new cabinet (supported by minor parties such as Italia Viva<sup>2</sup> and Liberi e Uguali, LeU) headed again by Giuseppe Conte.

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<sup>1</sup> The government's breakdown followed the outstanding success of the League at the 2019 European elections, which overturned the balance of power between the government partners (see Appendix, Figure A-1), after which Salvini called new elections.

<sup>2</sup> Italia Viva was formed following a scission within the PD which occurred a few days after the inauguration of the Conte II government. Since that moment, the party has supported the government.



Much has already been written about the innovations and characteristics of the two cabinets delivered (so far) during the current legislative term, and in particular about the former one (among others Giannetti et al. 2020; Marangoni and Verzichelli 2019; De Giorgi and Dias 2018). Despite these valuable works, we still lack studies that analyze how the two cabinets managed the budget policy.<sup>3</sup> Indeed, as soon as they took power, both cabinets had to cope with *one of*, if not *the* most important policy appointment and contentious moment of the year, namely the discussion and approval of the budget law. Because of its characteristics, the budget constitutes a privileged instrument for analyzing the government's policy priorities. An investigation into how much funding one program receives compared to others reveals how important that policy is for the government. In this sense, the budget is an essential element of political representation, because 'it is primarily on spending choices that the voters' consensus joins or dissolves' (Luciani 2019: 48). However, multi-annual spending commitments, European economic parameters, along with the need to interact with coalition partners and opposition, restrain individual parties from achieving their spending targets. For these reasons, the budget seems to be the litmus test for understanding how governments balance the long-term needs of citizens and country (responsibility) and the short-term demands of voters (responsiveness) (Bardi et al. 2014).

Resting on scholarships about populism and techno-populism, this paper studies the budget policy of the first and second Conte governments, and aims to assess the performance of techno-populist parties in government and how they balance responsiveness and responsibility during the budgetary process. Findings show that the Conte I government emphasized responsiveness and was able to implement the targets of the 'Contract', while the Conte II one acted more responsibly to the detriment of its policy goals. The ongoing crisis of parliamentary decision-making, evident here from the ability of both governments to suffocate parliamentary debate, and the limelight on the budget during the discussion and approval phases, allows techno-populists to exploit this venue to continue stressing their adversarial image. The paper is divided as follows: section 1 reviews the main threads of research on populism, techno-populism, and budget policy; section 2 explains the research strategy, presenting a few insights into the 2019 and 2020 budgets; section 3 analyses the budgetary process during the Conte I and II governments; the last section discusses the main evidence.

## 1. Theoretical framework

### 1.1. The Italian XVIII legislative term: all the colours of techno-populism

Representative democracy has been in dire straits for a few years now. Many transformations, such as the mediatization of political communication, globalization, and multilevel governance have put a strain on party government, exacerbating the struggle between responsiveness to public opinion and responsibility to domestic and international systemic constraints (Mair 2011). Challenges to representative democracy have taken root mainly from two angles, namely populism and technocracy. Populist parties

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<sup>3</sup> Scholars have either investigated only the budget of the Conte I government (Codogno and Merler 2019) or focused on how the Conte I and II governments dealt specifically with the problem of public debt (Marzinotto 2020).

have enhanced their role in the national politics of several countries, gaining ruling positions after successful electoral results. Perceiving political parties as no longer being able to give voice to people's needs and fostering the idea that politics must reflect the *volonté générale* of the people, populist parties appeal for a closer link between citizens and decision-makers (Kriesi 2014). On the other hand, the technocratic critique blames political parties' search for short-term consensus, which obstructs responsibility. It asks for more power for experts who do not fulfil a mandate but, in contrast, 'claim to act in the best interest of society' (Caramani 2017: 63). Their common monolithic view of the community, divided between (good) citizens and (corrupt) elites (Mudde 2004) (populism) and between right and wrong (Caramani 2017) (technocracy), make them appear as 'mirror images of each other' (Müller 2014: 28). These characteristics fuse together within a new party family of 'techno-populism' (Bickerton and Accetti 2018).

The Italian XVIII legislative term, begun in March 2018 after a round of voting that reshuffled Italian politics, accommodates all of these political innovations, with populists and techno-populists alongside mainstream parties. It is also the first legislature to give rise to the first fully-fledged populist government in Italy and in Western Europe (D'Alimonte 2019). This transformation accompanies a broad crisis of democratic legitimacy (Bickerton and Accetti 2018) and parliamentary processes (Ferrajoli 2017), a consequence of the discrediting of political parties and decentralized decision-making (Lupo 2019). It is no coincidence that the non-partisan and technocratic profile of ministers – especially of the Minister of Economy (MoE) who fulfils an extremely complex and burdensome role (Hallerberg and Wehner 2020) – has increased over time (Verzichelli and Cotta 2018). Conte himself is a non-party political actor with a strong 'technocratic profile' (Marangoni and Verzichelli 2019).<sup>4</sup> He firstly presided over a government composed of the techno-populist M5S (Bickerton and Accetti 2018) and the radical-right League (Passarelli and Tuorto 2018). Its fate remained uncertain for most of the time because of the two parties' opposite policy views – especially on economic and immigration policy (Basile and Borri 2018; Gianfreda and Carlotti 2018) – and because of the tensions between the two deputy prime ministers Di Maio and Salvini. In a little over a year, they loudly advertised their attitudes, starting from the inaugural speech of the cabinet, when the Prime Minister himself defined the incoming government as populist (cited in Basile and Borri 2018). In fact, the whole Conte I government may be defined as techno-populist. After all, while the M5S already epitomizes this label, there is a growing tendency of far-right parties to move into techno-populist stances (Bickerton and Accetti 2018). Indeed, the League presents the party as a problem-solver and eschews any political compromise and ideological confrontation, in line with the technocratic conception of politics (Meynaud 1964; Fischer 1990) expressed by techno-populism (Caramani 2017; Bickerton and Accetti 2018).

It was precisely the hyper-competitive strategy of the leaders of the two parties (Marangoni and Verzichelli 2019) that caused the breakdown of the government and the

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<sup>4</sup> Besides the technocratic connotation of the prime minister, shared by the Conte I and Conte II governments, the two diverge in their degree of 'technocracy'. As highlighted by Valbruzzi (2018), the former displays the highest percentage of technocrats among the members of the cabinet, compared to all the Italian partisan governments (excluding the technocratic governments led by Ciampi, Dini and Monti). The share of technocrats decreased with the Conte II government, as a consequence also of the higher number of coalition partners who demanded control of some ministries.

appointment of Conte II. Differently from the previous cabinet, the latter matches together the techno-populist traits of the M5S and the center-left mainstream attitude of the PD. It has shown the M5S abandoning its harsh criticism of its new ally and a gradual shift towards a pro-European attitude (Di Quirico 2020). All things considered, both cabinets of the XVIII legislative term are unusual in Italian republican history, blending populist claims with technocratic attitudes (Conte I) and the same two with mainstream parties' stances (Conte II). Evidently, the anti-establishment trait of the M5S and League makes their participation in government considerably difficult, because of the risk of 'normalising' their image' and adopting the much-criticized behavior of the elite from which they strive to be different (Tronconi 2018: 172). Ultimately, maximalist populist pledges seem to be a political strategy mostly suitable for opposition parties to increase their appeal and consensus, while being hardly attainable for incumbent parties.

This paper considers the context just presented and aims to study how the Conte I and II governments steered the budgetary process, in order to figure out the consequences of techno and populist participation in government where the budget policy is concerned. Before going in depth into the analysis, the next section elucidates on the fundamental role of budget policy and the main dynamics it is subject to.

## 1.2. The Italian budget policy between constraints and attempted reforms

The annual appointment with the budget law is always one of the most discussed and contentious moments of the year and of the government's life. No government emerges from the budgetary process perfectly unscathed, and the implementation of policy preferences through the annual allocation of resources is increasingly challenging. This is because the budget conceals a crucial contradiction: while it is intended to contribute to continuity and change, flexibility and rigidity, it is impossible to succeed in all these mutually exclusive aspects (Wildavsky 1978). Some of them prevail and, unsurprisingly, this causes tensions and dissatisfaction.

Despite this aspect, the quantification of collective political decisions through the budget – a result of the adaptation of political actors' choices to the domestic institutional setting, incoming information, and the external environment – is essentially the 'life-blood of the government' (Wildavsky 1992: 595). However, because of its extreme complexity it does not necessarily give rise to innovative single policies. The strict rules that govern public budgeting and the high transaction and information costs (Buchanan and Tullock 1962), make it the most constrained policy venue (Jones et al. 2003). Therein, the strength of frictions that must be overcome to give rise to policy modifications rises considerably (Jones and Baumgartner 2005). The allocation of expenditure is therefore locked into an incremental pattern of tiny modifications which marginally depart from past choices. Basically, the legislator decides how to allocate financial resources by adjusting the previous year's expenditure, either by slightly enlarging or reducing funds. This dynamic becomes stronger because of the hurdle, for parties, of driving public policies according to their ideological preferences,<sup>5</sup> and restrictions placed by multi-annual spending commitments and by European economic and fiscal requirements.

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<sup>5</sup> Different threads of research have uncovered the lack of a direct effect of partisan ideology on deficits (de Haan and Sturm 1994; Borrelli and Royed 1995) and the crucial role of incoming information and external shocks on budget changes (Epp et al. 2014; Breunig 2011).

Noticeably, responsiveness is no longer the main government's concern and needs to be counterbalanced with the request for responsibility from multilevel governance (Mair 2011), which on some occasions has pushed governments to prefer the latter over the former at heavy electoral expense (Bellucci et al. 2012).

In the Italian case, the broad power of parliament over the budget has for a long time bridled the executive's steering capability in controlling public finance. Nevertheless, a gradual reforming process, begun more effectively during the nineties, seems to have determined the conditions for an appropriate institutional design, achieving the purpose of strengthening the role of pivotal actors, such as the government and the MoE (Di Mascio et al. 2017). There is evidence of a clear-cut path in the long-term transformation of the budgetary process that aimed to ease an overblown budgetary cycle, improving its effectiveness and providing both the formulation phase and the parliamentary session with adequate timing and clear rules about the institutional role of each actor. In this regard, the 3-year time span of fiscal and economic policy objectives (in force since 1988) is intended to overcome the decision-makers' short-sightedness and to foster larger changes, while Zero-Based Budgeting (ZBB) (effectively in force since 2016) detaches the executive from previous spending decisions, granting ampler leeway for the allocation of funds.

## **2. Method and research strategy**

Comparative policy studies partially solved the small-*n* problem (too many variables and too few cases) by improving methodological sophistication and employing cross-countries pooled time-series data (Beck and Katz 1995). A wealth of quantitative studies on budget rest on the Punctuated Equilibrium Theory (Jones and Baumgartner 2005), which explains the pattern of stability and change, analyzing the distribution of budget modifications (among others Breunig 2011; Breunig and Jones 2011; Jones et al. 2003). Concurrently, many researches have emphasized the usefulness of carrying out small-*n* analysis (Brady and Collier 2010; King et al. 1994). In this regard, the neo-institutionalist approach compares case studies attempting to unravel the complexity of interacting factors in joint decision-making processes (Scharpf 1988). Specifically, the interaction-oriented model conceives actors and their interplay as causes of the type of policy response, while institutions are considered as remote causes molding actors' decisions (Scharpf 1997).

Because the purpose of this study is to describe techno-populist parties' behavior and degree of responsiveness when coping with the budget, a mere quantitative study would inevitably blur the comprehension of dynamics in place. As recommended by recent works on policy and budget transformations (Walgrave and Varone 2008; John and Bevan 2012), mixed-method strategies would substantially improve knowledge on the occurrence and characteristics of changes. Adopting this strategy, I compare the 2019 and 2020 *manovra*<sup>6</sup> through a detailed description of the role of actors and their interactions during the budgetary process and a quantitative analysis of the allocation of

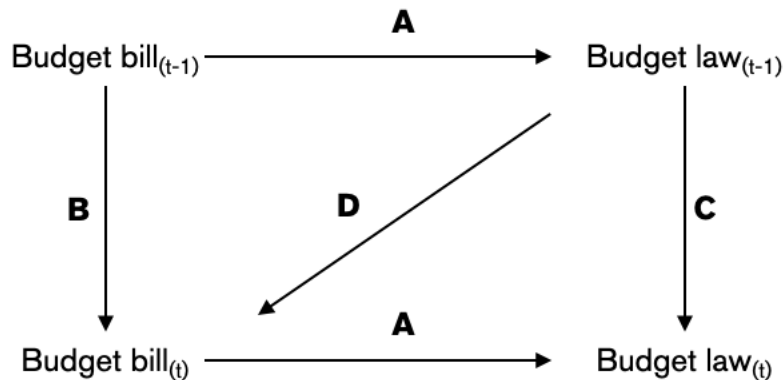
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<sup>6</sup> The term 'manovra finanziaria' identifies the annual financial package composed of the budget bill and additional corrective measures introduced through bills and urgent decrees. I use the official name of the budget, meaning that the 2019 budget was introduced and approved in 2018 (the same for the 2020 one and for those displayed in Table 1 and Table A-2).

expenditure across budget categories. The case selection strategy is driven by a twofold rationale. First, whereas other Italian parties that governed in past years have been considered populists, the characteristics of those ruling in the present legislative term are profoundly different.<sup>7</sup> At the same time, the divergent ideological placement and composition of the two governments, which however have been headed by the same prime minister, make the comparison extremely interesting. Then, from a methodological point of view, by keeping the legislative term homogeneous, the challenge cast by the difficulty of managing the complex array of causal constellations is easily prevented because the two budgets already represent a subset of cases that allow certain contingent factors to be held constant. This makes it easier to single out the influence of certain conditions with a higher degree of confidence.

Quantitatively, two different sources can be used to study Italian budget policy, namely the budget bill (where the government draws its actual spending intentions, later submitted to parliament) and the budget law (approved by the Chambers at the end of the year after the parliamentary session). Using these documents, different types of comparison are possible, depending on the point in time and the document considered (Figure 1).

**Figure 1.** Types of analysis between budget documents



Source: own elaboration

Here, I am interested in seeing whether spending choices are transformed according to the government in charge. The variation between the law<sub>(t-1)</sub> and the bill<sub>(t)</sub> (D), which displays how much the government relies on the spending decisions of the previous budget law when drawing the new year's bill, fulfils this task.<sup>8</sup> Because the budget is barely changeable and partisan preferences are unlikely to be translated into spending decisions, investigating how the government tries to adjust the budget bill uncovers the attempt to pursue new policy goals. If the government is still in office, one may find a long-

<sup>7</sup> While also Berlusconi's personal parties have been labeled 'liberal-populist' (Mudde 2004), the ideological platform of his parties better approaches those of the 'mainstream European center-right' (Verbeek and Zaslove 2015; Ruzza and Fella 2011). Additionally, in terms of party competition, Berlusconi's parties have generally played the role of the functional equivalent of the mainstream right in the Italian political system (Castelli Gattinara and Froio forthcoming).

<sup>8</sup> Differently from the comparison of two consecutive budget laws, this allows us to clearly highlight the government's intentions in relation to the status quo (interpreted as the budget law approved the year before), and the distance in policy preferences between parties that succeeded in government.

term budget plan or, in contrast, if a new government writes the bill one would expect a substantial shift in the position of the status quo (Zucchini 2011), due to the parties' attempt to be responsive towards the electorate. However, annual adjustments are affected also by the economic and fiscal conditions of the state and are not necessarily a function of deliberative choices. The comparison between the budget bill and the budget law of the same year (A) overcomes this issue, and allows the decisions on budget adjustments that result from the current legislation to be unraveled.<sup>9</sup> This type of modification enlightens us as to the leeway of parliament in altering the spending proposals of the executive or, in contrast, about the ability of the executive to exploit the rules of procedure in order to preserve the budget from substantial changes. As demonstrated by Pedrazzani and Zucchini (2013), a crucial factor affecting the degree of adjustment of governmental legislation by parliament is precisely the distance between preferences of the cabinet and those of the parliamentary majority.<sup>10</sup> It is also informative about the role of other actors who might intervene during the budgetary process, such as the European Union.

To carry out these different types of analysis, I rely on official budget documents from the Minister of Economy and Finance (MEF) and make use of spending objectives classified according to the internationally adopted COFOG scheme, which splits public spending into ten macro-economic functions (I level) and sixty-five micro ones (II level) (see Appendix, Table A-1). These data allow the allocation of expenditure to be measured and compared across single policy domains. To place the two budgets in analysis within a broader framework of Italian budget policy over the past twenty years, I use an index of transformativeness which measures the variation in the allocation of expenditure across budget domains between the bill and the law (Cavalieri et al. 2018). More precisely, I firstly calculate the proportion of each budget item of the bill on the total expenditure of the bill itself,<sup>11</sup> then the proportion of the same budget item of the law on the total expenditure of the law. Next, I compute the difference between proportions for each spending item and calculate the percentage change score. This gives a sense of how much each of them moves away from the original document. I then square these values and sum them together to obtain a yearly value, later divided for the total number of spending domains.<sup>12</sup> Technically, it is possible to express the index with the following formula:

$$\text{Index of transformativeness} = \frac{\sum [p(x_{i(t)}) - p(x_{i(t-1)})]^2}{10}$$

where:

$p(x_{i(t)})$  is the proportion of expenditure for the budget function  $i$  at time  $t$ ;

$p(x_{i(t-1)})$  is the proportion of expenditure for the budget function  $i$  at time  $t - 1$ .

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<sup>9</sup> This avoids potential errors due to different interpretations of the coding scheme used for categorizing expenditure.

<sup>10</sup> While the authors demonstrated that bills pertaining to many policy dimensions and complex subjects emerge extensively altered from the parliamentary debate, they excluded budget laws from the study precisely because of the radically different parliamentary dynamics that shape the final legislation.

<sup>11</sup> Using the proportion of expenditure on the total, I control for size and focus only on the budget composition.

<sup>12</sup> Here I compute the index using macro-categories to be coherent with the analysis in section 3 that is only based on those categories. However, it is also possible to use the micro-categories and divide for their total number, namely 65 (see Appendix, Table A-2).

The index has a twofold merit. On the one hand, using squared values, it prevents negative modifications from resetting positive ones, thus really considering the degree of change of each annual *manovra*. On the other hand, it allows us to assess the transformative nature of the budget, focusing on the dispersion of changes, and considers widespread adjustments across several categories as having a non-transformative nature.<sup>13</sup> Years of interest show in both cases extremely low values, despite some differences (Table 1).

**Table 1.** Index of transformativeness between budget bill and budget law (1999–2020)

Year	Law <sub>(t-1)</sub> /Bill <sub>(t)</sub> (D)	Bill <sub>(t)</sub> /Law <sub>(t)</sub> (A)	Year	Law <sub>(t-1)</sub> /Bill <sub>(t)</sub> (D)	Bill <sub>(t)</sub> /Law <sub>(t)</sub> (A)
1999		0.0493	2010	0.8499	0.0675
2000	0.9258	0.7184	2011	0.9640	0.0259
2001	0.3225	1.1039	2012	0.4384	0.2135
2002	15.4752	0.2031	2013	0.2428	0.3457
2003	0.2285	1.1234	2014	0.7120	0.0983
2004	0.7928	0.0709	2015	2.6552	0.3020
2005	0.0839	0.2354	2016	0.3424	0.1063
2006	0.4927	0.2297	2017	0.0888	0.0006
2007	33.9030	28.6182	2018	0.0239	0.0016
2008	0.2814	0.1514	2019	0.7236	0.0007
2009	6.7153	0.0088	2020	0.1568	0.0016

Source: own elaboration

With regard to the first column, the degree of transformativeness of the budget for 2019 is quite high compared to that for 2020, meaning that the Conte I government aimed to considerably modify the distribution of expenditure allocated by the previous government. Is this the effect of the cabinet composition and the attempt of the M5S and League to be responsive to their electorate? Instead, the Conte II government relied a great deal on the previous year's budget. Is the lower value a consequence of the containment put in place by a mainstream ally that balanced M5S attitudes towards higher responsibility? Considering the level of transformativeness between the bill<sub>(t)</sub> and law<sub>(t)</sub>, in 2018 the parliament left almost unchanged the allocation of expenditure foreseen by

<sup>13</sup> Other indexes can be used to measure the difference between the bill and the law, such as the Duncan dissimilarity index (Duncan and Duncan 1955) and the measure of budget distance developed by Tsebelis and Chang (2004). The former is a measure of dissimilarity between two distributions, whereas the latter assesses the change in the structure of the budget, represented as the distance between points in an n-dimensional Euclidean space (Tsebelis and Chang 2004: 454). Despite the diffusion and reliability of these measures, here I stick with the index of transformativeness already used in a previous study to estimate the divergence between the budget bill and the budget law in the Italian case (Cavaliere et al. 2018). It appears more intuitive and accounts also for the number of budget categories. To increase the reader's confidence in the index, I evaluate the distance between documents using also the other two measures (see Appendix, Table A-2). Correlation matrixes in Table A-3(A) and Table A-3(B) confirm reliability on the index of transformativeness, which correlates almost perfectly with both the Duncan dissimilarity index and the index of budget distance.

the Conte I government, while it intervened more during the 2019 budgetary session. However, the degree of transformativeness is still very low and in line with an ongoing trend that displays the reduced impact of parliamentary debate on the bill. While these values already give a cursory insight into how the two cabinets managed the budget, they do not provide information about the favorite policies the two executives aimed to implement. How can we explain these, though small, differences? Was there a substantial dissimilarity in the management of the budgetary process between the two cabinets and – if this is the case – what are the determining factors? The qualitative analysis aims to answer these questions.

The study of each *manovra* is assisted by two plots, which appreciate both the weight of each budget authorization on total spending and the percentage change in spending from the two points in time considered. On the one hand, I first calculate the proportion of each spending domain in the bill and in the law on the total expenditure of the corresponding document, then I compute the difference between the two. In this way I get the changed relative importance of each budget category, as expressed by the following formula:

$$P_i = p(x_{i(t)}) - p(x_{i(t-1)})$$

On the other hand, I compute the percentage change between the expenditure for each domain in the bill and the expenditure for the same in the law, stated as follows:

$$C_i = \frac{(x_{i(t)}) - (x_{i(t-1)})}{(x_{i(t-1)})}$$

where:

$x_{i(t)}$  is the total amount of expenditure for the budget function  $i$  at time  $t$ ;

$x_{i(t-1)}$  is the total amount of expenditure for the budget function  $i$  at time  $t - 1$ .

Overall, considering the characteristics of the budgetary session – a battleground where the government draws the budget bill and tries to avoid substantial modifications from the interference of other actors (e.g. the European Commission and parliament) – the study of the budget offers a unique way to evaluate how political parties balance responsiveness and responsibility, as well as the implications, in term of policy performance, following the techno-populist takeover.

### 3. Analysis

#### 3.1. 2019: a face-saving fight to death with the ‘external enemy’

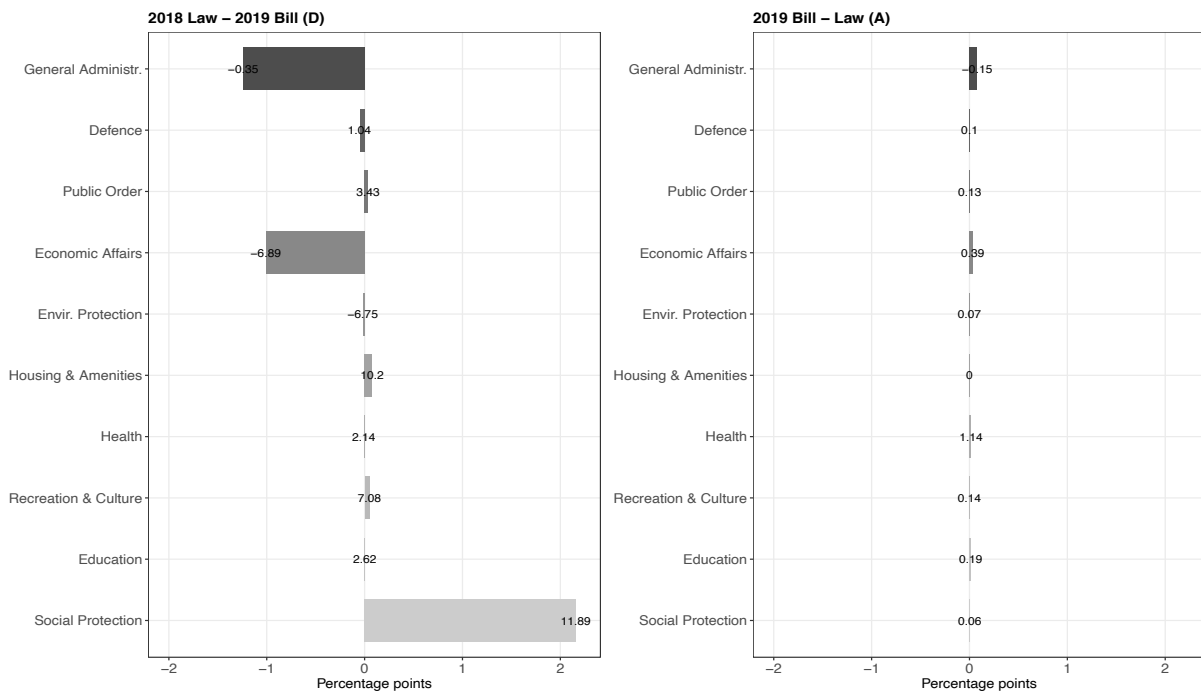
The Conte I government had its first significant test a very few months after taking office with a number of electoral pledges that, put together, seemed hardly attainable. On the one hand, the economic and fiscal proposals of the government partners were crisply in contrast. For instance, in their electoral programs, the League advertised the introduction of a flat tax (a bottom-up redistribution), while the M5S leant toward the ‘citizenship income’ (a top-down redistribution) (Codogno and Merler 2019). On the other, the so-called ‘quota 100’ (the new early-retirement option pledged by the League) and other expansionary measures unveiled the impossibility of complying with the European



requirements that Italy had previously committed itself to. Ultimately, chasing the implementation of their favorite policies, the cabinet decided to disregard the Medium-Term Objectives (MTOs), modifying the original accounts foreseen in the Document of Economy and Finance and setting deficit levels to 2.4 (2019), 2.1 (2020), and 1.8 (2021) percent of GDP.

By doing so, Italy clashed with EU institutions, depicted as the real enemy of national sovereignty and harshly criticized by both parties (Basile and Borri 2018). Its negative aura was further supported following the European commissioners' disapproval of the Italian budget plan and their threat to open the infringement procedure for excessive debt, recognizing 'a deviation of the budget from the stability plan to an extent never seen before' (Commission 2018a). The fierce confrontation between the majority and the EU continued with: a letter in which the Commission asked the government to modify the budget, a renewed request to revise the expected accounts observing 'a particularly serious non-compliance' with the recommendation received in July, and a steadfast persistency on the Italian side, which considered the level of deficit to be 'an insurmountable limit' (MEF 2018). In this regard, the budget bill submitted to parliament left the spending programs almost unaltered compared to the previous year, with few exceptions. The government's intention was to substantially increase the expenditure for 'Social Protection' (about 14 billion), which includes funds both for the citizenship income and for the pension scheme (Figure 2, D).<sup>14</sup>

**Figure 2.** Budget changes across spending functions, 2019 *manovra*



Source: own elaboration

<sup>14</sup> At length: the micro spending functions, part of 'Social Protection,' that grew the most were 'Old Age' and 'Unemployment,' which were expected to gain more than 7 billion (+12.53 percent) and about 8 billion (+65.74 percent) respectively.

With the alarming growth of the spread, which reached 336 points (the highest level since 2013), the European Commission rejected the Italian budget plan and opened the procedure ‘for excessive deficit related to the violation of the debt parameter’ (Commission 2018b). These circumstances – along with criticism from the *Ufficio Parlamentare di Bilancio* for failure to fulfil previous budget objectives and the President of the Republic’s request for a fertile dialogue with supranational institutions – mitigated the government’s attitude. Correcting the financial provisions, the government made the withdrawal of the infringement procedure possible. It agreed to cut the expected spending for the next three years of 10.25 (2019), 12 (2020), and 16 (2021) billion, setting the deficit at 2.04 percent and thereby decreasing the level of debt. At the same time, it resorted to safety clauses to cover the costs of the citizenship income and the early-retirement scheme. Yet, despite this about-face, the majority stressed the fact that ‘Italy never moved back from the priorities chosen by voters in the March 4 polls’,<sup>15</sup> as affirmed by the prime minister, in an attempt to advertise the public image of a government that did not surrender to European ‘diktat’.

During the parliamentary session, the situation became even more troublesome and its management raised several doubts about legitimacy.<sup>16</sup> Precisely, the government resorted to a first maxi-amendment to introduce the new responsibilities agreed at supranational level. Once the document was sent to the Chamber, the government kept on working on the bill at the Committee, making other changes to the text already presented to the Senate and impeding the beginning of the discussion. It then resorted to a second maxi-amendment protected by the confidence vote. When back at the Chamber, with the risk of the provisional budget approaching, the V Committee conceded during a night session to pass the text to the House without discussing or voting on 350 amendments (as already happened in the Senate). The majority keynote speaker renounced the chance to describe the text in order to speed up the process, while the executive asked again for a confidence vote on a third maxi-amendment.<sup>17</sup> From a normative perspective, not only did parliament not have time to discuss the budget, but also the government used the confidence vote each time on a document that none of the parliamentary bodies had previously examined and which differed substantially from those analyzed and voted on earlier (Bergonzini 2019).

How did this translate in terms of policy decisions? The indiscernible variation between the bill and law (Figure 1, A) explains unequivocally that the management of the parliamentary session allowed the government to carry out its far-reaching policy choices. In fact, the feverish budgetary process saw the government coercing parliament into approving the final, brand new maxi-amendment protected by the confidence vote without even discussing it. The tiny shifts are therefore attributable to a change made by the government itself (rather than by parliament) while the budget bill was underway. Even the

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<sup>15</sup> Available online at: <https://www.ilsole24ore.com/art/notizie/2018-12-19/conte-mai-arretrato-e-mai-ceduto-contenuti-manovra-113342.shtml?uuiid=AEZh9M2G>.

<sup>16</sup> The manovra for 2019 saw to the suppression of the usual parliamentary procedure regulated by art. 72 of the Constitution (Cavino 2019). The government not only set extremely scant timing for the parliamentary examination of the bill in the first place, but it eventually skipped the examination itself for the sake of time. Moreover, the vote on a different text from the one issued by the Committee violated the lodo Pera-Morando (Bergonzini 2014: 82-86), a parliamentary procedure which forbids the government to add a confidence vote on a text that the Committee has not previously scrutinized.

<sup>17</sup> In the extreme disorder of this period, FI and other minor parties left the work at the V Committee before the vote, while the PD asked the Chamber, unsuccessfully, to examine and discuss the contents of the bill.

confrontation with European institutions did not alter the spending allocation but concerned only the growth and deficit levels for subsequent years. Although the executive transferred further details to a specific decree preserving only the framework legislation (Codogno and Merler 2019), it was able to safeguard its spending targets and to translate two of its most important electoral stances into actual policies. All in all, the government stood out for its ability to ‘obtain the necessary resources to [...] confirm its fundamental measures’ without ‘blindly accepting European obligations’.<sup>18</sup> As proudly affirmed by an MP of the M5S, the majority ‘delivered a popular *manovra* to Brussels, [...] written by the people for the people’ and it ‘lays claim to sound and constructive populism’.<sup>19</sup>

### 3.2. 2020: ruling the process to repress infighting and keep itself alive

Similarly to the Conte I government, the new majority installed after the summer of 2019 had, almost immediately, to cope with the most important policy decision of the year, with the burden of 23 billion in VAT increase inherited by the previous government and a higher public debt cost caused by the rising spread after fifteen months of a Euro-sceptic stance. In this context, trying to boost economic growth while ensuring balanced public accounts and a proactive participation in the European community (NaDEF 2019), the government asked the European Commission for more flexibility.

After a threefold letter exchange which aimed to appease the EU and the financial markets,<sup>20</sup> the government decided to partially forego the European suggestion to make further progress to ensure compliance with the Stability and Growth Pact parameters. It stood firm on its initial intention so as not to reduce the expenditure for the recently-implemented quota 100 and citizenship income.<sup>21</sup> Keeping these expenditures meant avoiding any other substantial change. This is evident from Figure 2, D where a clear pattern of continuity with the previous budget law emerges. The government did not dramatically alter the allocation of expenditure across spending domains and the weight of budget categories over the total budget was not considerably modified, except for a growth of 10 billion for the category ‘General Administration’ (4.62 percent). The most relevant measure of the 2020 budget was the assignment of about two thirds of the entire fiscal package to repeal the safety clauses. 23 billion was earmarked to avoid the VAT tax hike through the rise of the deficit to 2.2 percent of the GDP (from 1.4 percent). Other measures concerned the reduction of the tax wedge of labor, investments in childcare facilities, along with additional financial and human resources for education and healthcare, and actions to combat fraud and reduce the tax gap (MEF 2019). Overall, these decisions and that of not ‘resorting to the easier choice of implementing linear cuts

<sup>18</sup> Camera, Ass. res. sten. sed. 30/12/2018 (Silvestri).

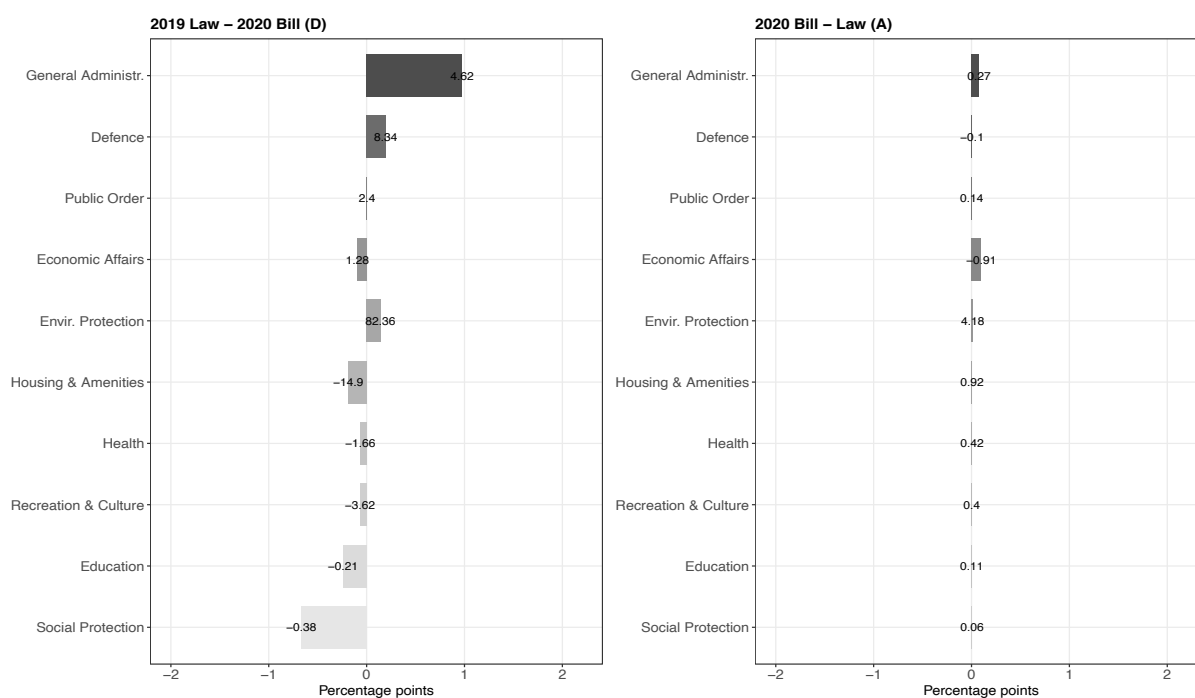
<sup>19</sup> Ibidem.

<sup>20</sup> Initially, the budgetary plan did not convince the European commissioners, who sent a letter to ask for clarifications regarding the request of flexibility (Commission 2019a). After the MoE Gualtieri explained its use for unusual events such as ‘hydrogeological and seismic-risk mitigation, infrastructure repair and upgrade’ (MEF 2019), a second letter from the EU followed, where the Commission acknowledged the ‘risk of significant deviation from the required adjustment towards the MTOs for 2019 and 2020’ and from the debt reduction benchmarks (Commission 2019b).

<sup>21</sup> In a letter to the Commission, the MoE explained that repeatedly changing the early-retirement rules would be damaging and that the number of people who applied for the entitlement was substantially below the initial projections (MEF 2019).

to gain funds to the detriment of public services' were the first steps in a long-term spending review.<sup>22</sup>

**Figure 3.** Budget changes across spending functions, 2020 *manovra*



Source: own elaboration

As regards the process, after discussion at the V Committee, the government presented to the Senate a maxi-amendment protected by the confidence vote. Opposition parties sharply criticized the majority for avoiding the discussion of several amendments, because of the choice to completely modify the text using the maxi-amendment, made necessary because of the approaching December 31 deadline caused by coalition disputes.<sup>23</sup> Incidentally, the quarrels within the cabinet already started in early December, when the Italia Viva group left the work at the Committee after the presentation of several sub-amendments to the maxi-amendment to block the introduction of new taxes. The confrontation both within the majority and with the opposition affected the whole budgetary process, but the executive fought off the charges, affirming that the Committee scrutinized at length the text without excluding opposition parties from the debate, guaranteeing the possibility to amend the document.<sup>24</sup> Nevertheless, the long-lasting custom to achieve approval of the budget just before the end of the year discouraged any real parliamentary debate (De Giorgi and Verzichelli 2008), allowing the government to pass the budget law – a new modified maxi-amendment of 313 pages and 958 clauses – without any change to the bill (Figure 2, A) and also to the text approved by

<sup>22</sup> Available online at: <https://www.partitodemocratico.it/economia-e-lavoro/gualtieri-le-disuguaglianze-il-nemico-da-battere/>.

<sup>23</sup> Senato, Ass. res. sten. sed. 13/12/2019 (Perosino) and also Senato, Ass. res. sten. sed. 16/12/2019 (Rivolta).

<sup>24</sup> Senato, Ass. res. sten. sed. 16/12/2019 (Manca).

the Senate. Precisely, during the second reading at the Chamber, the majority added the confidence vote on the same document approved at the Senate, preventing the usual third reading and obstructing the amending process. In doing this, the symmetrical bicameralism acted *de facto* as a monocameral parliament.<sup>25</sup>

Once again, the government managed to steer the budgetary process and to implement the spending choices drawn up in the bill which, however, responded to a completely different logic from the previous year. As the keynote speaker maintained, ‘the government was formed in an unexpected context, but with a very focused reason: to take on the responsibility to rule the country. The responsibility to govern with untidy public accounts, the responsibility to defuse a 27 billion danger. [...] A responsibility that somebody else did not take on and unloaded onto others, and that the government accepted to avoid all the false promises becoming a high price that Italian citizens would pay’.<sup>26</sup>

#### 4. Discussion and conclusions

By assessing budget politics during the XVIII Italian legislative term, the paper analyzes the 2019 and 2020 *manovre*, carried out by the first and second Conte governments. Using a mixed-method strategy to describe the management of the budget policy and process, the work refers to two different scholarships which investigate the balance of power in parliamentary democracies and the impact of populist parties in government.

First, measuring the distance between the budget bill<sub>(t)</sub> and the budget law<sub>(t)</sub>, it contributes to the study of the relationship between the executive and the parliament in Italy. What emerges is the established ability of the government to steer the budgetary process and to safeguard the intentions drawn in the bill. Apparently, the centrality of the parliament and the MPs’ moral hazard (Verzichelli 1999) which characterized economic policy during the *First Republic* were replaced by the executive’s more incisive role (Di Mascio et al. 2017). Nevertheless, at this point the budgetary process resembles merely a battlefield where the government increases the politicization of the decision-making process to succeed at protecting its spending targets. This it does by exploiting one of the three cornerstones that regulate the management of the budgetary process, namely the December 31 deadline for the approval of the law,<sup>27</sup> and it is encouraged by a reinforced top-down approach and the implementation of the ZBB. This stood out in both budgets considered, although to a different extent and because of different reasons. In 2018, the M5S and the League inflated the conflict against the EU, mounting a strategic – rather than programmatic – polarization to contribute to the popular imagination of (still) fighting parties that do not surrender to the ‘usual’ political dynamics.

<sup>25</sup> See Di Cosimo, available online at: <http://www.lacostituzione.info/index.php/2019/12/27/approvazione-del-bilancio-cambiano-le-maggioranze-ma-non-le-procedure/>. Also, a member of the government during the parliamentary debate affirmed that the parliament was acting in an ‘alternated monocameral regime, because either the Chamber of Deputies or the Senate on their own, alternately, oversee the measures’ (Senato, Ass. res. sten. sed. 13/12/2019, Collina).

<sup>26</sup> Camera, Ass. res. sten. sed. 22/12/2019 (Pagano).

<sup>27</sup> The other two pillars are the prohibition of deliberation during the budgetary session on other measures of a financial nature and the safeguarding of the substantive law’s contents attached to the budget. Pleading the deadline, the government justifies the violation of the other two norms, a custom that is considered to be the actual cause of the lack of adhesion to the general regulations of the budgetary process (Goretti and Rizzuto 2010).

In 2019, instead, the conflict was inside the coalition, which needed to bargain between the popular stances of the M5S and the more responsible attitudes of the PD. While the incentives for the two governments were very different – in the first case the executive aimed to sharpen its ideological profile whereas in the second it tried to keep itself alive – both of them suffocated the parliamentary session for their purposes. This is confirmed by the extremely low values of the index of transformativeness between the budget bill<sub>(t)</sub> and the budget law<sub>(t)</sub> and by the negligible differences displayed in Figure 1, A and Figure 2, A.

This evidence adds information to previous research on the impact of the legislative process on governmental legislation in Italy. As is implied by the qualitative analysis, adjustments to the bill (although extremely small) ensue almost exclusively from the bargain within the government or between the government and European institutions. Even in the case of the budget, the parliament is an arena at the executive's disposal to change the approach if needed where the opposition parties' role is insignificant, as already revealed by Pedrazzani and Zucchini (2013). However, the deprivation of the parliament's functions during the budgetary process is not a new story in Italy (Bergonzini 2014). That said, although the Conte I government pushed the alienation of the parliament to an extent never experienced before (Bergonzini 2019), the crisis of parliamentary decision-making is sustained equally by governments with higher and lower populist stances.

Second, calculating the difference between the budget law<sub>(t-1)</sub> and the budget bill<sub>(t)</sub>, the paper enters the wide debate on the trade-off between responsiveness and responsibility and populism. Acknowledging the League's intransigence for debate and disagreement, and its boasting about being a rational problem-solver – in line with the trend of far-right parties to adopt techno-populist stances (Bickerton and Accetti 2018) – it seems that the Italian political spectrum is by now marked by the division between fully-fledged techno-populism and blended techno-populism, whereby a mainstream party enters a coalition with a techno-populist one. What are the implications of these parties' participation in government in terms of policy performance? A major challenge for populism is to cope with governing tasks while retaining its distinctive traits and not succumbing to the burden of responsibility. In this respect, the Conte I government was successful. It managed to do it by purposefully raising the conflict against the 'external enemy' while advertising its capability to keep promises and its independence from responsibility, feeding its populist rhetoric, and then obstructing parliamentary debate. Despite the achievement, it is clear that the 'the burden of responsiveness leads parties to adopt less responsible behaviors' (Bardi et al. 2014: 245). As a matter of fact, the considerable budget changes put in place by the M5S and the League were all at the expense of the Conte II government, which had to take charge of all the monetary and reputational debts of techno-populists in government. Instead, the inclusion of the PD in the government moved the executive's inclination towards higher responsibility, reducing their pretension as problem-solvers and fostering the dialogue both within the coalition partners and with the EU which, however, did not allow the government to chase specific policy goals.

Overall, the paper shows that techno-populist parties keep on stressing their adversarial image and their maximalist pledges even when in government. However, this

may be due to the importance of the budget – continuously in the limelight for about four months each year – which, although rather difficult to modify, can be easily exploited by parties to spotlight their own image. Further research on different policy venues is needed to understand whether techno-populist parties are always able to retain their distinctive traits once in office. Concurrently, comparative studies on the budget policy considering countries where techno and populist parties are in government would help to understand whether responsibility is doomed to surrender to responsiveness, with potential backlashes on national accounts.

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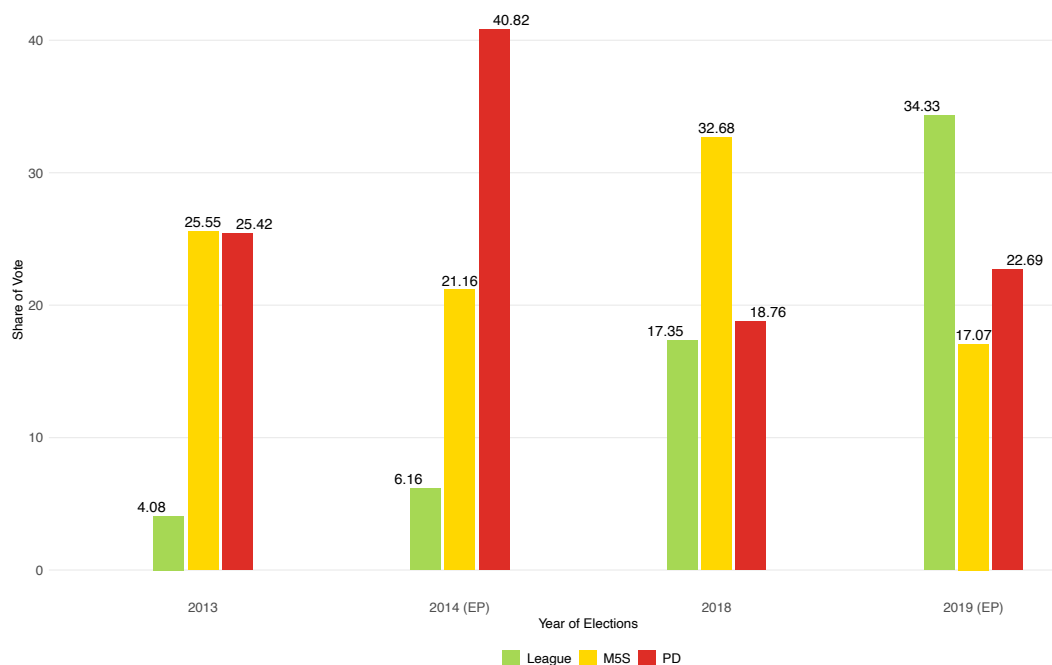


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## Appendix

**Figure A-1.** Electoral results of the three most voted Italian parties in the last decade



Notes: Share of vote at national elections (2013 and 2018) refers to the lower Chamber

Source: Archivio storico delle elezioni, Dipartimento per gli affari interni e territoriali, Ministero dell'Interno (available online: <https://elezionistorico.interno.gov.it>)

**Table A-1.** Categorization of national public expenditure in Italy (1998–2019)

<b>I and II level COFOG (1998–2018)</b>	
<b>1 - General Administration</b> 1.1 - Finance, revenues 1.2 - International aids 1.3 - General services 1.4 - Basic research 1.5 - R&D on general administration 1.6 - Public services 1.7 - Debt 1.8 - Money transfer	<b>6 - Housing and Community Amenities</b> 6.1 - Housing development 6.2 - Territory arrangement 6.3 - Water supply 6.4 - Street lighting 6.5 - R&D on housing and community amenities 6.6 - Housing (not otherwise classified)
<b>2 - Defense</b> 2.1 - Military defense 2.2 - Civic defense 2.3 - Foreign military aids 2.4 - R&D on defense 2.5 - Defense (not otherwise classified)	<b>7 - Health</b> 7.1 - Health devices 7.2 - Non-hospital services 7.3 - Hospital services 7.4 - Public health 7.5 - R&D on health 7.6 - Health (not otherwise classified)

<p><b>3 - Public Order and Safety</b></p> <p>3.1 - Police</p> <p>3.2 - Firefighting</p> <p>3.3 - Courthouses</p> <p>3.4 - Prisons</p> <p>3.5 - R&amp;D on public order and safety</p> <p>3.6 - Public order (not otherwise classified)</p>	<p><b>8 - Recreation, Culture and Religion</b></p> <p>8.1 - Leisure activities</p> <p>8.2 - Culture activities</p> <p>8.3 - Publishing, television</p> <p>8.4 - Religious services</p> <p>8.5 - R&amp;D on recreation, culture and religion</p> <p>8.6 - Culture, religion (not otherwise classified)</p>
<p><b>4 - Economic Affairs</b></p> <p>4.1 - Commerce, labor</p> <p>4.2 - Agriculture, fishing, hunting</p> <p>4.3 - Fuels, energy</p> <p>4.4 - Manufacturing, mining, building</p> <p>4.5 - Transports</p> <p>4.6 - Communication</p> <p>4.7 - Other sectors</p> <p>4.8 - R&amp;D on economic affairs</p> <p>4.9 - Economic affairs (not otherwise classified)</p>	<p><b>9 - Education</b></p> <p>9.1 - Preschool, primary education</p> <p>9.2 - Secondary education</p> <p>9.3 - Post-secondary education</p> <p>9.4 - Higher education</p> <p>9.5 - Education (other)</p> <p>9.6 - Additional services</p> <p>9.7 - R&amp;D on education</p> <p>9.8 - Education (not otherwise classified)</p>
<p><b>5 - Environmental Protection</b></p> <p>5.1 - Waste treatment</p> <p>5.2 - Wastewater</p> <p>5.3 - Pollution control</p> <p>5.4 - Environmental protection</p> <p>5.5 - R&amp;D on environmental protection</p> <p>5.6 - Environmental protection (not otherwise classified)</p>	<p><b>10 - Social Protection</b></p> <p>10.1 - Illness, handicap</p> <p>10.2 - Old age</p> <p>10.3 - Survivors</p> <p>10.4 - Family</p> <p>10.5 - Unemployment</p> <p>10.6 - Residences</p> <p>10.7 - Social exclusion</p> <p>10.8 - R&amp;D on social protection</p> <p>10.9 - Social protection (not otherwise classified)</p>

Source: La nuova classificazione del Bilancio dello Stato e la traduzione in italiano della COFOG, S. Carobene – ISTAT, Dipartimento di Contabilità Nazionale, n. 13/1999 (available online: <https://www.istat.it/it/files//2011/01/cofog.pdf>)

**Table A-2.** Indexes to calculate the difference between the budget bill and the budget law

Year	Macro Categories				Micro Categories					
	Law <sub>(t-1)</sub> /Bill <sub>(t)</sub> (D)		Bill <sub>(t)</sub> / Law <sub>(t)</sub> (A)		Law <sub>(t-1)</sub> /Bill <sub>(t)</sub> (D)		Bill <sub>(t)</sub> / Law <sub>(t)</sub> (A)			
	Budget Distance	Duncan Index	Budget Distance	Duncan Index	Transformativ	Budget Distance	Duncan Index	Transformativ	Budget Distance	Duncan Index
1999			0.0070	0.0096				0.0125	0.0090	0.0182
2000	0.0304	0.0353	0.0268	0.0290	0.2442	0.0398	0.0612	0.1079	0.0264	0.0369
2001	0.0179	0.0223	0.0332	0.0300	0.1387	0.0300	0.0527	0.1901	0.0351	0.0371
2002	0.1243	0.1061	0.0142	0.0140	2.4605	0.1264	0.1615	0.2106	0.0370	0.0360
2003	0.0151	0.0164	0.0335	0.0337	0.0494	0.0179	0.0309	0.4412	0.0535	0.0825
2004	0.0281	0.0275	0.0084	0.0101	1.3688	0.0943	0.1200	2.9645	0.1388	0.1344
2005	0.0091	0.0100	0.0153	0.0140	0.0416	0.0164	0.0299	0.0411	0.0163	0.0229
2006	0.0221	0.0217	0.0151	0.0149	0.2603	0.0411	0.0504	0.0473	0.0175	0.0239
2007	0.1841	0.1589	0.1691	0.1480	0.7183	0.0683	0.1099	0.1474	0.0309	0.0564
2008	0.0167	0.0158	0.0123	0.0150	0.1676	0.0330	0.0448	0.0764	0.0222	0.0330
2009	0.0819	0.0796	0.0029	0.0028	2.8468	0.1360	0.1701	0.0106	0.0083	0.0101
2010	0.0291	0.0286	0.0082	0.0075	0.1576	0.0320	0.0524	0.0037	0.0049	0.0092
2011	0.0310	0.0380	0.0050	0.0051	5.7937	0.1940	0.2143	0.0055	0.0060	0.0102
2012	0.0209	0.0211	0.0146	0.0153	0.0815	0.0230	0.0295	0.0197	0.0113	0.0184
2013	0.0155	0.0168	0.0185	0.0171	0.1037	0.0259	0.0380	0.0487	0.0177	0.0239
2014	0.0266	0.0273	0.0099	0.0104	0.1507	0.0312	0.0381	0.0175	0.0106	0.0174
2015	0.0515	0.0455	0.0173	0.0163	0.4199	0.0522	0.0604	0.0407	0.0162	0.0252
2016	0.0185	0.0181	0.0103	0.0110	0.7889	0.0716	0.0749	0.0218	0.0119	0.0190
2017	0.0094	0.0097	0.0008	0.0007	0.0468	0.0174	0.0271	0.0001	0.0007	0.0009
2018	0.0048	0.0056	0.0013	0.0012	0.0169	0.0104	0.0207	0.0002	0.0011	0.0017
2019	0.0269	0.0232	0.0008	0.0007	0.0978	0.0252	0.0420	0.0001	0.0008	0.0012
2020	0.0125	0.0132	0.0012	0.0011	0.0775	0.0224	0.0350	0.0002	0.0011	0.0018

Notes: the index of transformativeness for macro-categories is in Table 1 (Section 2)

Source: own elaboration

**Table A-3(A).** Correlation matrix between indexes (macro and micro categories)

**Law<sub>(t-1)</sub>/Bill<sub>(t)</sub> (D)**

**Macro Categories**

	<i>Duncan Dissimilarity Index</i>	<i>Budget Distance</i>
<i>Duncan Dissimilarity Index</i>		
<i>Budget Distance</i>	1.00***	
<i>Index of Transformativeness</i>	0.95***	0.97***

**Micro Categories**

	<i>Duncan Dissimilarity Index</i>	<i>Budget Distance</i>
<i>Duncan Dissimilarity Index</i>		
<i>Budget Distance</i>	0.99***	
<i>Index of Transformativeness</i>	0.94***	0.96***

Notes: statistical significance with p-value 0.05 (\*), 0.01 (\*\*), 0.001 (\*\*\*)  
 Source: own elaboration

**Table A-3(B).** Correlation matrix between indexes (macro and micro categories)

**Bill<sub>(t)</sub>/ Law<sub>(t)</sub> (A)**

**Macro Categories**

	<i>Duncan Dissimilarity Index</i>	<i>Budget Distance</i>
<i>Duncan Dissimilarity Index</i>		
<i>Budget Distance</i>	1.00***	
<i>Index of Transformativeness</i>	0.97***	0.97***

**Micro Categories**

	<i>Duncan Dissimilarity Index</i>	<i>Budget Distance</i>
<i>Duncan Dissimilarity Index</i>		
<i>Budget Distance</i>	0.97***	
<i>Index of Transformativeness</i>	0.86***	0.95***

Notes: statistical significance with p-value 0.05 (\*), 0.01 (\*\*), 0.001 (\*\*\*)  
 Source: own elaboration

# Ineffective changes for hard times. The 2017 reform of the Italian Senate's Rule of Procedure and its effects

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## Abstract

In 2017, an extensive reform of the Rules of Procedure of the Italian Senate was enacted. The revision was soon welcomed as a step towards a more efficient and rapid upper house. In this article, we focus on one crucial aspect of the reform: the changes made to the rules governing the assignment of bills to parliamentary committees. In particular, we analyze the costs associated with the different assignment procedures and develop some theoretical expectations about the change brought about by the reform in terms of decision-making efficiency. These expectations are empirically evaluated against data on lawmaking in the Senate before and after the reform. A comparison is also carried out using data from the Chamber of Deputies. Preliminary results show that the new rules have not improved the efficiency and productivity of the Italian Senate so far.

## 1. Introduction

In late 2017, an ambitious reform of the Rules of Procedure of the Italian Senate was enacted. In purely quantitative terms, over one-third of the articles of the standing orders were modified. More substantively, the reform revised several important aspects regulating the lawmaking process in the Senate and the functioning of the upper house more in general. In particular, the reform introduced more restrictive rules for forming new parliamentary party groups, strengthened the role of permanent committees in the legislative process, and rationalized several steps of bill examination in the Senate. Not only the proposers of the reform, but also many observers welcomed the 2017 revision as a reform which would increase the decision-making efficiency of the Senate. Just one year before the reform, the Italian Senate had 'survived' a constitutional referendum attempting to reduce its role in the lawmaking process. By revising its internal rules, the Senate then seemed to take 'revenge' on all its detractors. The reform in the Senate was even more appreciated due to the fact that, in the same period, a similar attempt to reform the standing orders of the Chamber of Deputies proved unsuccessful.

In this article we focus on one crucial aspect of the 2017 reform, namely, the changes made to the rules governing the assignment of bills to parliamentary committees. Accounts of the legislative process in Italy have typically focused on patterns of government-opposition cooperation (Di Palma 1977; Cotta 1994; Capano and Giuliani 2001; Giuliani

2008; De Giorgi 2016), on the agenda setting role of the government (Zucchini 2013; De Micheli 2014), on intra-coalition dynamics (Pedrazzani and Zucchini 2013; Pedrazzani 2013, 2017; Conti and Marangoni 2015), or on the impact of bicameralism (Zucchini 2008; Pedrazzani and Zucchini 2020). Studies of how bill assignment procedures affect legislative outcomes are rare. However, bill assignment procedures can be a crucial aspect in the legislative process.

As to bill assignment procedures, in both the Italian Chamber of Deputies and the Senate, bills are assigned to a standing committee according to three possible procedures. The committee can act: a) in a reporting capacity (*sede referente*), i.e. the committee is charged with a preliminary examination of legislation to be reported on in the assembly, where the bill can be amended and possibly approved; b) in a drafting capacity (*sede redigente*), i.e. the committee examines the bill and proposes a draft bill to the floor, which can either approve or reject it; or c) in a legislating capacity (*sede legislativa* in the Chamber, *sede deliberante* in the Senate), i.e. the committee can approve the bill with no further steps on the floor. Before 2017, in both chambers, bills were normally assigned to committees in their reporting capacity. While in the Chamber of Deputies these rules have not changed, the 2017 reform introduced new assignment rules in the Senate, whereby bills are now normally sent to committees acting either in a drafting capacity or in a legislating capacity. To what degree have these new rules improved the legislative ‘efficiency’ of the Senate? Has the 2017 reform made the Italian upper house able to examine and approve a greater volume of bills than before?

This study offers a preliminary answer to these questions using the lawmaking data available so far. More specifically, we collected data on bill assignment to committees and bill examination from the start of Legislature XVIII up until December 31 2019. We compare these data with legislative data concerning the Chamber and with similar data covering the initial phase of (pre-reform) Legislature XVII.

This article is organized as follows. In the next section we sketch the process leading to the 2017 reform of the Rules of Procedure of the Senate, from the early steps at the onset of Legislature XVII to its revitalization after the failure of the constitutional referendum held in 2016. We also outline briefly the main contents of the reform. The third section analyzes the costs associated with the different assignment procedures and develops some theoretical expectations about the change brought about by the 2017 reform in terms of the Senate’s decision-making efficiency. The following section evaluates these expectations against empirical data on lawmaking in the Senate and in the Chamber in the pre- and post-reform period. Concluding remarks follow in the final section.

## **2. Revision of the Rules of Procedure of the Italian Senate in 2017: an unexpected reform**

Although the institutional framework established in Italy by the Republican Constitution of 1948 has been able to survive almost ‘untouched’ up until now, several reforms have occurred in the electoral system and in the internal rules of both houses of the Italian parliament. Four electoral reforms were approved from the 1990s onwards during the highly unstable political phase known as the ‘Second Republic’ (Verzichelli and Cotta 2000; Zucchini and Pedrazzani 2020). Substantial changes in the standing orders of both branches of parliament took place during the early 1970s, the late 1980s and the



1990s (Giannetti and Pedrazzani 2020). Thereafter, no major revisions were enacted until the reform of the Rules of Procedure of the Senate approved in 2017.

## 2.1. The reform process

The process leading to the approval of the 2017 reform of the internal rules of the Senate is intertwined with an attempt to revise the Italian Constitution which occurred during Legislature XVII (2013-2018). During Legislature XVII, a major revision of the Italian Constitution promoted by the ruling center-left coalition was approved by the Italian parliament. The reform aimed at reducing the prerogatives of the Senate, thus abolishing symmetric bicameralism with respect to policy-making and increasing the powers of the executive as an agenda setter (Tsebelis 2017). In addition, the constitutional amendment included provisions to centralize policy-making powers in the hands of the national government vis-à-vis regional governments. Such a broad reform project has never been implemented, as it was stopped by popular vote in a constitutional referendum held in December 2016 (Vercesi 2019). However, it considerably affected the history and outcome of the reform of the parliamentary rules in the Senate.

The process leading to the enactment of the 2017 reform started well before the legislative procedure of the constitutional revision. In this process a crucial role was played by the President of the Senate Pietro Grasso, a former anti-mafia magistrate who had been elected senator in the list of the Democratic Party (*Partito democratico*, PD) in the general elections of February 2013.<sup>1</sup> On April 9 2013, during the first meeting of the Committee on Rules<sup>2</sup> of Legislature XVII, the President of the Senate charged two expert senators – Marco Minniti (PD) and Gaetano Quagliariello (People of Freedom, *Popolo della libertà*, PDL) – with the task of examining all the amendments to the Rules of Procedure that would be submitted thenceforth. Two months later, after Minniti and Quagliariello became members of the cabinet and hence left the Committee on Rules, their task was entrusted to Anna Finocchiaro (PD), Donato Bruno (PDL) and Roberto Calderoli (Northern League, *Lega Nord*, LN) (June 19 2013).<sup>3</sup> In Autumn, the three rapporteurs reported in the Committee on Rules on the received amendment proposals (October 15 2013), and in January they informed the other members that they were about to circulate a draft of the project of reform (January 21 2014). The proposed amendments included a revision of the organization and competences of permanent committees.

Some days later, a first stop in the process occurred, as the Committee on Rules decided to postpone the discussion on the revision of the parliamentary rules of the Senate, given the start of negotiations on an overall reform of the Constitution (January 30, 2014). Not only had the main Italian parties started bargaining over a constitutional reform, but

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<sup>1</sup> Later, Grasso left the PD. In December 2017 he founded a new leftwing party called Free and Equal (Liberi e Uguali, LEU).

<sup>2</sup> The Committee on Rules is one of the select committees of the Italian Senate. When a new legislative term starts, the President of the Senate appoints the members of this committee, taking into account the size of parliamentary party groups. The Committee on Rules usually comprises ten senators and is chaired by the President of the Senate. It examines and introduces changes to the Rules of Procedure, and issues opinions on the interpretation of the Rules submitted to it by the President of the Senate.

<sup>3</sup> In late April 2013, after two months of negotiations, a ‘grand coalition’ government headed by Enrico Letta was formed, relying on the support of the PD, PDL and the main centrist parties. The Northern League was in the opposition.

also the overall political landscape had changed meanwhile. The Letta government was replaced by a new cabinet headed by PD secretary Matteo Renzi (February 22, 2014). The new cabinet relied on the support of a PDL splinter known as New CenterRight (*Nuovo Centrodestra*, NCD), while the PDL itself had withdrawn from the government some time before and was re-labeled Go Italy (*Forza Italia*, FI). In the ensuing meeting of the Committee on Rules, the draft circulated by the rapporteurs was adopted as a starting point for the next discussion, and a ten-day deadline was fixed for tabling amendments to the draft. At the same time, President Grasso asked the rapporteurs to get in touch with the Committee on Rules of the Chamber in order to harmonize the projects of reform of the standing orders that were discussed in the two houses (March 12, 2014).

Yet, the process was soon blocked. On April 8 2014, a bill proposing an overarching reform of the Italian Constitution was submitted to the Senate: the so called ‘Renzi-Boschi’ bill, named after its two main sponsors (Prime Minister Renzi and the Minister for Constitutional Reforms Maria Elena Boschi). After this, the Committee on Rules of the Senate was not convened for about three years.

As mentioned above, the Renzi-Boschi attempt to reform the Constitution eventually failed. This seemed to open again the possibility to revise the parliamentary rules, at least in the Senate. In June 2017, six months after the constitutional referendum, President Grasso gave a new boost to the process of internal reform of the Italian upper house. In a public conference eloquently entitled ‘Which limited reforms to the standing orders are still possible in the current legislative term?’ (Rome, June 22 2017), Grasso gave a speech enlisting a number of possible revisions to the internal rules of the Senate (Grasso 2017). When the Committee on Rules met for the first time after the constitutional referendum (July 11, 2017), Grasso proposed the same list of revisions to the other members of the Committee. This proposal was based on the draft discussed in the Committee on Rules three years before and overtly aimed at making parliamentary proceedings more efficient. Quite interestingly, Grasso’s list did not mention any change in the rules of bill assignment to the committees. The same day, Grasso appointed a restricted working group (*comitato ristretto*), which would draft a reform proposal based on unanimous consensus among its members. This time, the working group included Maurizio Buccarella, a member of the anti-establishment Five Star Movement (*Movimento 5 stelle*, M5S), in addition to Anna Maria Bernini (FI), Calderoli (LN) and Luigi Zanda (PD).

Three months later, the draft was illustrated to the other members of the Committee on Rules (October 11, 2017). The project of reform introduced new rules for bill assignment, as bills were to be ‘normally’ assigned to committees in a drafting or legislating capacity (rather than in a reporting capacity). On November 14 2017, the reform proposal was finally adopted by the Committee on Rules and submitted to the floor of the Senate (Doc. II n. 38). After being examined in the assembly, on December 20 2017 the reform was definitely approved by the Senate. The proposal was largely supported, as just three senators abstained and five voted ‘No’ in the final vote on the floor. The reform was welcomed as an ‘unhoped-for miracle’ by life senator and former President of the Republic Giorgio Napolitano (Senato della Repubblica 2017). At the same time, the President of the Chamber Laura Boldrini bemoaned the lack of a similar reform in the lower house. In an official message, she pointed out that the same parties which approved the reform in the Senate refused to do the same in the Chamber (Boldrini 2017).

## 2.2. The contents of the reform

According to the proposers, the 2017 reform of the Rules of Procedure – which would have been applied starting from Legislature XVIII – aimed at increasing the efficiency and speed of decision-making in the Senate.<sup>4</sup> As Bernini stated in the final declaration of vote on the reform she gave on behalf of the FI party group, the new rules on bill assignment were meant to ‘speed up, make more efficient and simplify the activity of committees’. This is because, as stressed by Doris Lo Moro (LEU) in the same debate, when the media talk about lawmaking ‘it is very often said that everything languishes in the Senate, everything is stopped in the Senate’ (Senato della Repubblica 2017).

Overall, 66 articles were altered out of the 167 provisions that form the standing orders. The reform addressed three main aspects: the formation of parliamentary party groups, the role of permanent committees, and the rationalization of several steps of bill examination. As to the first aspect, the primary aim of the new rules was that of hindering the formation of new parliamentary groups during a legislative term. For example, new Art. 14 establishes that each group shall comprise at least ten senators from a party or political movement, or a combination of parties and political movements, whose candidates ran for and were elected to the Senate under the same party symbol. Moreover, during the term, a new parliamentary group can only be established if it is the result of a merger of existing groups (Art. 15). With regard to the third aspect above, the new rules curtailed speaking time on the floor during debates on legislation (Art. 89). In addition, the new provisions granted two weeks a month, not overlapping with plenary business, for the work of standing and special committees (Art. 53). Furthermore, the rules governing voting in the plenary (Art. 107) and Question Time (Art. 151-bis) were made more similar to those operating in the Chamber. The reform also increased the transparency of committees’ activities, since the broadcasting of committee sittings was made possible not only when committees act in a drafting or legislative capacity – as in the previous rules – but also when they act in a reporting capacity (Art. 33).<sup>5</sup>

For the purposes of this article, the second aspect above – namely the role of permanent committees – is the most crucial one. The reform aimed at enhancing the role of standing committees in the lawmaking process. In this regard, the new Art. 34 stipulates that, after being submitted to the Senate, bills are ‘normally’ assigned to committees in a legislating or in a drafting capacity. This is a remarkable change, as according to the previous rules of the Senate (and also to the rules still operating in the Chamber) bills were normally sent to committees acting in a reporting capacity. The goal of this revision was that of charging the committees (endowed with the power to draft or even approve bills) with most of the lawmaking activities, thus making the parliamentary process

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<sup>4</sup> Initially the proposers of the reform also aimed to reduce some discrepancies in the standing orders of the two parliamentary houses. However, the 2017 revision of the Rules of Procedure of the Senate introduced some new rules (like those regarding bill assignment to committees and the formation of parliamentary groups) that are not present in the Chamber (Gianfrancesco 2018; Giupponi 2018; Lupo 2018).

<sup>5</sup> Note that broadcasting has to be requested by the committee and allowed by the President of the Senate. As pointed out by Fasone and Lupo (2015), increasing the forms of public accessibility to the activity of committees can undermine their lawmaking capacity. In this regard, if compared to the previous situation in the Senate, the 2017 reform may have weakened the committees’ ability to shape legislation when acting in their reporting capacity. We do not specifically address this issue in the present article.

more rapid and efficient. As in the pre-reform Senate, however, certain ‘special’ types of bills can still be only assigned to the committees in their reporting capacity: bills amending the Constitution, dealing with the electoral rules, converting law decrees, including delegation clauses, ratifying international treaties, and budget bills (Art. 35 and 36). Moreover, until the final vote in the Senate, bills being examined by a committee in its legislating or drafting capacity can be re-assigned to a committee in a reporting capacity if requested by the government, one-tenth of the members of the Senate, or one-fifth of the members of the committee (Art. 35 and 36).

### **3. A promise of increased efficiency**

On the same day in which the reform was approved, the President of the Senate Grasso solemnly declared: ‘The floor has approved the modification of the Senate rules, which has a profound effect on its efficiency and effectiveness and will allow us to respond more quickly to the needs of citizens’ (December 20 2017). In this article we focus on investigating the effects of the new rules regarding the assignment of the bills to the committees. In this regard, Grasso’s words seem to resonate with the opinion of observers and even Senate officials, according to whom the reform would allow a huge number of bills to be examined by committees in a drafting or legislating capacity, thus increasing the volume of approved bills (Carboni and Magalotti 2018).

In both houses of the Italian parliament, any legislative process begins with the bill being assigned to a legislative committee in order to be discussed. As mentioned above, the committee can act: a) in a reporting capacity (the bill proposed by the committee is introduced to the floor, which can amend it before final approval), b) in a drafting capacity (the bill proposed by the committee can only be approved or rejected by the floor), or c) in a legislating capacity (the committee can approve the bill without any subsequent step on the floor). Both the legislating capacity and the drafting capacity are kept (and acquired) by the committees only if one-tenth of the house members, one-fifth of committee members and the government do not oppose (Art. 72 of the Constitution; Art. 92 and 96 of the Rules of Procedure of the Chamber; Art. 35 and 36 of the Rules of Procedure of the Senate).

Usually, and still now, in the Chamber of Deputies the bills are assigned to the committees in their reporting capacity. Only when their nature (see above) and an almost unanimous consensus allow it, they are re-assigned to the same committee acting in a legislating or (much more rarely) in a drafting capacity. The same does not happen in the Senate where, as we have already seen, the standing orders were changed at the end of Legislature XVII. During the current legislature (XVIII), in the Senate bills are normally not sent to committees in their reporting capacity. All bills that are not associated with the budgetary process, do not ratify international treaties or convert decree laws and that do not include legislative delegations to the government or deal with electoral rules are assigned to a committee acting in a drafting or legislating capacity. From now on, we use the term ‘bill’ to refer only to the category of legislative proposal affected by the reform. Our argument applies just to these bills, and not to the ‘special’ bills mentioned above (which can be assigned only to the reporting committee).

Did such a new rule really increase the Senate’s decision-making efficiency as the President of the Senate suggested? Why should starting the legislative process with one

of these two procedures – committee acting in a drafting or legislating capacity – make the process more efficient than in the past, when the starting point was the committee acting in a reporting capacity? In the next two sections we will try to figure out the rationale behind the reform.

### 3.1. The decision-making costs

In order to answer the above questions, we first need to consider the advantages and disadvantages associated with the different procedures as well as the potential costs intrinsic to switching from one procedure to the other.

On the one hand, when the committees act in a legislating or drafting capacity, the outcomes are more predictable. Either the floor is not involved in the decision making (legislating capacity), or the floor can only accept or refuse, section by section, the bill proposed by the committee (drafting capacity). Moreover, as near-unanimity is required to let the committees keep the prerogatives associated with these procedures, the policy options that can be approved are few in number, i.e. the bargaining set is small. The scarcity of winning alternatives and the absence or downsizing of the floor's role can shorten the time necessary for the decision. On the other hand, if the bargaining set gets so small it becomes empty, no agreement can be reached about any alternative to the status quo. In summary, the approval of a law (the change of the status quo) is much less likely when committees act in a legislating or drafting capacity. When possible, however, it is easier to achieve it.

On the contrary, when the committees act in a reporting capacity the bargaining set is wide – the agreement of just a majority of committee members (normally those who support the government) is sufficient to adopt a bill – but the final outcome is much less predictable, also because any final approval depends on the preferences of the floor. Moreover, the floor's schedule is crowded with the special bills that cannot be assigned to the committees acting in drafting or legislating capacity. Overall, the decision making takes much longer. Summing up, when committees act in a reporting capacity bill approval is on average more likely, but it is also more 'costly' to achieve it.

We define as  $CR$  the cost in terms of required time to approve a bill in a chamber when the committee acts in a reporting capacity, as  $CD$  the same cost when the committee acts in a drafting capacity, and as  $CL$  the same cost when the committee acts in legislating capacity. Then, in condition of incomplete information, we assume the following:

$$CR > CD > CL \quad (1)$$

Also switching from one procedure to another implies a prolongation of the decision-making process, which is different according to the starting procedure that the committee decides to abandon and the final procedure that the committee decides to adopt. Such a delay can be long when the committee tries to stop acting in a reporting capacity to start acting in a drafting or legislating capacity. In this case, even when there is a better option than the status quo for all relevant players (the committee's unanimity is needed in the Senate to turn from a reporting to a drafting or legislating capacity), finding it in conditions of incomplete information takes time and has bargaining costs. On the contrary, the shift from a committee acting in drafting or legislating capacity to a committee acting in

reporting capacity is easy and fast, as a small minority is sufficient to impose it. We call  $CRDL$  the time necessary for a committee to change from acting in a reporting capacity to acting in a drafting or legislating capacity, and  $CDLR$  the time necessary for the reverse change. Based on the discussion above, we assume the following:

$$CRDL > CDLR > 0 \quad (2)$$

These costs are certainly not sufficient to assess which procedure is more convenient for the legislators and what the latter will choose to discuss and approve the bills. We also need to know which outcomes the legislators are likely to obtain given their ideal points and the position of the status quo (see below).

Turning back to the costs above, let us consider those bills examined by the committees acting in a legislating or drafting capacity. In the case of these bills, *ceteris paribus*, the Senate after the 2017 reform should be more efficient than the Senate prior to the reform. In the pre-reform Senate, the bills were usually assigned to the committees acting in their reporting capacity. Therefore, in the pre-reform Senate for those bills examined by committees in a legislative or drafting capacity we should take into account not only the cost of the procedure itself ( $CL$  or  $CD$ ), but also the cost of changing the procedure ( $CRDL$ ). For the same bills, in the post-reform Senate only  $CL$  or  $CD$  has to be paid, being absent the cost of changing the procedure.

A similar argument should give a small advantage in terms of efficiency to the Senate before the reform when we consider those bills examined by the committees acting in a reporting capacity. For these bills, there were no costs for changing the procedure in the pre-reform Senate since the normal procedure was that the committees acted in a reporting capacity. So, only  $CR$  had to be paid. The cost of changing the procedure ( $CDLR$ ) affects, instead, the Senate after the reform (in addition to  $CR$ ), where bills are normally supposed to start with one of the other two procedures.

These considerations suggest that an analytical comparison between the ‘legislative efficiency’ of the Senate before the reform and that after the reform gives an ambivalent result. The overall effect of the reform will depend on the frequency of political circumstances that make it more attractive for the government parties’ members to choose the committees acting in their legislating or drafting capacity rather than the committees acting in their reporting capacity. The government parties’ members are the crucial ones as, in light of the literature, we assume that usually no legislative decision can be taken against the will of a government party (Cox and McCubbins 2005). Therefore, we need to turn to the effects of the different procedures in terms of policy outcomes for the government parties’ members.

### 3.2. A spatial analysis of the policy outcomes

Let us assume that  $A, B, C$  are the ideal points of three political actors. They are located along one policy dimension.  $B$  and  $C$  are the ideal points of the members of the government majority.  $A$  is the ideal point of the main opposition party. On the same policy dimension,  $SQ$  is the position of the policy status quo. Also the policy outcomes, that is the approved bills, are represented along the same dimension.  $E_{ABC}$  is the policy outcome when the committee acts in a drafting or legislating capacity, i.e., when the bill must be supported by all actors.  $E_{BC}$  is the policy outcome when the committee acts

in a reporting capacity, i.e., when the agreement of the government parties is sufficient to support the bill.

The utility of a certain policy outcome for each political actor is given by the distance between its ideal point and the policy outcome. The smaller the distance, the greater the utility. For example, in Figure 2a below, for actor *C* the utility deriving from the outcome when the committee acts in a legislating or drafting capacity is  $U_C(E_{ABC}) = -|C - E_{ABC}|$ .

We can distinguish three scenarios. In a first scenario, irrespective of the procedure with which a bill has been assigned to the committee, the bill is not in fact approved and sometimes it is not discussed either. The other two scenarios correspond to the procedures we have described above.

SCENARIO 1. WHEN NO PROCEDURE IS DE FACTO ACTIVATED. No procedure is in fact activated if, even for just one of the actors required by the procedure, the utility is lower than that obtained by preserving the status quo *SQ* (Romer and Rosenthal 1978; Tsebelis 2002). In Figure 1 the status quo will be maintained, as any agreement between the government parties *B* and *C* to change it is not possible. Obviously, the procedure that requires the support of the opposition party fails as well. If we define  $W(SQ)$  as the ‘winset’ of the status quo *SQ*, then  $W(SQ)_{BC} = W(SQ)_{ABC} = \emptyset$ .<sup>6</sup>

**Figure 1.** Legislative actors and status quo when no procedure is activated (scenario 1).



Source: own elaboration

SCENARIO 2. WHEN COMMITTEE ACTS IN LEGISLATING OR DRAFTING CAPACITY. A necessary but non-sufficient condition to allow the committee acting in legislative or drafting capacity is that also opposition party *A* supports the policy change. It is not sufficient because also the other procedure (the reporting procedure) could be chosen. In this case  $W(SQ)_{BC} = W(SQ)_{ABC} \neq \emptyset$ . Even if the set of alternatives that can defeat the status quo is the same under both procedures (reporting or legislating/drafting), the outcome of the legislative game is likely to be different according to the selected procedure. When a committee acts in legislating or drafting capacity, the final outcome will be the closest one to the government party that is least distant from the opposition party. As illustrated in Figure 2a, opposition party *A* somehow reinforces the bargaining power of government party *B*. When, instead, the committee acts in a reporting capacity, the bargain takes place only between the ruling parties, *B* and *C*, as in this case the required consensus is only inside the government majority. Therefore, the final outcome is more likely to be closer to *C* than under the legislating/drafting procedure ( $E_{BC}$  versus  $E_{ABC}$ ). Party *C*, i.e. the government party closest to *SQ*, is the crucial actor. The committee will go on acting in a drafting (or legislating) capacity if

$$-|C - E_{ABC}| - CD > -|C - E_{BC}| - CR - CDLR \quad (3)$$

$$-|C - E_{ABC}| - CD > -|C - SQ| \quad (4)$$

<sup>6</sup> The winset of the status quo is the set of points in the policy space that can beat the status quo according to the decision-making rule in place.

From  $C$ 's point of view, a committee acting in legislating or drafting capacity brings lower decision-making costs but a farther legislative outcome, while a committee acting in reporting capacity brings higher costs but a closer outcome. As in equation (1) we have assumed that  $CD < CR$ , inequality (3) is more likely to be true when the two policy outcomes,  $E_{ABC}$  and  $E_{BC}$ , are similar. In this case, the low bargaining costs and uncertainty of the committees when they act in legislating or drafting capacity can largely compensate  $C$  for an outcome that is slightly worse than the outcome achieved under the reporting procedure.

Two circumstances can make the two policy outcomes similar to each other, thus making the adoption of the legislating/drafting procedure more likely:

- 1) if the possible policy change is marginal as in Figure 2a, i.e., when the winset of the status quo is small;
- 2) if party  $B$  is particularly close to  $C$  (i.e., the government majority is cohesive) as in Figure 2b. In the latter case, at worst the final outcome will not be farther for  $C$  than the ideal point of  $B$  even when the winset of  $SQ$  is large.

**Figure 2a.** Legislative actors and status quo when committee acts in legislating or drafting capacity (scenario 2a)



Source: own elaboration

**Figure 2b.** Legislative actors and status quo when committee acts in legislating or drafting capacity (scenario 2b)

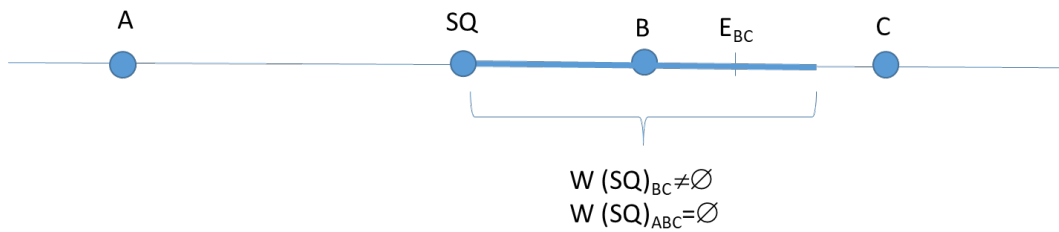


Source: own elaboration

**SCENARIO 3. WHEN COMMITTEE ACTS IN REPORTING CAPACITY.** According to the above discussion, when a policy change is almost unanimously preferred to the preservation of status quo, then the committee acts in reporting capacity if the change is not marginal and/or if the government majority is not very cohesive. The adoption of this procedure is de facto ‘compulsory’ also when the status quo is controversial, i.e., when the policy change wanted by the government parties is in the opposite direction to the change desired by the opposition party (Figure 3a). The reporting procedure will be chosen also when both majority and opposition parties want a policy change in the same direction, but a new bill adopted under the legislating/drafting procedure would be very far from the ruling parties (Figure 3b).

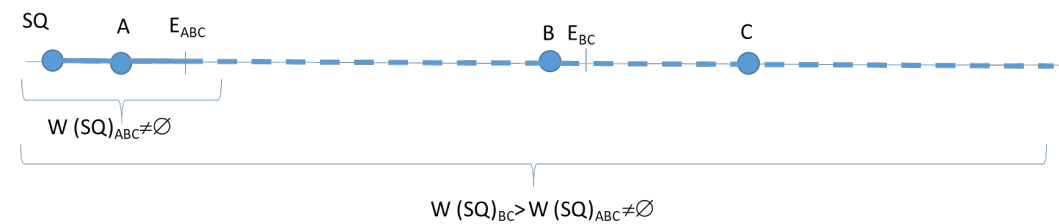


**Figure 3a.** Legislative actors and status quo when committee acts in reporting capacity (scenario 3a)



Source: own elaboration

**Figure 3b.** Legislative actors and status quo when committee acts in reporting capacity (scenario 3b)



Source: own elaboration

The analysis of the consequences in terms of policy outcomes of the different procedures allows us to predict that the current Senate should be more efficient in processing the ‘normal’ bills than the pre-reform Senate if the possible policy changes are not only ‘uncontroversial’ but also smaller (Scenario 2a), and/or if the government parties are also more homogenous (Scenario 2b) than in the previous legislatures. In other terms, the post-reform Senate should be more efficient (as it would resort more often to committees acting in legislating or drafting capacity) if the scenarios that are described in Figures 2a and 2b are more likely now than in the past.

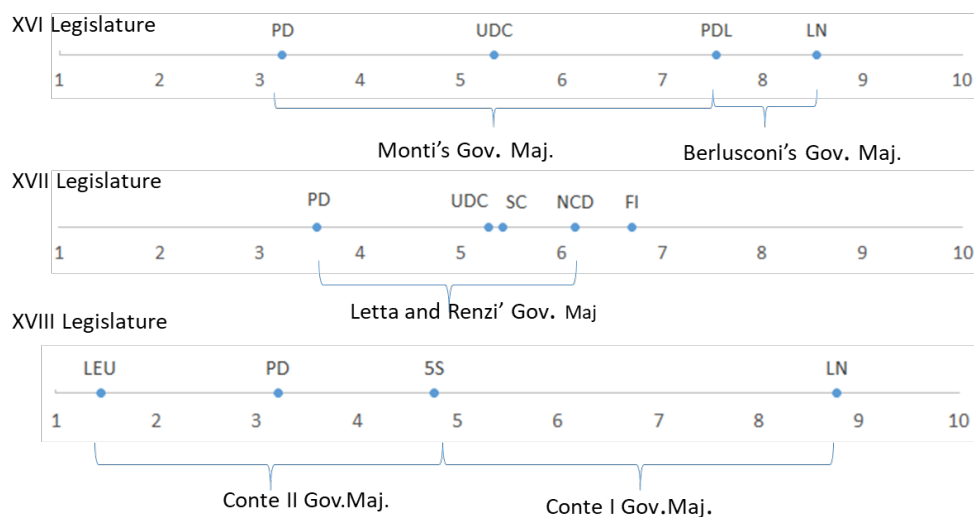
Even a rough knowledge of Italian politics over the most recent years suggests that this is not the case. The internal homogeneity of the government majority increases the closer the ruling parties are in policy terms. As to the size of uncontroversial policy change, the scope of possible policy change grows with the distance in terms of policy positions between a government and the previous one. The status quo that the current government majority confronts and tries to change is largely the legacy of the government majorities that preceded it. The greater the difference between a government majority and the previous one in terms of policy positions, the less marginal (i.e. the greater) on average should be the policy change. An overview of the internal heterogeneity of government majorities and of the distance from the past government majorities in Italy can be provided by the expert survey data collected by Chapel Hill in 2010, 2014 and 2019 (Polk et al. 2017; Bakker et al. 2015, 2020). Party scores along the general left-right dimension are displayed in Figure 4. Looking at the graphs, we note that the ideological extension (or ‘range’) of the majorities that supported the Letta, Renzi and Gentiloni cabinets during Legislature XVII was lower than that of the governments of Legislature XVIII. The ideological distance that separates each government from the previous one also seems greater in Legislature XVIII as compared to Legislature XVII.<sup>7</sup> In particular, the distances between the Conte II and Conte I cabinets,

<sup>7</sup> Identifying the joint policy position of the majority supporting a government is a hard task. We can expect the government position to be located somewhere between the two most extreme coalition parties. For ease

and between the Conte I and Gentiloni cabinets (Legislature XVIII), are greater than the distances between the Gentiloni and Renzi cabinets, between the Renzi and Letta cabinets, and between the Letta and Monti cabinets (Legislature XVII).

Summing up, during Legislature XVIII neither of the circumstances that should favor the choice of the legislating/drafting procedure – hence making the Senate more efficient – applies. Therefore, we expect that the political circumstances push the senators during Legislature XVIII to approve (or to try to approve) bills by assigning them to committees acting in a reporting capacity. A procedure that in the current, post-reform Senate is not the ‘natural’ one anymore and implies a change of the procedure and hence additional costs in terms of loss of time. In the next section we will try to assess if the implications of our very simple (and maybe simplistic) models are empirically confirmed.

**Figure 4.** Positions of main political parties in the left-right dimension in Legislatures XVI, XVII and XVIII



Source: own elaboration

## 4. An empirical analysis

To empirically evaluate the expectations deriving from our theoretical arguments, we collected data on the bills proposed and examined in the Senate during Legislature XVIII (since it began on March 23, 2018, until December 31, 2019). Measuring the legislative performance of the Italian Senate – and other representative chambers as well – is certainly not easy, as the notion of lawmaking powers has a complex and multifaceted nature (Arter 2006). Being aware that our evaluation is partial and rough in some way, here we offer an assessment of the legislative performance that is based on quantitative measures of productivity – i.e. the volume of bills examined under different procedures in a given time period. In so doing, we concentrate on exactly those aspects which have been especially emphasized by the proposers of the reforms and by most observers (see above).

Moreover, as we already mentioned, we focus on ‘normal’ bills – that is, those bills that can be assigned to different legislative procedures. In other words, we dropped from our

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of illustration, we suppose that the government position corresponds to the mid-range position between the most left-wing coalition party and the most right-wing coalition party (Tsebelis and Chang 2004).

analysis the bills that can only be assigned to the committees in their reporting capacity: bills amending the constitution, electoral reform bills, bills converting law decrees, bills that include provisions delegating the government to act, bills ratifying international treaties, and budget bills. ‘Normal’ bills were more than 82% of all bills that were presented during Legislature XVII but only 23% of bills that became law. Table 1 reports the distribution of all the bills submitted to the Senate in the early period of Legislature XVIII (until the end of 2019), according to the stage of the legislative process they reached and the procedure of the committee’s assignment.

**Table 1.** Distribution of ‘normal’ bills proposed in the Senate, according to the procedure of committee’s assignment. Legislature XVIII

	Reporting		Drafting		Legislating		All procedures
All the bills	120	10.4%	1021	88.8%	9	0.8%	1150
Bills discussed at least once in committee	90	41.5%	118	54.4%	9	4.1%	217
Bills already examined in committee	35	47.3%	35	47.3%	4	5.4%	74
Approved bills	13	54.2%	8	0.0%	3	0.0%	24

Source: own elaboration

A preliminary glance at the data reveals that, from the beginning of Legislature XVIII to December 31, 2019, 120 bills that according to the new rules should have been sent to committees acting in drafting or legislating capacity, have in fact changed procedure. They were eventually assigned to committees acting in reporting capacity, and supposed to be examined under such procedure. These bills that changed procedure, even though they are only 10.4% of all the bills we consider, are more than 41% of bills that have been discussed at least once in the committee, more than 47% of bills for which discussion in the committee has been concluded, and 54.2% of bills that have already been approved in the Senate. Altogether, these data seem to suggest that, if the reform aimed at speeding up the approval of bills by letting them be considered in committees acting in drafting or legislating capacity, then it has failed so far.

Nevertheless, assessing the efficiency of the current Senate is a demanding task and our conclusion above could be premature. A proper evaluation can only be given in comparative terms. To do this, however, one has to skip some methodological traps. On the one hand, a direct comparison with the Senate of the previous legislature does not allow consideration of the general political circumstances that may have affected differently the number of bills found at different steps of the legislative process in the Senate. Furthermore, the sheer number of bills is in itself a questionable measure as bills are in some way packages of differing sizes and importance, and the average number and size of bills can differ from one legislature to another. In fact, a few major bills can point to a Senate that is more effective and efficient than a Senate that approves and/or discusses a large amount of fairly insignificant bills. On the other hand, a mere comparison with the Chamber of Deputies of the same legislature would keep us from considering some important institutional differences between the two chambers, such as, first and foremost, the lower number of legislators in the Senate.

We decided to combine these comparisons to minimize their drawbacks. To this purpose, we consider three different steps of a bill in the lawmaking process: 1) having been discussed at least once in the committee; 2) having completed examination in the

committee; 3) having been approved in the house where the bill was presented. Firstly, we created – separately for Legislature XVIII until December 31 2019 and for Legislature XVII (from its start on March 15 2013 to December 31 2014) – two indices of law ‘productivity’ for each of the three above-mentioned steps. One index is the ratio between the absolute number of bills proposed in the Senate and the absolute number of bills proposed in the Chamber of Deputies (*ABS\_INDEX*). The other index is the ratio between the percentage of bills in a given step over the total bills in the Senate, and the same percentage in the Chamber (*PER\_INDEX*). These indices offer a measure of relative ‘productivity’ of the Senate as compared to the Chamber. Results are reported in Table 2. In particular, the upper part (a) of the table reports data on post-reform Legislature XVIII, while the central part (b) of the table displays data on pre-reform Legislature XVII. We note, for instance, that during Legislature XVIII *ABS\_INDEX*=0.388. This means that during the current legislature the bills approved in the Senate were almost 39% of the bills approved in the Chamber of Deputies. Also, *PER\_INDEX*=0.548 implies that the percentage of approved bills over the whole amount of bills in the Senate was almost 55% of the percentage of approved bills over the total amount of bills in the Chamber. During Legislature XVII, these scores were higher. The bills approved in the Senate were roughly 50% of the bills approved in the Chamber (*ABS\_INDEX*=0.495). Moreover, the share of approved bills in the Senate was about 87% of the share of the approved bills in the Chamber (*PER\_INDEX*=0.872).

In the lower part of Table 2 (c), we compare the indices of law productivity across legislatures. In other words, we compare a measure of productivity of the Senate with respect to the Chamber during Legislature XVIII with the same measure calculated for Legislature XVII. By doing so, we also control for different levels of law productivity between legislatures. If the Senate’s productivity indices increase when shifting from pre-reform Legislature XVII to post-reform Legislature XVIII, i.e., if the ratio between the indices for Legislature XVIII and the indices for Legislature XVII is bigger than one, we can infer an increase in efficiency that is not affected by general political conditions and by the institutional differences between the two chambers.

On the contrary, the results show us that the (post-reform) Senate of Legislature XVIII is systematically less efficient than the (pre-reform) Senate of Legislature XVII, regardless of the steps in the decision-making process we take into consideration. The worst efficiency scores for the post-reform Senate are the ones referring to the conclusion of work in the committees (0.710 and 0.574), and the best scores are those obtained considering the bills that have been discussed at least once in the committee (0.880 and 0.706). In the Senate of Legislature XVIII, the bills that concluded their examination in the committee were only 45% of the bills that concluded their examination in the Chamber. In the previous legislature such a percentage was around 64%. Therefore, the main negative effect of the reform seems to take place during the discussion in the committee, long before bills are considered for approval on the floor.<sup>8</sup>

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<sup>8</sup> Although the reform does not seem to have fulfilled the promise of more efficient decision making in the Senate, political actors who can propose a bill appear to have believed in the increased efficiency of the Senate. During the first 19 months of Legislature XVIII, the number of ‘normal’ bills submitted to the Senate were 71% (1150/1627) of the normal bills presented in the Chamber. During the first 19 months of Legislature XVII, these were 57% (1212/2136) (see Table 2).

**Table 2.** Distribution of 'normal' bills proposed in the Senate and in the Chamber of Deputies, according to the procedure of the committee's assignment. Legislatures XVIII and XVII. Indices of law productivity

a) Legislature XVIII	Senate XVIII (March 23, 2018-December 31, 2019)				Chamber XVIII (March 23, 2018-December 31, 2019)				Ratio Senate/Chamber XVIII	
	Reporting	Drafting	Legislating	All procedures	Reporting	Drafting	Legislating	All procedures	<i>ABS_INDEX</i>	<i>PER_INDEX</i>
All the bills	120	1021	9	1150	1617	1	9	1627		
Discussed at least once in committee	90	118	9	217	315	0	0	315	0.689	0.975
Already examined in committee	35	35	4	74	163	0	0	163	0.454	0.647
Approved	13	8	3	24	59	0	3	62	0.388	0.548
b) Legislature XVII	Senate XVII (March 15, 2013-December 31, 2014)				Chamber XVII (March 15, 2013-December 31, 2014)				Ratio Senate/Chamber XVII	
	Reporting	Drafting	Legislating	All procedures	Reporting	Drafting	Legislating	All procedures	<i>ABS_INDEX</i>	<i>PER_INDEX</i>
All the bills	1195	0	17	1212	2104	0	32	2136		
Discussed at least once in committee	448	0	17	465	594	0	0	594	0.783	1.380
Already examined in committee	224	0	17	241	377	0	0	377	0.639	1.127
Approved	84	0	10	94	160	0	30	190	0.495	0.872
c) Comparison XVIII vs XVII		<i>ABS_INDEX</i> XVIII / <i>ABS_INDEX</i> XVII		<i>PER_INDEX</i> XVIII / <i>PER_INDEX</i> XVII						
Discussed at least once in committee		0.880		0.706						
Already examined in committee		0.710		0.574						
Approved		0.782		0.628						

Source: own elaboration

## 5. Conclusions

The 2017 reform of the Rules of Procedure of the Italian Senate was celebrated as an unexpected ‘miracle’. The revision was not only extensive from a purely quantitative point of view, but also relevant in more substantial terms. Indeed, the promoters of the reform presented it as a step towards a more efficient and rapid Senate. In this article we concentrated on one key aspect of the reform: the changes made to the rules governing the assignment of bills to parliamentary committees. According to the new assignment rules introduced by the 2017 reform, bills are to be normally sent to committees acting in a drafting or legislating capacity, and not in a reporting capacity (as under the previous rules in the Senate and the current rules in the Chamber of Deputies). Our study offered a preliminary evaluation of the degree to which the new rules have so far improved the legislative efficiency of the Senate.

After summarizing the process leading to the 2017 reform as well as its main contents, we singled out the costs associated with the different assignment procedures and developed some theoretical expectations about the impact of the reform in terms of the Senate’s decision-making efficiency. We hypothesized that, during post-reform Legislature XVIII, the political circumstances would lead the senators to resort to committees acting in a reporting capacity in order to approve bills – a procedure that has become more costly since the reform. Empirical data on lawmaking processes in the Senate showed that this indeed happened during the first part of Legislature XVIII. This implies that, if the new rules aimed at speeding the approval of bills through committees acting in drafting or legislating capacity, then they have failed so far.

Our analysis also revealed that, contrary to the intentions of the proposers of the reform, the legislative productivity of the Senate has not yet improved. A cross-chamber comparison shows that the post-reform Senate of Legislature XVIII has systematically lower levels of productivity than the pre-reform Senate of Legislature XVII. Furthermore, the productivity ‘gap’ seems higher when bills are examined in the same committees, well before being considered for approval on the floor.

Using the preliminary evidence hitherto available, this article has then shown that the results hoped for by Grasso and the supporters of the 2017 reform have not been achieved so far. Of course, the legislative players in the Italian Senate probably need some time to learn how to make the most of the new rules. However, based on the theoretical arguments outlined in this article we can expect that the Senate will increase its decision-making efficiency when the possible policy changes are uncontroversial and especially small, and when the governing coalition is particularly homogeneous in ideological terms.

Finally, although based on preliminary data, our analysis suggests some avenues for future research. For example, more extensive comparisons might be carried out using data on the entire Legislature XVIII, which would allow greater control over the time legislators need to adapt to the new rules. Also, our aggregate analysis of law productivity might be complemented by an individual-level investigation of bills, where a number of characteristics of bills – such as their content and sponsor – would be properly taken into account.

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# The Italian XVIII legislature: populism, law-making and procedures

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## Abstract

The study explores the adjustment of the Italian parliamentary system to the change of balance between political parties. The results of several aspects of the breakdown of the March 2018 parliamentary elections are examined in the use of certain law-making mechanisms such as laws, decrees, delegations, votes of confidence and decentralised procedures, analysed as a dependent variable. An interpretation of the characteristics of the legislative process is then proposed on the basis of elements of continuity and change in three independent variables: parliament fragmentation, governability and electoral volatility. The case study is the XVIII legislature, focusing on the first year of activity of the government-parliament subsystem.

## 1. Introduction

The centrality that representative institutions still hold in the Italian political system is core to the relevance of this study in order to further explore the adjustment of the parliamentary system to the change of balance between political parties.

Here, the results of several aspects of the breakdown of the March 2018 parliamentary elections will be examined with the intention of observing the transformations they provoked within the government-parliament subsystem. The use of certain law-making mechanisms such as laws, decrees, delegations, votes of confidence and decentralised procedures will be analysed as a dependent variable. Therefore, an interpretation of the characteristics of the legislative process is proposed on the basis of elements of continuity and change of three independent variables: parliament fragmentation, governability and electoral volatility. The case-study will be the XVIII legislature, focusing on the first year of activity of the government-parliament subsystem.

The aim of the article is twofold: to expand the literature on legislative efficiency and on the role of law-making procedures in the recent evolution of the Italian political system and to give a contribution on the topic of the supposed decline of parliament along with the decline of traditional political parties in contemporary democracies, with an in-depth study of the Italian case.

The paper is structured as follows. The second section explores the new political context following the 4 March 2018 political elections; in the third section the theoretical foundations and the hypothesis of the study are discussed; the fourth section illustrates the methodological proposal for the empirical analysis of the case-study; the fifth and sixth sections are dedicated to the empirical analysis of the independent and dependent variables respectively; in the seventh section some preliminary findings are discussed while the eighth section concludes.

## **2. The new political context following the 4 March 2018 elections**

The 4 March 2018 political elections furthered the erosion of the electoral force of the two coalitions that had opposed and alternated in government since 1994.<sup>1</sup> Consequently, the relationship between the poles changed radically [Pedrazzani 2018], clarifying and consolidating the premonitory signs which had already emerged in the results of the 2013 election. Parallel to this, the electoral results promoted the abandonment of old, ideological identities and the strengthening of those parties that had sprung up from new schisms. M5S and Lega, sharing a growing anti-European credo, became the two principal political forces. Such political party formations, which are both defined as populist<sup>2</sup> with anti-elite and anti-pluralist<sup>3</sup> traits (the Lega also flaunts a high degree of sovereigntism), no longer appear classifiable as left or right wing. According to several observers [Chiaramonti and Emanuele 2017; 2019] M5S and Lega (whose ideological spectrum seems less ambiguous nowadays than in the past) are broadly defined expressions of a recent central/peripheral fracture. The south of the peninsula, which identifies with the movement, and the peripheral and provincial areas of the central north (consensus assured for Lega) as well as the outskirts of the big cities, are in opposition to a symbolic centre where the dominant liberal, urban and secular elite live.

The 2018 elections, which took place under the new electoral law 165/2017, appeared to explicitly question the liberal-democratic model of democracy [Baldini 2014; 2017; Moschella 2019]. The crisis of the majoritarian model is also displayed in other polyarchies (Great Britain, France and Germany)<sup>4</sup> where anti-system parties have emerged, or sometimes re-emerged, and dismantled traditional political party systems. Compared with traditional party formations, the 'new' parties are reputed by the electorate to be more capable of satisfying their expectations of obtaining solutions to widespread inefficiency and zero or slow growth, as well as integration and globalisation issues.

At the same time, the populist movements maintain that problems caused by a financial crisis, inequality, political neo-liberalism, globalism, and austerity failure are produced by the ill-governance of the elites and can be resolved in simple and self-evident ways by the true representatives of the public alone. Such movements classify themselves

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<sup>1</sup> The Italian political system can be illustrated by using the model of polarised pluralism from 1948 to 1992 and polarised bipolarism from 1994 to 2013.

<sup>2</sup> Reference is made to the contribution of Bartolini [2018, 52] who gives insight into the connotations of the concept of populism by proposing the following definition: 'a movement of political actions/reactions that principally refers to the people, presented in homogeneous terms, to which some kind of specific and desirable positive values are added which are in contrast with the entities that vary radically according to the context'.

<sup>3</sup> According to Muller, the main characteristic of populist parties is that they present themselves simultaneously as anti-elite (at odds with the dominating elite from whom they want to distinguish themselves) and anti-pluralist forces (because they consider themselves the only groups to represent the true interests of the people) [Muller 2017]. These kinds of characteristics, with diverse intensity and coherency, have symbolised Lega (from 1989 until 2017 Lega Nord) since its beginning. To the two criteria of anti-elitism and anti-pluralism, Ronsavallon [2020] adds an instrumental element specifically to these political formations: indiscriminate solicitation of public opinion expressed (also virtually) through voting polls and street demonstrations.

<sup>4</sup> For an in-depth study on the origin and consolidation of the populist parties in the European polyarchies please refer to the detailed volume by Grabow and Hartleb [2013] and the subsequent work by Kriesi and Pappas [2015], Mudde [2004].

as the sole legitimate representatives of society: all the others are illegitimate and pursue sectoral interests on behalf of different groups. Moreover, the populists show complete faith in public opinion and contempt for any intermediation or pluralist expression of democracy.

This loss of authority, to which the parties unable to represent voters' request for change were subjected, is examined in detail by Schadee, Segatti and Vezzoni in their book. This crisis resulted in the emergence of political groups with no underlying organisation or structured ideological framework. The principle at the basis of their political offer is: 'we can do without politics'; everything can be immediately decided at first hand without useless negotiating and intermediation between groups. Governing is easy for the populist type of party because the policies to be formulated are self-evident, the solution is undisputed and only one, and the existence of inevitable conflicts of interest or necessary compromises is not acknowledged [Schadee, Segatti and Vezzoni 2019]. The new (M5S) and modernised (Lega) political movements used corruption and insecurity as a means of substituting the old political class (not without fault) and the 'traditional' political parties indicated as the main cause of the intense inefficiency of the system. These political movements transmit the image of a 'disintermediation democracy' and, in any case, symbolically deny confrontation between any acting aggregators of different political and social issues, increasingly discrediting the parliamentary institution, symbol of the representation and composition of a wide range of demands/interests.<sup>5</sup>

From this context, a legislative assembly without a clear majority, struggling to establish an executive, emerged from the national consultations of 4 March 2018 [Valbruzzi and Vignati 2018]. The process of forming the Cabinet was long, and negotiations were needed because the politicians had not agreed on the name of the candidate for the role of President of the Council<sup>6</sup> who, following the mandate of the Head of State, initiates contact with the political forces in order to define the programme. Instead, after the polls, M5S and Lega started with the programme (called 'contract for the government of change') and then started looking for the name of a candidate, deciding on a technical presence [Valbruzzi 2018; Pedrazzani 2018]. In this way, a Lega-Five Star Movement executive was formed [Giannetti, Pedrazzani and Pinto 2018], replaced in less than a year by a PD-M5S coalition with the distinctive feature of maintaining the same head of government.

### 3. Theory and hypothesis

Our intention is to examine the legislative efficiency of the Italian government-parliament sub-system during the first year of the XVIII legislature by identifying the continuity/discontinuity of its functioning compared to previous legislatures. In fact, it is possible to isolate several original features of the legislative assembly as a consequence of the 4 March 2018 elections. Such characteristics regard parliament in the input phase, namely in the more or less fragmented representation of the political forces in the two

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<sup>5</sup> For the relationship between democracy, popular vote, majority rule and populism refer to the contribution by William Riker [1982].

<sup>6</sup> In the majoritarian system legislatures such agreements occurred with an explicit pre-election pact. Yet, in this election, the M5S only presented themselves at the elections whereas Lega was already part of the centre-right alliance.

Chambers (parliament fragmentation); in the conversion phase, or rather in the capacity of a more or less stable majority to support a government (parliament governability), and in the output phase, that is, in the various ways that parliament acts in its legislative capacity. Our hypothesis, already subject to empirical tests in previous works [De Micheli and Fragnelli 2016; 2019], is that parliament fragmentation and governability constitute two fundamental independent variables able to influence the characteristics of parliamentary law-making. More precisely, the hypothesis states that behind the use of the different law-making procedures is the strategic behaviour of the government, which goes beyond the motivations that inspired the legislators when they designed these procedures. Strategic behaviour refers to the use of procedures which are different from the ordinary one, and which, according to the Constitution, were designed with particular situations, e.g., urgency, in mind. Nevertheless, these different procedures may sometimes allow the government to resolve a conflict with parliament, due to the weakness of the majority, which may be suffering for various reasons, the most important being low governability, i.e., the low efficiency of the government, and high fragmentation, i.e., the extent to which the seats of parliament are divided among several parties, each of them with similar percentages.

Furthermore, the independent variable of electoral volatility is introduced in order to understand how it intervenes and to what degree it influences the relationship between the other independent variables and the dependent variable. Electoral volatility refers to the number of voters who change their vote between elections. We can hypothesise that high electoral volatility tends to produce two interrelated effects on the government-parliament subsystem. One effect (supply-push strategy) concerns the party positioning of representatives, that is their tendency to form new parliamentary groups capable of supporting and making visible an innovative political offer, which can be attractive to the volatile voters. This dynamic, in turn, tends to increase parliamentary fragmentation and to decrease governability.

The other effect (demand-pool strategy) tends to occur on the decision-making strategies of the political player formed by the government and its majority. In a context of high electoral volatility, it is in fact conceivable that the incumbents try to improve their decision-making efficiency in order to follow the political demands of volatile voters, to gain the trust of the electorate and to balance the effects of increasing parliamentary fragmentation and decreasing governability. More particularly, we can hypothesise that, in high electoral volatility conditions, the legislator is more likely to enact very vague acts, showing to the volatile voter that the government is doing something while most of the implementing decisions (which are decisive for the impact of the measure) lag behind.

## **4. Methods**

Albeit referring to the detailed analysis of previous contributions [De Micheli 2014; De Micheli and Fragnelli 2016] for their methodological considerations, our study proceeds along the operative phase through the use of indexes capable of summarising the complexity of the analysed variables in order to measure the effective transformation prompted by electoral change.

As mentioned above, the study takes into account three independent variables: parliament fragmentation, governability and electoral volatility. Five indexes will be specifically considered. Two of these are expressed in degree of fragmentation of the elected assembly, i.e., not only the number of parties, groups, or official factions inside the representative arena, but also their weight in terms of seats<sup>7</sup> (it is considered useful, for deeper insight into this variable, to apply the index not only to the whole parliament, counting all the groups present in the representative assembly, but also to the parliamentary majority, counting the groups it is made up of and therefore defining the degree of cohesion). Other two indexes refer to the degree of parliament governability, i.e., to the greater or lesser capability of the party to establish a strong government in terms of decisional efficiency.<sup>8</sup> The last index refers to electoral volatility. This index displays the combined percentage of voters who have changed vote from one election to another and can be distinguished by ‘inter-block’ or ‘external-block’ volatility where the former concept indicates the voters who switch within the same policy sector area.<sup>9</sup>

The dependent variable consisting of law-making of the first year of the XVIII legislature will then be analysed (the widest sense of the word *law* is intended, i.e., the production of binding rules by the government-parliament sub-system, whether they are primary or secondary acts). In this regard, besides the ordinary procedure, different

<sup>7</sup> In order to analyse the factions, i.e., the fragmentation of the parties in the government and the party system on the whole, the Rae index [1971] will be used. The Rae index evaluates parliament fragmentation, that is to say, the higher the number of political formations, the higher the value of the index. It is defined in:

$$Irt = 1 - \sum_{i \in N} S_i^2$$

where  $N = \{1, \dots, n\}$  is the set of the parties and  $S_i$  is the percentage of the party seats  $i \in N$ .

<sup>8</sup> The operationalised definition by Migheli and Ortona [2009] will be used, according to which governability is a measure of the transaction costs a government has to face when making a decision. Governability principally depends on two parameters: the number of parties that form the majority of the government and the total number of seats these parties hold. More specifically, governability is inversely correlated to the number of political formations (counting the cost of reaching an agreement) and directly connected to the number of seats which make up the majority itself (weighing up the different consequences of absenteeism and/or defectionism).

The first index of governability  $g_1$ , considers the number  $m$  of the critical parties, i.e., those parties whose withdrawal can damage the majority, and the number  $f$  of the number of seats of the majority. The parameter  $m$  is considered more important than  $f$  so  $f$ -element,  $gf$ , is lexicographically added to  $m$ -element,  $gm$ . More precisely, given that  $gm = 1/m$  then the formula for  $g_1$  is as follows, where  $T$  is the total number of seats in parliament:

$$g_1 = gm + gf = \left(\frac{1}{m+1}\right) + \left(\frac{1}{m(m+1)}\right) \left(f - \frac{T}{2}\right) / \frac{T}{2}$$

In order to understand the importance of the number of seats in a majority coalition more exactly we must use a second index of governability in which the sum of the percentage of the majority seats divided by the number  $p$  of the parties in the majority is taken into account. This operationalisation comes from Migheli and Ortona (2009) whose proposals suggest that in evaluating governability the following index is used:

$$g_2 = \frac{f/T}{p} \left(\frac{p}{pf}\right)^\alpha$$

where  $pf$  is the total number of factions in the parties in the majority and  $\alpha \in [0,1]$  is a parameter that represents how ‘monolithic’ the parties are.

<sup>9</sup> Measuring electoral volatility is found to be easy and undisputed both at the level of single parties and that of the party system. In general, this measurement is labelled as ‘net electoral change’ or ‘aggregated’ between one election and the subsequent election (Bartolini 1986).

decisional methods used by the politicians in the government-parliament subsystem will be discussed. Among the legislative procedures established by the Italian Constitution, those most applied are the following. The *ordinary procedure* (art.72, c.1) can be used to approve all types of bill but for some you need a special quorum. In the ordinary procedure the government does not play any special role: it can propose a bill like any member. Then, a committee (called 'Referral Commission'), often integrated with an executive's representative as observer, discusses and amends it. Eventually, the floor examines the bill and votes it article by article and in full.

The *decentralized procedure* (art.72, c.2) allows that the legislative process (final approval included) takes place only in a committee, called 'Legislative' or 'Deliberative Committee', if there is consensus among political actors. The bill, otherwise, may return to the plenary session if requested by 1/5 of the members of the Committee, 1/10 of the floor, or by the government. The decentralized procedure cannot be used to convert decrees, to legislate constitutional amendments, electoral rules or budgetary norms, to ratify international treaties, or to approve delegating laws.

The *decree law procedure* (art. 77, c.2) enables the executive to issue a decree in 'extraordinary cases of necessity and urgency'. The executive's decree becomes law immediately and remains in effect for sixty days without any parliamentary approval. If, after this period, parliament has not 'converted' the decree into a perfect law, then the previous status quo is re-established.

The *delegating law* (art. 76 and art. 77, c.1) is approved by the ordinary procedure. This type of bill has at least a section delegating to the executive the power to promulgate the legislative decrees according to some general framework voted for in the delegating law, and within a limited period of time. The *legislative decree*, approved by the Council of Ministers, is sent to the President of the Republic, at least 20 days before the deadline required by the delegating law, so that the President can check it and, if necessary, send it back to the Chambers. Each delegating law can contain a variable number of 'delegations', and de facto, they give the last word to the government.

Another legislative procedure, which has become more and more frequent over the years, is the *maxi-amendment* that compacts extended regulatory measures into a single article or amendment of an ordinary law, or a conversion law of a decree law. Frequently, when considered strategically appropriate, the government asks for the parliament's *vote of confidence* on the maxi-amendment. It is worth mentioning that in a parliamentary system the government remains in office for as long as it enjoys the confidence of the parliamentary majority, whose existence, in Italy, can be verified at any time.

This case study is descriptive and interpretative in nature. As a consequence, the following sections will illustrate descriptive trends in the independent and dependent variables, respectively.

## **5. Descriptive trends in fragmentation, governability and volatility**

The XVIII legislature presents a high degree of fragmentation compared to the previous one (Fig.1). It is also worth remembering that the Italian parliament is more fragmented than the representative assemblies of many other European democracies, namely Great

Britain, France and Spain [De Micheli and Fragnelli, 2019] and the average degree of governability is lower (Fig.1).<sup>10</sup>

During the last twenty years, successive reforms were meant to change the behaviour of politicians for the purpose of making government coalitions less conflictual, discouraging any party's strategy aimed at gaining excessive visibility and maintaining veto power.<sup>11</sup> However, for the most part, in order to make the reforms work, they have to represent the final stage of a shared process of change, sustained by almost all the political forces, as occurred in the First Republic for the renewal of the parliamentary regulations of 1971. On the contrary, the political parties supporting the views of the of the Second Republic appear more confused, controversial and changeable.

After long negotiations, the eighteenth Republican Parliament produced its first government led by Giuseppe Conte. This government was unstable, partly because of poor control over the parliamentary majority (it is considered an oversized coalition government with two crucial parties reflecting the values of the *average* G1 and G2 in the republican context, Fig.1). Moreover, as regards the distance of position between the two parties, at that time the M5S were ambiguous and unstable.<sup>12</sup> Contrasts and long negotiations arose even for the nomination of the President of the Chamber<sup>13</sup> and the

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<sup>10</sup> The variables were operationalized as follows:

1. *Range: independent variables*

Governability:

Gov.1: below or equal to 0.3: low; more than 0.3 and up to 0.6: medium; over 0.6: high.

Gov.2: below or equal to 0.1: low; more than 0.1 and up to 0.2: medium; over 0.2: high.

Fragmentation of the Chamber of Deputies:

Between 0.5 and 0.75: medium; over 0.75: high.

The degree 'low fragmentation' has not been used because, given the oscillation of the Rae index between 0 and 1, the rate of our parliament always exceeded 0.5.

2. *Range: dependent variable*

Commissions: fewer than 20% of the laws produced with decentralised procedure - -; between 20% and 50% -; between 50% and 75% +; over 75% ++.

Laws converting the decree laws: fewer than 10% produced -; between 10% and 20% +; over 20% ++.

It must be underlined how this analysis grid underestimates recourse to the decree, because here each decree law is counted only when it is converted into law. In this way the relevant phenomenon of reiteration is excluded.

Delegated laws: fewer than 1% -; between 1% and 5% +; more than 5% ++.

Confidence: monthly average of the times that a vote of confidence is used for legislative measures, up to 0.1 -; from 0.1 to 0.5 +; more than 0.5 ++.

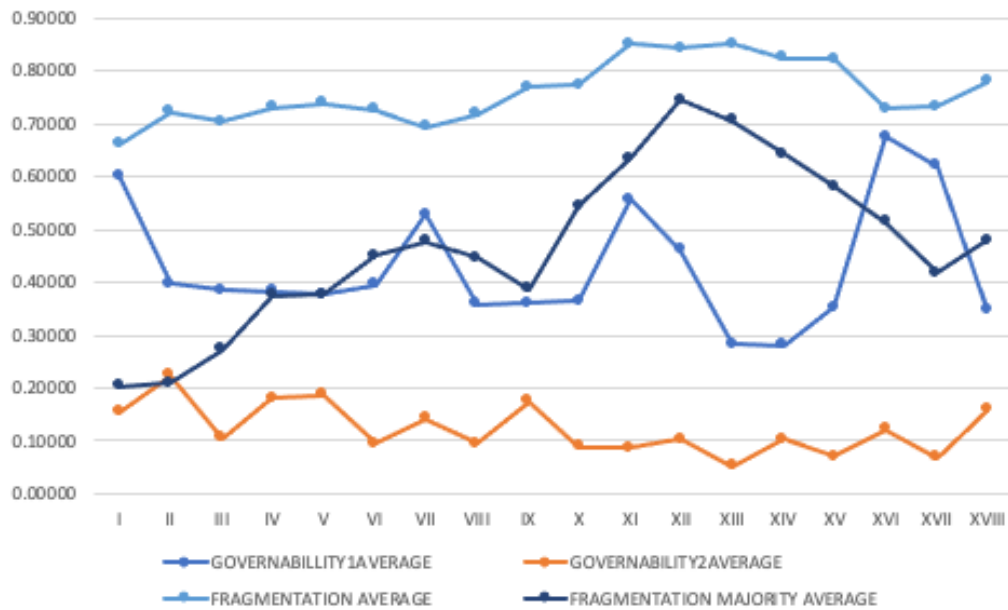
<sup>11</sup> Due to the large number of majoritarian reforms and reform proposals during the last twenty years [De Micheli and Verzichelli, 2004; Ceccanti, 2013], the list would be too long to enumerate and describe for the aims of this article. Among the most relevant adopted reforms, we can mention at the electoral level, the law 270/2005 introducing a proportional system with closed lists and a majority bonus to the party or coalition obtaining the highest number of votes; as far as the parliamentary rules are concerned, we can recall the 2017 reform of the Senate, which adds a political requirement, other than a numerical one, to establish a parliamentary group.

<sup>12</sup> The short duration of the Conte I government and its substitution with an apparently more stable Conte II could indicate greater steadfastness and placement more to the left in the political arena for the M5S. The differences (and commonalities) between the M5S and the Lega are investigated more in depth by Carloti and Gianfreda [2018].

<sup>13</sup> From the XIV to the XVII legislature, the President of the Chamber was normally a leader from a party in the coalition, not the same as the President of the Council (up until then chosen by the coalition through a pre-election agreement).

designation of each collective organism. The marked territorial coverage of this executive makes the discontinuity more notable as there is an evident southernisation of the M5S whereas the Lega’s stronghold is in the north (more evident compared to the successive executive Conte II).

**Figure 1.** Fragmentation and governability of Chamber of Deputies I-XVIII Legislature (1948–2018)



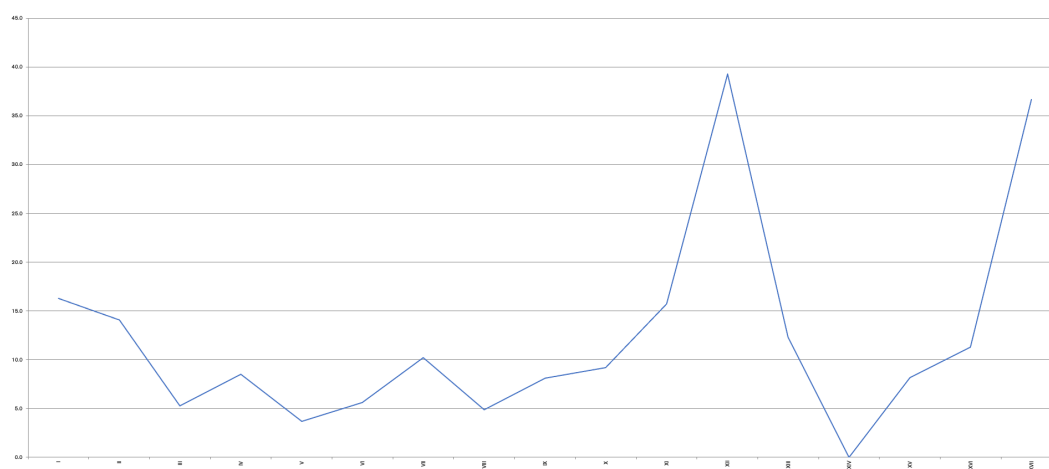
Source: Compiled by the author, based on data of the Chamber of Deputies (<https://www.camera.it>) and Presidency of the Council of Ministers (<https://www.governo.it>)

Electoral volatility has gained significance in light of its increase over the past three legislatures<sup>14</sup> (Fig. 2). The extensive repositioning of the voters, measured by the high degree of volatility displayed in the March 2018 elections, rewarded a new, innovative political formation (M5S) and/or a modernised one (Lega). However, this did not result in a reduction of the number of groups present in parliament. Conversely, although it changed in this election,<sup>15</sup> the method of selection used by the political class of the Second Republic had created a direct link between politicians and voters. The mixed majority system, which involved single name lists, weakened the obligation between voter and party that had already been impaired by the radical crisis within the parties and the decline of ideologies. This made the voters look for imminent and direct representatives of their specific interests (appreciated and emphasised by opinion polls and especially social media) up to the point of doubting a pillar of liberal-democratic representation like the ‘imperative mandate ban’.

<sup>14</sup> The increase in electoral volatility also affected other European countries, such as Germany and the United Kingdom, both nationally and locally [Emanuele 2015].

<sup>15</sup> Electoral law 195 from 2017 was used for the first time.



**Figure 2.** Volatility per Italian legislature

Source: Chiamonte and Emanuele [2019]

Strategical position change inside the representative assembly was increasingly more frequent by politicians looking for urgent consensus, as was blatantly displayed in the previous legislature (XVII) with the highest mobility of the elected in the republican era. In the preceding parliament, over 35% of the elected had changed their position in the Chamber and almost 50% in the Senate. Such levels of *switching*<sup>16</sup> during the elections provoked a distortion of the political framework which resulted in a change of the power relations between the political groups. Besides passing from one group to another, we also witnessed the creation of new identities and the establishment of new parliamentary groups: in every part of the assembly (including the mixed group) out of 11 groups present in 2013, only 4 in the Chamber and 3 in the Senate maintained the same denomination in the eighteenth Republican Parliament [Curreri 2017].

Therefore, the XVIII legislature is an interesting case for examining the consequences brought about by the different re-positioning of politicians and voters, both in terms of seats and in terms of strategies pursued in the process of law-making.

## 6. Law-making activity and procedures

The conditions for changing the characteristics of the legislative function in the parliament of the XVIII legislature were initially expressed with the proposal of the party leaders of the parliamentary majority to exemplify a clear-cut discontinuity with respect to the recent past.

In quantitative terms, the historical trend has been a constant decrease in the number of laws passed by the Italian parliament. Starting with almost forty laws a month in the First Republic, there is a drop to roughly three laws a month issued by the XVIII legislature (the lowest average along with that of the XV legislature).

Frequent use of legislative delegation continues (shared with the previous legislature, the Letta and Renzi governments) but the number of legislative decrees issued overall has risen. In this first year of legislature the government capitalised on the use of

<sup>16</sup> Switching can be considered the degeneration of parliamentary mobility; it is due to personal reasons linked to career prospects, expectations of connections or even economic gain [Curreri 2017]

this procedure, using it, first of all, to announce extensive reforms [Marchetti 2019] and obtain consensus and immediate support (the previous paragraphs underline the importance gained by immediacy with the advent of the populist parties) despite the uncertainty which comes with an effective and/or complete implementation of this type of procedure. Conversely, the parliament derived an advantage from the fact of not assuming direct and visible responsibility in sensitive areas but maintaining a minimum of formal control over delegated policies.

There is also a preference to resort to delegations in order to discipline certain crucial sectors when the majority coalition is in particular difficulty. In accordance with the delegated law, the risk of having an implementation or a partial or incompatible implementation, as we have pointed out, is compensated by the publicity the politicians receive from the enactment of the decision. The delegation is a medium which can be subject to the needs of urgent policies.<sup>17</sup>

From a quantitative point of view, the relationship of the legislative delegations compared with decree-laws shifts in favour of the former, while the quantitative relationship of the bills compared with decree-laws grows in favour of the latter (Fig. 3).

In the XVIII legislature the decree-law signals discontinuity not from a quantitative point of view but in the way it is used. The decree-law (previously the main means of legislative output at primary level in the Second Republic, Fig. 3) affirms a political willingness that should be collective but, in fact, in this legislature is increasingly more often attributable to individual ministers and/or leaders.<sup>18</sup> Such an adaptive manner of use seems congenial to the type of government fragmentation that presents two parties with two distinct policy areas in which they are orientated to maintain almost exclusive control. Furthermore, the decree-law press conference sometimes becomes a means of political announcement of the contents which have not, or not yet, been shared<sup>19</sup> as is also inferred by the long delay between the moment of deliberation in the Council of Ministers and the publication of the same decree in the Official Gazette (decree-law 32/219 was published 28 days after the Council of Ministers meeting on 20 March)<sup>20</sup> [Razza and Bartolucci, 2019]. Such a delay is in ulterior contrast with the urgency of the instrument: increasingly, the decree-laws are neither urgent nor necessary and not even appropriate (lacking the requirement of instantaneous application in accordance with art.15 l.400/1988) and barely presented with diligence to the Chamber. A progressively high number of the decree-laws have become manifesto laws – empty containers, only externally justified by short excerpts announced by the media, who are often aware of the draft before the competent offices.

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<sup>17</sup> We will not go into detail here about the critical notations on the excess of delegations and its executive self-empowerment, but in any case, please refer to [Marchetti 2016].

<sup>18</sup> A lack of ministerial collaboration in issuing decree laws started to manifest itself in the preceding legislature but in the Conte I government it became routine and a governmental resource [Marchetti 2019].

<sup>19</sup> By way of example, the budget bill, whose regulatory contents were anticipated in a brief press conference, was only submitted to parliament many days after the Council of Ministers.

<sup>20</sup> The important new element of the wider distance between the two occasions, the deliberation and publication during the XVIII legislature, is thoroughly presented in the table of all the decrees created by Razza and Bartolucci [2019]. Moreover, we recall the increasingly common practice of *'fuori sacco'* decrees, or rather, decrees not included in the Council of Ministers' items of the day because the accord is finalised only a few minutes before the same Council starts.

The most relevant choices made by the Conte I government were all passed through use of the emergency decree (decrees for workers, safety, citizenship income and unblocking building sites)<sup>21</sup> [Di Cosimo 2019], even though the government-parliament subsystem can achieve the approval of draft legislation in a relatively short time following the customary procedure [Ibrido 2019; Gazzaretti 2013]. The tendency to use the decree is even more detached from any evaluation of the time frame of the decision, as the aim is for the implementation of the new policies to make an immediate impact on public opinion. In fact, it is not to be forgotten that a rapid decision is synonymous with a good decision and is a metaphor for good government. However, it is not so much the actual speed of approval that determines the choice of a procedure but the certainty of its approval and, above all, its greater media impact.

It seems that in recent years the emergency regulation has been performed primarily through the issue of civil protection ordinances: from 2009 the relationship between the use of this procedure and the decree-law has always been clearly in favour of the former and even more distinctly since 2016.<sup>22</sup> When faced with a disastrous event, decree-laws are less frequent and slower to take action while ordinances are ready and presented more often [Arcuri 2019]. Due to this more frequent use, several dysfunctions have arisen like the case of the *omnibus* ordinances (multi-sectoral laws) or the paradox of decree-laws that act notwithstanding ordinances by derogation, as well as the standardisation of emergency, i.e., the transformation of the same ordinance from an extraordinary instrument to an ordinary one in order to adjust recurring situations.

The Constitutional Court recognised an intrinsic mutation of the emergency decree with sentence 244/2016 during the preceding legislature. This ruling affirms that, from a material point of view, heterogeneousness is compensated by a substantial ‘objective uniformity’. The use of decree-laws is confirmed to be useful when the levels of inter-governmental rivalry and the autonomy of government departments are high. It is a way of working similar to Northon’s *baronial model* [2011], according to which ministers are like feudal lords who hold the power to make political decisions on their ‘territory’, and either clash or make alliances with other barons in order to achieve their own goals.

In this first year of the XVIII legislature other innovations were consolidated: notably, more frequent appeals to the provision ‘subject to agreements’, which allows the adoption of a regulation even when it has not been formulated in detail. In other words, the politicians involved achieve political sharing (which is the objective of the Council of Ministers’ resolutions), yet they reserve the detailed draft for a later date which is then specified by the competent offices. Consequently, there is a post-Council meeting where negotiations<sup>23</sup> are continued. In fact, with this clause, the government reserves the right to modify the text. The time from the approval of the decree-laws by the Council of Ministers to their publication in the Official Gazette is prolonged. Thus, such procedure is not noted for the transparency and certainty of its contents but for the distorted political value that is firmly underlined by the participation of the President of the Republic.

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<sup>21</sup> These are decree-laws that usually derive from various emergencies condensed into a sort of key word used like a journalistic slogan, conveniently utilised in terms of public opinion [Lupo 2019] to demonstrate the immediate acceptance of the government’s legislation and maintain/gain consensus.

<sup>22</sup> We recall that up until 2012 (decree-law n.59) the ordering power was entrusted to the President of the Council of the Ministers and then to the Head of the Civil Protection Department.

<sup>23</sup> The first time this clause was mentioned was by the Monti government (23 March 2012).

President Mattarella revealed an abuse of ‘approvals subject to agreements’, commenting on the procedure chosen by the Conte II executive for the so-called ‘growth’ decree even before this kind of procedure was also used for the substantial ‘building site unblocking’ decree. After the withdrawal of the requirements of article 77, this legislature affirms the de-specialisation of the now legitimate decree-laws to be considered as the ordinary instrument for pursuing political goals alongside deputations (and legislative decrees). The first Conte government used this instrument in a casual manner in order to implement the programme, overcoming the profound contrasts between the two majority groups, and, principally, to publicise political activity. Instead, this legislature issued the first ordinary law well after 149 days from its constitution,<sup>24</sup> the vote of confidence after 75 days and another three months were needed to constitute the commissions.<sup>25</sup>

Rather than proceeding with an ordinary programme of activities of their own initiative, the first cabinet led by Conte chose to gather the various emergencies at hand and, at the appropriate time, incorporate them together in a decree-law possibly ‘subject to agreement’ (*approvazioni salvo intese*) and/or *omnibus*. In this way, the executive obtains a more immediate and visible implementation of the programme as regards forcing the attention of the majority towards placing their vote of confidence.

In the XVIII legislature the use of the decree-law is not as it was in the preceding decades i.e., similar to a fast lane, consequent to a more autonomous functioning of the department, with ministers lobbying for a high degree of control over their *own area* of policy unlike before [Laver and Shepsle 1996]. A more decentralised decisional process than in the past takes shape. The M5S-Lega alliance was formed to enable these parties to implement the policies that had brought them ample, but perhaps unforeseen, success:<sup>26</sup> namely, it was indispensable for the Five Star Movement to incorporate the concession of the citizenship income with the proposals on immigration and public order by the Lega.<sup>27</sup> In recent years, a high level of *volatility* (Fig. 3) predominantly conditioned party attitude inside the coalition to make the implementation (and/or the perception of the implementation) of certain policies more prominent in order to maintain and win votes.

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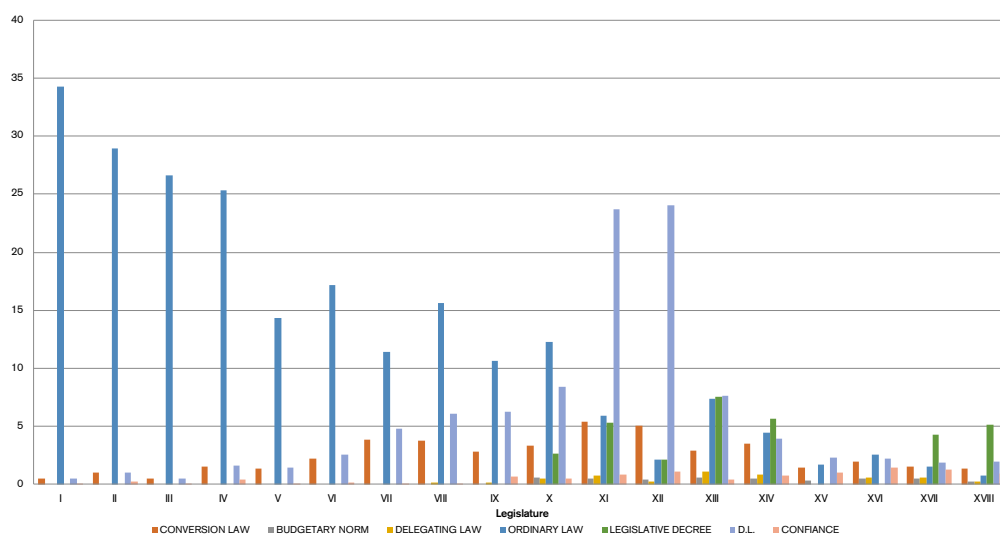
<sup>24</sup> In addition to being quantitatively scarce, the ordinary laws are also reduced from the point of view of content if you count the number of letters [Legislation Committee, 2019].

<sup>25</sup> In fact, the difficulty in coming to an agreement is also evident by the laboriousness of the obligations relative to the setting up of the bodies (indicator of the ease with which the majority politicians establish any kind of accord). Diversely from what happened in the previous assemblies, in the XVIII legislature it is unusual for the policy-making process to be quicker than the process that leads to the nominations in the different organisms [Di Porto and Piana 2009].

<sup>26</sup> According to Downs [1957] the position of policy is merely instrumental: political parties are exclusively interested in governmental power but in order to obtain it they have to generate positive utility in the electorate by means of the issuance of public policies (or even through the communication of their issue). The positions of the political parties mutually affect the various dimensions (positions and politics).

<sup>27</sup> For an in-depth analysis of the legislative activity of Lega (Nord) and MS5 in their parliamentary beginnings see De Giorgi and Dias [2018].

**Figure 3.** Average per month of norms



Source: compiled by the author, based on data of the Chamber of Deputies (<https://www.camera.it>)

The advent of a majoritarian system heightened the trends of governments in the nineties and afterwards to reduce parliamentary confrontation to a minimum. The autonomy of the cabinets in the Chamber, which could be presumed to be a contingent factor, was institutionally claimed in the name of the direct relationship that would be established between the voters and the chosen executive, expressed in the winning coalition. It is no longer like this in the XVIII legislature because a coalition agreement never existed from the beginning. This kind of agreement promotes the *governance* of the coalition by being useful for the party leaders when they find themselves forced to seek the approval of their party members for a controversial decision, but most of all, to the benchmark voters who will be more inclined to accept concessions from coalition partners, if these arise from a compromise stipulating a preceding pact<sup>28</sup> [Strom, Muller and Bergman 2008; Pedersen and Christiansen 2012]. The government agreement signed by two political forces at the moment of the constitution of the executive does not seem to have the same force as one legitimated by the actual voters.<sup>29</sup> Therefore, governing and *law-making* is crucial for the Lega and M5S for the coalition and its endeavour for control is extended in the convoluted form of the cogent regulations issued: ‘thousand extensions’ decrees, omnibus, the application of votes of confidence, delegations and remedial delegations. All these procedural contrivances are not only for shortening the time of the legislative procedure but mainly to impose measures on parliament. The first test for the government is precisely the use of the question of the vote of confidence for the sole article of the draft law of the ‘thousand extensions’ decree law conversion, and for the autonomous and separate ministers to continue functioning through the frequent use of

<sup>28</sup> It is worth remembering that pre- and post-agreements can involve policies, rules and distribution of positions [Pedersen and Flemming 2012].

<sup>29</sup> Generally, the major conflict in parliamentary systems does not arise from the opposition between the two arenas – government and parliament – [King 1976], but between the parties, or factions, with diverging objectives that choose to converge on certain goals that are not individually achievable, hence, form a coalition [Vercesi 2012; Hubner 1996].

legislative delegation. The absence of coalition agreements makes the relationship between parties more difficult in the legislative process.

In the XVIII legislation, the law has lost its value as a point of equilibrium between the will of the people and the expression of the rule of law in the most tangible manner. It is balanced 'between the means with which it expresses the political will of the majority and instrument – once virtually exclusive – for the protection and implementation of the constitutional rights' [Lupo 2019, 253].

The populist tendencies of the governing forces tend to consider the regulatory measures as expressions of *only* the will of the people, virtually direct and instantaneous implementation not so much of the will of the representatives who are called to establish acceptable points of agreement on a case-by-case basis, but rather that of the same represented. As a consequence, in the formulation of a policy or a law, the populist legislator tries to manipulate the consensus of those represented, not only by satisfying their interests but, most of all, by going along with their responses and desires collected from surveys and social media. As Lupo [2019, 253] clearly stresses this point 'in contemporary democracies, due to the growing populist influences, the law tends to get too close to popular will and in this way [the law] becomes the pure and bare expression [...] of the same represented. Consequently, the contents of the law reflect not only the interests or the demands of the represented but also and above all their immediate reactions, their desires and moods, as they are accurately and promptly captured, not without unavoidable and sometimes drastic simplifications, by surveys and social media, and as they are declined and exploited by the populist leaders'.

Therefore, the provisions issued are increasingly more subject to specifications, reformulations, extensions, cancellations and more frequently in response to the voters' reactions than for necessary corrections.<sup>30</sup> Furthermore, for the most part this legislation is constituted by measures of eclectic content, usually extensions and various emergencies (for instance the conversion laws for the above stated decrees): from the *little laws* (micro-sectoral laws) of the First Republic to the *omnibus laws*. Instead, the delegating law is increasingly used to provide complex measures and reforms, seeking through this regulatory tool the fusion between government and parliament, which becomes increasingly weaker with the passing of legislatures.

## **7. Preliminary findings**

Based on the empirical evidence of the case study and given the descriptive and interpretative nature of the analysis, some preliminary (theoretically relevant) findings can be argued.

This first year of the XVIII legislature appears to have completely capsized the characteristic traits of the Italian Republican Parliament. The distance between the parliament of 'transformation' [Polsby 1975], and 'settlement centre' or 'compensation room' [Sartori, 1963] and the system has never been so great. However, if this distancing can be physiological and functional to profound political change, both national and

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<sup>30</sup> One of the consequences highlighted by Lupo [2019] is the phenomenon of the precariousness of the law since the content is uncertain.

international, which has occurred in recent years, on the other hand, the assembly seems to be heading towards the expropriation of its function of mediation and settlement.

The fluidity of the party system caused substantial instability in the parliamentary set-up due to runaway political fragmentation accentuated by a high degree of switching.

Discontinuity did not occur in the dysfunctions of the legislative process, as announced by the leaders of the M5S (Luigi Di Maio) of the Lega (Matteo Salvini) and by the neo-President of the Chamber (Roberto Fico). Indeed, recourse was made to all the dubious procedures used up until then.

Consequently, starting from the hypothesis validated by the preceding comparative analysis [De Micheli and Fragnelli 2016] which, added to the increase in parliamentary fragmentation and decrease in governability, carrying out the normal governmental functions becomes progressively more complex and influences the course of the *law-making* process (besides all the other functions that require widespread agreement like nominations and the constitution of commissions), the high level of volatility has changed certain features even more.

The higher propensity level of the voters to switch their preferences from one party to another can be considered an independent variable that modifies the use of the available tools to the policy makers so as to exploit visibility and publicity as much as possible. If, with time, the different degrees of fragmentation and governability have affected the abandonment of ordinary legislation and decentralised approval in favour of decrees, delegations and provisions protected through votes of confidence, the high volatility rate of the voters has motivated the use of these instruments in such a way that they have become more flexible, modifiable and easier in promoting their contents.

The case-study gives empirical support to the hypothesis that, due to high electoral volatility, the governmental actors tend to follow the political demands of volatile voters, showing a high degree of decision-making efficiency, even resorting to procedural tools to make the implementation (and/or the perception of the implementation) of certain policies more prominent.

## 8. Conclusions

This paper has analysed the characteristics of the legislative process in the first year of the Italian XVIII legislature on the basis of elements of continuity and change of three independent variables: parliament fragmentation, governability and electoral volatility.

Descriptive trends of the independent variables and of their impact on law-making activities and procedures have confirmed that high parliamentary fragmentation and low governability tend to influence the law-making characteristics of the parliament-government subsystem, drastically reducing ordinary legislation and decentralised approval in favour of decree-laws, delegating-laws and legislation protected through votes of confidence. Moreover, high electoral volatility has modified the use of these regulatory tools and procedures in order to make them more flexible, changeable and promotable in their contents, making it easier for policy makers to follow the political demands of volatile voters and to show them a high degree of decision-making efficiency.

These empirical and theoretical findings, although preliminary and based on a descriptive analysis of a case-study, enrich the literature on the role of law-making

procedures in the recent evolution of the Italian political system. They also offer promising arguments to frame, with further empirical investigations, the topic of the supposed decline of Italian parliament along with the decline of the traditional political parties.

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# Making Laws Fit for the Present Day: the Government of Change and the precariousness of choices during Italy's Long Transition

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## Abstract

This article retraces the events of the first Conte government from its difficult birth by contract through to its foreseen death and seeks to establish a connection between the political-institutional aspects of this unprecedented government alliance and the use of legislative instruments, as well as between the devaluation of Parliament and the successes of legislative parliamentary initiatives. This reconstruction also compares the first months of the 18th legislature with the first months of the preceding legislatures of the so-called 'Second Republic'. The conclusion will be that this legislature distinguishes itself from certain preceding long-term legislatures (the 13<sup>th</sup>, 14<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup>) by an approach orientated exclusively to the present and to constitutional reforms that are very small in dimension but huge in impact (such as reducing the number of parliamentarians). Like the other legislatures, it will end with a government and a majority which are different from the original ones, but perhaps with the same prime minister. When that will happen is obviously unclear.

## 1. A slow gestation

Among the legislatures under the so-called Second Republic, the 18<sup>th</sup> took the longest time to become fully operational: seventy-five days to form a government and ninety to establish the permanent parliamentary committees. The 17<sup>th</sup> legislature, which also had a weak start, required less time despite undergoing elections for the President of the Republic. The first ballot for the presidential election took place more than a month after the start of the parliamentary term and the process was fast-tracked to a conclusion thirty-six days after the first meeting of the chambers, with the sixth ballot re-electing Giorgio Napolitano. The Letta Cabinet was formed ten days after the election of the President of the Republic and passed a vote of confidence forty-six days after the start of the parliamentary term; the permanent committees were formed one week later (fifty-three days after the start of the term).

In the 18<sup>th</sup> legislature, the first two and a half months were needed to untangle a complex political situation and form an unprecedented and unexpected parliamentary majority out of two parties (the Lega and Five Star Movement) which had been antagonistic during the elections, the one 'sovereignist' and the other 'populist', or both differently populist (Caiani 2019). For the first time in the Republic's history, the two majority parties did not converge on a common agenda, i.e., forming a synthesis of their proposals, but

signed a ‘contract’. With the two parties constantly invoking the contract, an ‘unprecedented phenomenon’ was observed in which ‘the populist-sovereigntist forces that have largely become the majority’ used (or at least tried to use) parliamentary institutions ‘against the system itself’ (Manzella 2019).

## **2. To each their own: not a programme produced by synthesis, but a contract resulting from aggregation**

Already the choice of the term ‘contract’ underlines the divide between the two partners in government, linked by a private document rather than a common political programme to sanction the birth of their political alliance. The government had a prime minister, chosen from outside either party (although closer to one of them), who acted as mediator and arbitrator rather than as the engine of the executive.<sup>1</sup> It had two deputy prime ministers who between them headed three ministries and who were also, respectively, the heads of the two political parties. This led to a progressive weakening of the boundaries between their roles as members of government and their roles as political leaders, something that has perhaps not been sufficiently noted by either mass media or academia. Nevertheless, an Interior Minister – in his constitutional role, the guarantor of electoral procedures – had never before been seen to be involved in such a harsh and prolonged electoral campaign. I believe that an official meeting of a political party (Five Star Movement) in the office of a Minister (Economic Development), evidently perceived by the party as the home of its leader – such as occurred in the aftermath of the European elections – has also never before been witnessed.

The contract did not synthesise but rather aggregated the aspirations of the two leaders and their parties, obliging one side reluctantly to accept the other’s objectives in exchange for achieving their own goals. We saw this often-painful exchange continue throughout the fourteen months of the first Conte government, which, to be achieved, required procedures to be ‘adjusted’ quite a bit within both government and Parliament.

## **3. Placing all bets on two parties, four issues**

The contract and all the government’s efforts – albeit obviously facing many issues – focussed on four principal topics. The hobbyhorses of the Five Star Movement were citizenship income and a substantial elimination of cases to which the statute of limitations applied (part of a much larger theme concerning the justice system); and the Lega’s prerogatives were security/immigration and the proposed ‘Quota 100’ pension reform. Probably, the Lega was better able to affect the government’s policy priorities than the M5S (Giannetti, Pinto and Plescia 2020); the M5S focussed more on parliamentary initiative. Decree no. 4 of 28 January 2019 combines the first and fourth issues with the title *Urgent provisions for citizenship income and pensions*, to which Chapters 1 and 2 of the

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<sup>1</sup> In every sector, the two majority parties had between them to cover three executive positions (the Minister and the respective Presidents of the Permanent Committees in both the Chamber of Deputies and Senate). Balance was therefore never possible, and in two cases the imbalance was evidently in favour of the Five Star Party: the Department of Health was entirely in their hands (Minister and both Committee Presidents), and the same applies to the Political Commissions of the European Union for both the Chamber of Deputies and the Senate.

decree are respectively dedicated. In Chapter 3, before the provisions on funding and the implementation date, there is one concerning gambling, useful for generating income.

This decree is possibly the most significant example of how the government operated. It derived from adding together one key objective from each governing party, accepted in exchange for an undesirable one from its partner, in order to achieve their respective objectives: citizenship income vs. Quota 100. To obtain these objectives all obstacles were overcome: the past was disregarded ('inclusion income') or denied (Quota 100), but in a transitional and experimental fashion (for the three years between 2019 and 2021), thereby also losing sight of the future; regional responsibility in social policy was not taken into account, initiating a clash with the regions; no study was made of the effects of the two measures, and they were approved (as almost always happens, with any government) regardless of any cost-benefit analysis.<sup>2</sup>

Concerning justice, the two government parties stood far apart but the Five Star Movement, being the majority shareholder, was able to achieve quite a few results. On the issue of immigration, the distance between the parties was more elastic, but it expanded when Conte's first government was succeeded by his second.

#### **4. Moving on from the past, looking to the present, disregarding the future: the choice of fleeting legislation and a dislike of delegated legislation**

Perhaps the most profound difference between the so-called First and Second Republic lies in their different relationships with the past. In the first, policy continuity prevailed: in the second, discontinuity. To highlight the discontinuity, policy interventions such as those used in the past are not needed, but smaller or greater reforms are, and thus we become entangled in continuous, inconclusive reform processes. Each new legislature generally tends to dismantle the reforms implemented by the preceding one: it begins again from scratch, making it difficult to achieve completed, tested and verified reforms. Overcoming or disagreeing with the past is the theme on which the electoral campaigns of the opposition parties are founded, who then must deliver results once they become the majority. Thus, the reforms follow one another without having the time to take root. The examples are numerous, but I will limit myself to narrating the reforms concerning the job market, education and public administration.

Up until the 17<sup>th</sup> legislative term, ambitions that included overcoming the past and focussing on the present did not preclude also looking to the future; on the contrary, in order to make themselves last, the legislatures were structured around extensive

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<sup>2</sup> This is not the place to deal with impact analysis and the reasons for the absence of an evaluation culture in Italy. I limit myself to recalling an emblematic story. The Impact Assessment Office was established in the Senate in the seventeenth legislature, in the wake of the constitutional reform, rejected in the referendum of 4 December 2016, which attributed to Palazzo Madama competences in the evaluation of public policies. In the 18th legislature, the Office was initially very active, producing 12 documents between May and November 2018. After this date, there is evident stagnation. The web pages of the Office, also due to this stasis, give the overall idea of being still suspended between the XVII legislature and the current one, evidently at a stage in which the UVI model is subject to rethinking.

The UVI story and, more generally, the difficulties in implementing serious and effective impact analysis of the ex ante evaluation are accompanied by an inability to look ahead, typical of public policies in Italy, especially in this legislature.

constitutional and/or structural reform processes. The latter were based on a previously unknown use of delegated legislation.

The legislatures lasting approximately five years each (13<sup>th</sup>, 14<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup>) experienced wide and challenging reform paths, and the 17<sup>th</sup> survived a resounding failure in constitutional reform.

Using the work of Di Porto and Piana (2019 I, pp. 9-12), I shall try to summarise what happened in the past for a comparison with the present.

In the 12<sup>th</sup> legislature, which lasted two years, the only delegation with any ambition – initially only short-term – was present in the law ratifying the acts implementing the results of the so-called Uruguay Round (Law no. 747 of 29 December 1994).

The 13<sup>th</sup> legislature revolved around reform processes – set in motion, less than a year from its beginning, by the so-called Bassanini laws (Laws no. 59 of 15 March 1997 and no. 127 of 15 May 1997) – which culminated in the final period of the parliamentary term in the reforms of Title 5, Part 2 of the Constitution.

In the 14<sup>th</sup> legislature, two phases of important delegated reforms can be identified: the first a few months from the start of the parliamentary term, in the autumn of 2001, the second, with a much slower maturation, during the central years (2003-2004). This second phase concerned itself with institutional structures, education, employment, social security, the environment, energy, agriculture and tax, and its implementation committed both chambers until the end of the parliamentary term. The so-called Environment Code bears the date of 3 April 2006 (no. 152) and was quickly and heavily modified in the following legislature (Decrees no. 284 of 8 November 2006 and no. 4 of 16 January 2008). A similar fate occurred to the Code for Equal Opportunities (Decree no. 198 of 11 April 2006, modified and above all integrated by Decree no. 196 of 6 November 2007).

The 15<sup>th</sup> legislature was born weak and did not approve any wide-ranging enabling acts. Instead, it was active in intervening through supplementary and corrective decrees<sup>3</sup> to reform what had just been approved by an opposition majority, proceeding with urgent decrees and budget laws, the size of which remains unsurpassed to this day.

During the 16<sup>th</sup> legislature, a little more than three months from its start, the government presented to the Chamber of Deputies a draft universal enabling law (no.1441), composed of 75 articles, which would be broken down and considered separately during examination. From it originated three laws of extensive size and breadth: no. 69 of 18 June 2009, setting out provisions for economic development, simplification and competition, as well as concerning civil proceedings (72 articles); no. 99 of 23 July 2009, setting out provisions for the development and internationalisation of businesses, as well as concerning energy (64 articles); no. 183 of 4 November 2010, delegating powers to the government regarding heavy and arduous work, leave entitlement, social welfare, employment services, the reorganisation of institutions, employment incentives, training and the employment of women, as well as measures against undeclared work and provisions for public works and labour disputes (50 articles).

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<sup>3</sup> To amend the reforms approved by the preceding legislature, it is not necessary to modify the enabling laws' guiding principles and criteria, which are so loose that they leave room for quite different or even entirely opposite interpretations.

The chambers, while engaged in the review of the three laws mentioned above, also had the time to approve two important laws, no. 15 of 4 March 2009, *Delegation to the Government designed to optimise the productivity of public works and the efficiency and transparency of public administrations, as well as supplementary provisions for the operation of the National Council for Economics and Labour and the Court of Auditors*, and no. 42 of 5 May 2009, *Delegation to the Government concerning fiscal federalism, implementing Article 119 of the Constitution*.

The 17<sup>th</sup> legislature, after the failure of the constitutional reform, was able to unite around the reorganisation of public institutions laid down in much-cited Law no. 124 of 2015. In implementing the law, except for errors and omissions, 28 decrees were issued (eight corrective ones, of which two were issued during the 18<sup>th</sup> legislature). At the time of the referendum, many of the principal delegated powers had been exercised (14 decrees). During 2017, six principal and six supplementary and corrective decrees were issued, some concerning particularly important areas (such as affiliated companies).

The 18<sup>th</sup> legislature presented many similarities to and a few differences from the 15<sup>th</sup>. To move on from the past, the Executive, formed as the ‘Government of change’, used urgent decrees more than anything else. It ignored delegated legislation and introduced a significant number of provisions to the budget laws in a very brief, fast-tracked process.

In the first two years, no enabling law of significant impact on the legal system was approved. The first Conte government presented a package of draft enabling laws covering: tourism (Senate Act no. 1413, approved in the Chamber of Deputies); the simplification, rationalisation, reorganisation, coordination and integration of legislation concerning public contracts (Senate Act no. 1162); revision of the Civil Code (Senate Act no. 1151); the simplification and rationalisation of legislation concerning the military (Senate Act no. 1152); and modification of the Highway Code (Chamber of Deputies Act no. 1661). To date, the second Conte government has presented a draft enabling law regarding the efficiency of civil proceedings and the revision of the regulation of alternative dispute resolution methods (Senate Act no. 1662).

This is confirmation of a dramatic and compulsive focus on the present, and of the inability to and/or the impossibility of looking ahead, probably with the sole intention of capitalizing on the consensus obtained in the numerous electoral appointments that follow each other from year to year. Awareness of the difficulty of implementing long-term reforms and their precariousness in the presence of changes of government and legislatures also weighs heavily.

A key difference from the 15<sup>th</sup> legislature is the succession of two governments led by the same prime minister, in which the Five Star Movement remains a majority shareholder (albeit declining sharply in all elections). However, the minority shareholders have changed: the Lega was succeeded by the Partito Democratico (growing electorally) as principal minority shareholder and two small minority shareholders, both formed, at different times, out of splits from the Partito Democratico (Liberi e Uguali and Italia Viva). The minority shareholders feel a strong need to mark discontinuity with the first Conte government, a need only partially shared and for the most part opposed by the majority shareholder. The result is substantial stagnation, exacerbated by the dramatic coronavirus that is monopolising attention and making the present problem so pressing

it leaves no room to look to the future. This at least solidifies the political majority, but constrains parliamentary institutions into inaction, relaunching – *mutatis mutandis* – the idea of digital democracy, so dear to the majority shareholder.<sup>4</sup>

The scarce attention given to the future is reflected, among other things, in one emblematic fact: in the fourteen months of the first Conte government, a marginal reference to the 2030 Agenda occurred in just four acts: Decree no. 97 of the President of the Council of Ministers of 19 June 2019, *Regulation of the organisation of the Ministry for the Environment and Protection of Land and Sea, by the Independent Body of Performance Evaluation and of the Offices for Direct Collaboration*;<sup>5</sup> Law no. 92 of 20 August 2019, *Introduction of Civic Education into School Teaching*; Law no. 42 of 8 May 2019, *Ratification and Implementation of the Accord of Political Dialogue and Cooperation between the European Union and its Member States and the Republic of Cuba made in Brussels on 12 December 2016*; and Law no. 145 of 30 December 2018, *Provisional Budget of State for the 2019 financial year and three-year budget for the period 2019-2021*.<sup>6</sup>

The first Conte government (imitated by the second) therefore made a precise choice: to focus on fleeting legislative instruments to overcome the past and regulate the present with measures that were often transitory, experimental and unstable. Hence the use of the urgent decree, particularly congenial to a government founded on a contract. The second Conte government, although founded on various government partners, does not look towards the future. The outbreak of the pandemic has plunged it into a dramatic present. The Government's response is through decree-laws and decrees of the President of the Council of Ministers (DPCM).<sup>7</sup> The prospects for a structural use of the resources deriving from the Recovery Plan do not seem the best.

Some figures are useful: during the period of the first Conte government, which lasted around fourteen months, 68 laws were approved, among which were three conversion bills and one ratification bill presented by the Gentiloni government. 46 were government initiatives (of which 22 were conversion bills), 20 were parliamentary initiatives (of which eight were ratification bills) and two were a mixture of parliamentary and popular initiative (Di Porto and Piana 2019 II).

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<sup>4</sup> In this case, the use of technology is considered necessary to 'save' representative democracy by allowing parliamentarians to discuss and vote remotely. Stefano Ceccanti, an MP and professor of comparative public law, is particularly insistent on this subject. An interview with him released by Radio Radicale on 12 March 2020 can be found at <https://www.radioradicale.it/scheda/600718/emergenza-coronavirus-introduzione-del-voto-a-distanza-e-i-regolamenti-parlamentari>. In recent weeks, a great debate has been taking place among politicians and academics. At institutional level, a confrontation is taking place that was initiated by the meeting of the Board for the Regulation of the Chamber of Deputies on 4 March 2020 and continued in the meeting of 31 March.

<sup>5</sup> Article 9 is limited to granting authority in the area of 'strategy for sustainable development at national and international level and verification of its implementation in accordance with the 2030 Agenda's Sustainable Development Goals and of other international instruments' to the Director General for Sustainable Growth and Quality of Development.

<sup>6</sup> Article 1(337) justifies the modifications made to Law no. 125 of 11 August 2014 with the objective to 'reinforce Italy's action in the field of international cooperation for development, including through strengthening the role of the Cassa Depositi e Prestiti SpA bank as a financial institution for international cooperation for development, also in accordance with the Sustainable Development Goals of the United Nations' 2030 Agenda'.

<sup>7</sup> The comments of the doctrine on the subject are very numerous. The latest released is Arcuri 2020, which contains a convincing reconstruction of the phenomenon.



**Table 1.** The laws approved during the Conte I government

<b>Laws</b>	<b>No.</b>	<b>With vote of confidence</b>
Government initiative	46	10
Conversion of law decrees	22	8
Budget laws	3	1
Laws related to the Budget Law	2	
European laws and European delegation laws	1	
Ratification laws	12	
Other laws	6	1
Parliamentary initiative	20	
<i>Of which:</i>		
Ratification laws	8	
Mixture of parliamentary and popular initiative	2	
<b>Total</b>	<b>68</b>	

Source: own elaboration.

## 5. To devaluate or respect Parliament? Parliamentary legislative initiatives and the forcing of procedures

The high percentage of laws originating from parliamentary or mixed parliamentary-popular legislative initiatives has an explanation in common with the forcing of procedures: the scope for parliamentary involvement during the first Conte government both shrank and expanded. It shrank when the two government partners were in total accord on certain topics; it expanded when agreement had to be reached, defined or perfected in the parliamentary chambers or when dealing with areas outside the contract. Often it shrank again, once agreement had been found, to strengthen the agreement, sometimes calling for a vote of confidence.

Reaching total accord across government is never easy: many decrees require long negotiations and are adopted with the formula ‘unless otherwise agreed’, which involves finalising the text weeks after formal approval by the Council of Ministers. The Committee for the Legislation of the Chamber of Deputies intervened in this practice on 9 October 2018, recommending to the government that, “in order to respect Article 15 of Law no. 400 of 1988, it should avoid an excessive time interval between the deliberation of a decree in the Council of Ministers and its coming into effect after publication in the Official Gazette. In this regard, a more consistent and systematic use of the possibility to approve the measures with the formula ‘unless otherwise agreed’ during the first deliberation by the Council of Ministers, followed by a second definitive deliberation, should be evaluated”.<sup>8</sup> The government followed the Committee’s suggestion on four

<sup>8</sup> Opinion regarding the bill converting Decree no. 109 of 28 September 2018, laying down urgent provisions for the city of Genoa, the security of the national infrastructure and transport grid, the seismic events of 2016 and 2017, work and other emergencies, in the preamble to which the Committee annotates that “the decree, approved by the Council of Ministers in the meeting of 13 September 2018, was published in the Official Gazette a good fifteen days later on 28 September 2018. In this legislature, a similar time interval between issue and publication in the Official Gazette, equal to or greater than ten days, occurred for Decree no. 86 of 2018 (‘DL Ministers’, ten days) and for Decree no. 87 of 2018 (‘DL Dignity’,

occasions.<sup>9</sup> When an agreement is reached, the texts are modifiable to a specified limited extent.

A vote of confidence was called for, in total, fifteen times in connection with ten laws: during the three readings of the budget law, during the two readings of Decree no. 113 of 2018 (Security and Immigration),<sup>10</sup> no. 34 of 2019 (*Urgent measures for economic growth and for resolving specific crisis situations*) and no. 53 of 2019 (*Urgent provisions for order and public safety*) as well as another five conversion laws and Ordinary Law no. 3 of 9 January 2019 (*Measures to combat crime against the public administration, as well as regarding the statute of limitations and the transparency of political parties and movements* – the so-called ‘corruption-sweeping law’). Thus, the budget law and three conversion laws were approved on the basis of a ‘take it or leave it’ vote regarding one decisive part of the text (Article 1 of the budget law) or its entirety. Particularly interesting was the fact that a vote of confidence was called for ten times in the Chamber of Deputies, where the majority was able to count on an ample majority, and only five times in the Senate (where the majority was smaller).

Keeping this information in mind, some clear conclusions can be drawn. First, the government was clearly in difficulty when dealing with economic or financial issues, starting with the budget law, which had the difficult goal of reconciling economic and financial constraints with the parties’ election promises (Codogno and Merler 2019). The two governing parties addressed the budget session with displays of suffering and intolerance towards the European Union’s regulatory framework. Secondly, when the subject discussed was the hobbyhorse of one of the two governing parties, ill humour and arguments arose from the other party: decrees concerning security and immigration, and security and public order, with two votes of confidence in both the Chamber of Deputies and Senate; the ‘corruption-sweeping’ law with three passages through Parliament and a vote of confidence in the Senate; and the law concerning self-defence with three passages through Parliament.

These difficulties explain the unexciting numbers of the legislative activity of the first Conte government: while the propaganda conducted above all by the two deputy

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eleven days) and it has now been repeated for Decree no. 113 of 2018, currently under scrutiny by the Senate (‘DL Security and Immigration’, ten days). In the previous legislature, the phenomenon was registered on another twenty occasions [...]; in this regard, it would appear opportune to study the consequences of this process, in terms of legal certainty and compliance with the requirement of immediate application of decrees under Article 15 of Law no. 400 of 1988”.

<sup>9</sup> These are the decrees that refer to the double passage through the Council of Ministers in their preamble: no. 199 of 2018 (Urgent provisions for fiscal and financial issues), respectively on 15 and 20 of October; no. 27 of 2019 (Urgent provisions for relaunching the agricultural sectors in crisis and for sustaining agri-food businesses affected by adverse atmospheric events of exceptional nature and for the emergency at the Stoppani plant in Cogoletto), respectively on 7 and 20 March; no. 32 of 2019 (Urgent provisions for relaunching the public contracts sector, for accelerating infrastructure interventions, urban regeneration and reconstruction following seismic events), respectively on 20 March and 18 April (thereby at a distance of about a month); no. 34 of 2019 (Urgent measures for economic growth and for resolving specific crisis situations), respectively on 4 and 23 of April.

<sup>10</sup> Decree no. 113 of 4 October 2018, Urgent provisions in the area of international protection and immigration, public safety, as well as measures concerning the functionality of the Ministry of the Interior and the organisation and operation of the National Agency for the administration and destination of assets seized and confiscated from organised crime, converted, with modifications, into Law no. 132 of 1 December 2018.

premiers announced epochal changes in many policies, there were not many legislative initiatives and they struggled to be approved.<sup>11</sup>

I shall limit myself to a simple recap from memory of the events relevant to the budget law of 2019, the draft of which was presented to the Chamber of Deputies on 31 October 2018, more than ten days late according to the terms provided by the Law of Public Finance and Accounting, and approved by the Assembly on 8 December, with a vote of confidence on the entire first part (once the subject of the Stability Law) which had been merged into a single article. The discussion in the Senate took place while tense negotiations intensified with the European Commission concerning the level of net debt (fixed at 2.4%; in the Economic and Financial Document approved in April it was equal to 0.8%). The Senate Budget Committee discussed – or rather, pretended to discuss, since many meetings were convened and then disbanded – a text that would have to be rewritten. The rewriting of Article 1 (already approved with a vote of confidence in the Chamber of Deputies) came with a major amendment whose approval the government sought by again calling for a vote of confidence (*ex multis*, Buonomo and Cerase 2019, Lupo 2019 II, Sorrentino 2019).<sup>12</sup> The Senate concluded its own work on 23 December; the Chamber of Deputies only had time for a rapid *pro forma* examination, which led to the definitive approval of the law with a third vote of confidence on 30 December (Lucianò 2019).<sup>13</sup>

The forcing of procedures (Ruggeri 2019 does not hesitate to speak of ‘a black page for democracy and the Constitution’) induced 37 senators of the Partito Democratico group to file a petition with the Constitutional Court to resolve a dispute about constitutional roles. The Court issued an order (no. 17 of 2019) defined by Nicola Lupo (2019 I) as ‘arbitration, but which provides the foundations for a legislative procedure which is more respectful of the Constitution’. For Michela Manetti (2019), the order ‘highlights the unresolved transition between two politico-constitutional cultures: the older one that reserves judgement over the legitimacy of parliamentary procedures entirely for the Assemblies; and the current one that calls the constitutional judge to the thankless task of deciding, case by case, whether a disputed issue is political or constitutional’. Finally, the order distinguished itself particularly – according to an authoritative commentator (Onida 2019) – “both through the clarity with which it has sought to reaffirm the right that the Constitution grants to individual parliamentarians to raise such a dispute in a court of law, as well as for the arguments with which, in a delicate balancing game, it has, on the one hand, substantially acknowledged the constitutional anomaly of the procedure followed in the Senate and, on the other, specifically avoided the interpretation

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<sup>11</sup> Marangoni and Verzichelli (2019) use the title for a paragraph of their interesting essay Change without action. The initial months of the Conte government’s legislative activity. Thus, they highlight the modesty of the initiatives taken compared to the striking announcements. I also refer to them for an analysis of the legislative and communication strategy used.

<sup>12</sup> From the petition presented by the Partito Democratico senators, cited widely by Sorrentino (p. 2), it seems that ‘on the text of the draft budget law of 2019, approved in first reading by the Chamber of Deputies, considerable substitute amendments were presented by the Government (first amendment 1.7000 and then Amendment 1.9000) on which it gave notice of a vote of confidence, with the result that the responsible Fifth Budget Committee took little more than twenty minutes to express its opinion and that, in little more than six hours, the Senate approved the entire law (that is Amendment 1.9000)’.

<sup>13</sup> Lucianò reconstructs the budget sessions for 2017, 2018 and 2019, showing elements of continuity and new anomalies.

that, in this case, we are looking at a ‘glaring’ impairment in the powers of the petitioners”. Other comments are much more severe: Curreri 2019, for example, defines the order as a ‘lost opportunity’.<sup>14</sup> On the other hand, as has been noted by many commentators (Caterina 2019, Rossi 2019), there was a very strong reason preventing the Constitutional Court from assuming a clear position: the possible consequences of a finding in favour of the petitioners (leading to the annulment of the entire budget law and the necessity to resort to the provisional budget).

The petition filed by the Partito Democratico senators was nothing more than the latest episode in a series of several signals previously received regarding addressing the clash between majority parties and opposition in relation to correct parliamentary procedure (Fabrizzi 2019).

I would like to point out, incidentally, that the following year, the second Conte government presented the draft budget law in Parliament on 2 November. Definitive approval, after a tight and forced process, was received on 24 December (Gianniti 2020).

## **6. The laws initiated by parliamentarians: the Five Star Movement’s monopoly and the perfect functioning of alternating bicameralism**

If we analyse in detail the laws originating from parliamentary or mixed parliamentary-popular initiatives, we can note that, out of a total of 22 laws, only three were the outcome of a merger between bills sponsored by majority groups and bills initiated by opposition parties. These are two laws originating from mixed parliamentary-popular initiatives<sup>15</sup> and Law no. 99 of 2018 (*Establishment of a parliamentary inquiry committee dealing with mafia and other criminal organisations, including foreign ones*), the latter resulting from the confluence of bills sponsored by the Partito Democratico, Movimento 5 Stelle, Forza Italia and the mixed group.

The other 19 laws originating from parliamentary initiatives are as follows: 15 from members of the Five Star Movement, three from members of the Lega, and one from members of Fratelli d’Italia.

Regarding the 15 laws initiated by members of the Five Star Movement, three of them establish parliamentary inquiry committees, and four ratify international agreements (with Montenegro, Laos and Cuba, as well as with the International Development Law Organisation (IDLO) concerning the headquarters of the organisation). Another six deal with justice, the most relevant of which is probably the one about vote exchanges involving mafia (it is no coincidence that, among the laws originating from parliamentary initiatives, this law was the only one that required two readings in the Senate before

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<sup>14</sup> Comments on the order of the Court are numerous and among them, obviously, there is no unified voice. Please refer to the bibliography at <http://www.giurcost.org/decisioni/2019/00170-19.html>.

<sup>15</sup> One of these two laws is Law no. 36 of 2019 on self defence, a politically sensitive topic, which originated from a merger between eight different bills: one popular initiative and seven private members’ bills (two initiated by members of the Partito Democratico, three by members of Forza Italia, one by members of Fratelli d’Italia, and one by members of the Lega). The other law is Law no. 92 of 2019 (Introduction of the civic education subject at school), which originated from a merger between 16 bills: one popular initiative, one bill sponsored by Fratelli d’Italia, one sponsored by the Partito Democratico, one sponsored by the Lega, five bills submitted by Forza Italia, four bills initiated by Movimento 5 Stelle, and three bills sponsored by distinct components of the mixed group.

approval). The remaining two concern, respectively, the entrusting of the management of transportation services in tourist railways (Law no. 71 of 2019), and the prorogation of terms to adopt additional and corrective measures for revising the pleasure boating code (Law no. 84 of 2019). Four of these 15 laws were signed (as first signatory) by Senator Patuanelli, who was deputy leader of the M5S parliamentary group, then leader (from 6 June 2018) of the same group, and later minister in the Conte II cabinet.

The three laws initiated by members of the Lega are really heterogeneous. Law no. 33 of 2019 deals with criminal law (*Modifications to articles 438 and 442 of the penal code. Inapplicability of simplified and shortened proceedings in the case of crimes punished with a life sentence*). Law no. 65 of 2019 is about declaring the bridge over the Brenta river (also known as the Old Bridge of Bassano) as a national monument. Law no. 73 of 2019 amends some previous provisions regarding compulsory boat licence and water rescue training.

The first to be approved among the laws originating from parliamentary initiatives was a law (the only one) initiated by members of a parliamentary party group that was outside the majority coalition (but close to the Lega). This law makes it compulsory to install acoustic and lighting devices in locked vehicles to prevent child neglect (Law no. 117 of 2018).

A further interesting aspect has to do with the legislative procedure of the 20 laws originating from parliamentary initiatives. Just one of these (the one about vote exchanges involving mafia) was approved after more than two readings in Parliament. The other 19 were enacted after one single reading in both parliamentary branches (of these, ten were introduced in the Chamber and nine in the Senate). This seems to be further evidence of the perfect functioning of alternating bicameralism, whereby usually only the House where a bill starts its process can revise it.

## 7. Divergent parallels: the turning point of the European elections

From the data presented so far, the picture of a non-cohesive but strong majority emerges, which continued thanks to mutual impositions, where the majority shareholder had difficulty in imposing itself at the government level but knew how to impose its own parliamentary initiatives. Perhaps the most robust element that the two political forces shared with each other was their anti-Europeanism, which marked the government's action<sup>16</sup>. The election campaign for the European elections of 26 May 2019 increased open competition between the two government partners. The European elections drastically changed the electoral balance between the two anti-establishment parties – the M5S and the League – and opened the way to a period of open conflict between the main government actors (Cotta 2020). In fact, there was a reversal of the electoral result as compared to the general election of 2018: the League exceeded 34% of votes while the Five Star Movement dropped to 17%.

After an initial post-election phase, the M5S adopted a less hostile attitude towards the European institutions and on 16 July it voted for the new President of the European Commission, which proved decisive in her election.

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<sup>16</sup> The data concerning infringement procedures is also interesting: the Conte government inherited 59 infringement procedures from the Gentiloni government (51 for violation of European law and 8 for non-implementation) and closed its mandate with 81 procedures (of which 71 for violation of law and 10 for non-transposition). See Di Porto Piana 2019 II, p. 10.

The unifying element of the government majority was consequently lost, and a break-up seemed inevitable. The Deputy Prime Minister, Minister of the Interior and Lega leader Salvini immediately denounced the new 5Stelle-Renzi axis. There then followed a rapid fall towards the government crisis, apparently incomprehensible to most people, also due to the way in which it occurred.

## **8. A death foretold and the palingenesis of Conte**

Almost a month passed between the announcement of the crisis and its epilogue, in which Matteo Salvini did not withdraw the League delegation from the government and listened, from the nearby government benches, to the harsh attack of Prime Minister Conte, who in this way carried out the first step towards his palingenesis. When Salvini was about to speak, he was invited by the President of the Senate to do so from the League benches. Thus, in those few steps from the government benches to the hemicycle, the transition of Salvini and the League from government to opposition was definitively accomplished.

The crisis of the Conte I government was a paradoxical event in many ways, but I will not pause to reflect on that in order to reach the conclusion: i.e., the birth of the Conte II government, in which the majority shareholder remained the same with a reshuffle of M5S Ministers, while the minority shareholders changed and became three.

This writing stops when Conte's palingenesis starts. The most recent events teach us three things about the legislatures of the 'second republic' that reached their natural term:

1. They developed around large delegation laws, approved or in any case at an advanced stage of examination already in the first year of the legislature.
2. Almost all of them – with the sole exception of the XVI legislature – saw ambitious and controversial constitutional reform projects (XIII legislature: Commission D'Alema and reform *in extremis* of Title V of the Constitution; XIV legislature: 2006 referendum; XVII legislature: 2016 referendum).
3. They came to an end with a government (and a parliamentary majority) that was different from the one appointed at the beginning of the legislature; only in the XIV legislature did the Prime Minister stay the same from beginning to end (while changing the government composition).

In this legislature Government and Parliament have chosen different paths: they do not seem to believe in the instrument of delegated legislation and are proceeding with the technique of micro/macro constitutional reforms: micro because they touch single points of the Constitution, macro for their impact (the reduction of the number of parliamentarians is a striking example). No long-term reform process has been launched, and today (end of March 2020) Parliament is dramatically stagnating due to the epidemic emergency.

The legislature will come to an end with a government and a majority which are different from the original ones. The Prime Minister could, surprisingly, be the same. However, making predictions about its duration is really impossible, given the number of variables involved.

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# Populism and Policy Issues: Examining Political Communication on Twitter in Italy 2018-2019

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## Abstract

This study inductively explores the policy and populism dimensions of Italian political discourse on Twitter. Starting from a corpus of 25,000 tweets posted by a number of Italian political actors throughout a year (March 4, 2018 – March 4, 2019), we apply the Structural Topic Model to uncover the policy content underlying their political communication. Our results suggest that actors representing populist parties (i.e. M5S and *Lega*) were mostly interested in emphasizing the immigration issue, although to a different extent. In particular, the debate on immigration was dominated by the *Lega*, suggesting that the party kept prioritizing the issue that occupied center stage in its electoral campaign. The M5S emphasized infrastructure that had been an essential component of its pro-environment stance, but they also gave room for immigration. Interestingly, our analysis also shows that populist tones are associated with different issues, with topics related to immigration displaying the highest populist tone. On the whole, our results are consistent with previous research showing that some issues such as immigration are closely aligned with populist parties.

## 1. Introduction

In the last few decades, ‘populism’ has come back on the scene, especially in Europe, as either right- or left-wing political parties labelled as populist have been voted for by an ever-growing number of Europeans: circa one in four (Lewis et al., 2018). Scholars have repeatedly correlated the rise of populist parties to the Great Recession affecting the target countries (Kriesi et al. 2015; Guiso et al. 2017) and to the recent immigration flows towards the Old Continent (Muis and Immerzeel, 2017). The debate about the notion of populism is vast and can only be briefly summarized here. A great deal of discussion revolves around the proper definition or conceptual understanding of populism (see Rooduijn 2018 for a review). Another strand of literature focuses on measurement issues with the purpose of providing populism ‘scores’ through content analysis of the parties’ manifestos or other political documents (Jagers and Walgrave 2007;

Rooduijn and Pauwels 2011; Pauwels 2011). On the explanatory side, political science literature has mainly examined the pre-conditions for the formation of populist parties (Norris 2005; Rydgren 2007; Golder 2016). More recently, attention has shifted to the variables – economic versus cultural – affecting electoral support for populist parties (Norris and Inglehart 2019; Hawkins, Rovira Kaltwasser and Andreadis 2018).

Italy has been regarded as a conspicuous epicentre of populism. The national elections on 4 March 2018 revealed how the campaigns of the *Movimento 5 Stelle* (M5S) and the *Lega* (former *Lega Nord* - Northern League) – run in clear opposition to what they called ‘elitist’ politics both at the national and supranational, i.e. EU level – helped them obtain 50% of vote share (Bobba and Roncarolo 2018). The two parties were able to form a coalition government that took office on 1 June 2018 and lasted about a year.

In this work we focus on Italy to explore the political communication of a number of politicians from different parties who were active on social media in the period 4 March 2018 - 4 March 2019. Such a wide time frame covers the formation of the Conte I government and its first nine months of activity, terminating just before the EP elections that were held on 26 May 2019.<sup>1</sup> Although our study is mainly inductive, we aim to contribute to the literature by highlighting the role played by social media in spreading populist rhetoric, attracting supporters and ultimately increasing the populist parties’ vote share (Ceron, Curini and Iacus 2017; Mazzoleni and Bracciale 2018).

We select Twitter as a main arena of political communication, as various studies have shown the growing impact of the Twitter network not only on the electoral process, but also its influence on news coverage and agenda setting (Vaccari and Valeriani 2015; Ceron 2017; Davis et al. 2017; De Sio et al 2017). We apply the Structural Topic Model (STM) (Roberts et al. 2014) technique to an original dataset of over 25,000 tweets collected over one year to estimate the themes political actors focus on in their communication. The paper is structured as follows: in section 2 we propose a way of categorizing Italian populist parties; in section 3 we describe data and methods used in the empirical analysis of Twitter data; in section 4 we present and discuss our results. Concluding remarks follow.

## 2. Measuring populism

Prior to the upsurge of populism in Western Europe, the notion was mostly applied to Latin American politics, to identify a set of ‘fiscally irresponsible’ policies implemented by governing leaders or parties (Acemoglu et al. 2013). Although scholars have raised doubts as to whether the term ‘populism’ has any analytical utility, being a ‘zeitgeisty one-word explanation for everything’ (Baker 2019), research on the concept of populism as applied to Western European and US politics has in recent years inspired a fast-growing literature.

Undoubtedly, the predominant framework has been provided by Mudde (2004), who argues that populism is not a fully formed political ideology like socialism or

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<sup>1</sup> It is worth mentioning that in the time frame under consideration several local elections were held both at the municipal (in June 2018) and at the regional level (Molise and Friuli Venezia Giulia in April 2018, Valle D’Aosta in May 2018, Trentino Alto Adige in October 2018, Abruzzo and Sardinia in February 2019, Basilicata in March 2019). According to many commentators, these elections contributed to creating a climate of ‘permanent campaign’.

liberalism – it is rather a ‘thin-centred’ ideology, made up of just a few core beliefs. First, the most important division in society is antagonistic between ‘the people’, understood as fundamentally good, and the elite, understood as fundamentally corrupt. Second, populists claim that politics should be an expression of the ‘general will’ – a set of desires presumed to be shared as common sense by all ‘ordinary people’. Mudde’s definition has been widely criticized for its theoretical and methodological inconsistencies. This has led some scholars to assert that if we accept a definition of populism as an ideology, we should grant it full status (Pappas 2013), while leading some others to reject a definition based on ideology. For example, Weyland (2001: 14) defined populism as ‘*a political strategy through which a personalistic leader seeks or exercises government power based on direct, unmediated, uninstitutionalized support from large numbers of mostly unorganized followers*’. Other scholars focusing on the rhetorical component of populism suggested that it has to be interpreted as a ‘discursive frame’ – a mode of talking about politics, rather than an ideology – that frames politics in terms of the ‘supremacy of popular sovereignty’ (Aslanidis 2015). Finally, a number of scholars understand populism as a specific ‘constitutional project’ (see also Blokker 2017) or a set of institutional preferences/choices against those liberal checks and balances that ‘obstruct the expression of a genuine popular will’ (Müller 2014) in a similar way to what others have labelled as ‘extreme majoritarianism’ (Urbiniati 2017). Scholars agree that populism is a multifaceted notion, whereas all the features underlined above may be seen as different, although related components (Graziano 2018).

The conceptual debate about populism provides the background for several attempts to measure populism for the empirical purpose of identifying populist parties. This goal has been addressed mainly in two ways. The first is proposed by Inglehart and Norris (2016) who classify a party as populist if it scores more than 80 points on a standardized 100-point scale, built using thirteen selected indicators contained in the Chapel Hill Expert Survey, CHES (Polk et al. 2017). In this survey, experts rate the position of European parties on a range of policies such as support for traditional values, liberal lifestyles and multiculturalism, as well as their economic stance towards market deregulation, state management of the economy, and preferences for either tax cuts or public services. The second approach focuses mainly on the rhetorical component of populism. Relying on Mudde’s definition, scholars have operationalized the core elements of populist language (for example, the dichotomy people vs. elites) and then used dictionaries for content-analysing the parties’ manifestos or other political documents in order to assess the ‘degree of populism’ of political parties or candidates (Rooduijn and Pauwels 2011).<sup>2</sup>

We contend that the distinction between *policy* and *non-policy* factors grounded in the rational choice approach to party competition (Adams et al 2009) may help capture an important aspect of populism. Rational choice models provide a policy-based account of party competition, assuming that voters evaluate the candidates’/parties’ policy positions over key issue dimensions and select the candidate/party whose policy positions

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<sup>2</sup> Related to this, a growing body of literature in the political communication field investigated the type of language employed in campaign materials such as, for instance, the tone or sentiment in campaign messages (Young and Soroka 2012; Haselmayer and Jenny 2017) or the level of complexity of campaign messages, suggesting that populist parties employ significantly less complex messages than mainstream parties (Bischof and Senninger 2017).

are most similar to their own. However, it has also long been recognized that factors other than policy positions influence the voters' preferences. These factors can be understood as a 'valence' component that has been interpreted both in terms of issues eliciting a broad consensus among voters (Stokes 1963) or in terms of any non-policy advantage a candidate or party might have, including candidate characteristics such as personal integrity or competence (Groseclose 2001). The distinction between policy and non-policy factors may facilitate the task of categorizing populist vs. non populist parties. We argue that differences in policy positions may account for the existence of 'right-wing' and 'left-wing' populist parties. However, we conjecture that non-positional factors such as valence issues (i.e., 'corruption') or character-based valence appeals (i.e., 'honesty' or 'integrity') should play a major role in populist rhetoric. In this study we rely on previous considerations to build a dictionary of populism to content-analyse the manifestos of Italian parties. Although our dictionary does not appear very different from others existing in the literature (e.g., Rooduijn and Pauwels 2011; Decadri and Boussalis 2019), it includes words that seem capable of capturing reference to valence issues or character-based attributes other than considering the basic dichotomy *people vs. elites* upon which there is a general consensus among scholars.

**Table 1.** Populism Dictionary.

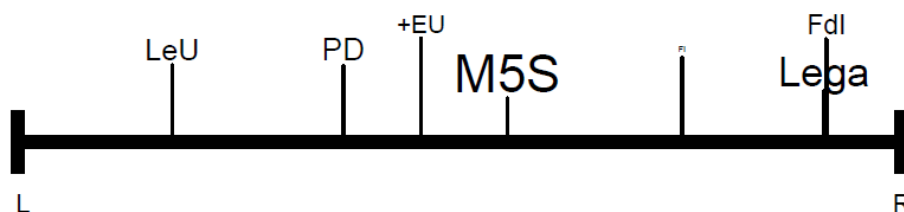
<b>Word</b>	<b>Translation into English</b>
ingann*	deceive*
tradir*	betray*
traditor*	traitor*
promett*	promis*
promess*	promise*
corrott*	corrupt*
corruzione*	corruption
elit*	elit*
casta	caste
popolo	people
legal*	legal*
onest*	honest*
amic*	friend*
privilege*	privilege*
politici	politicians

In what follows we provide a unidimensional map of the Italian political space in 2018 that is based on party positions on the left-right axis taken from Giannetti, Pedrazzani and Pinto (2018). The authors used expert survey data to analyse the structure of the policy space in Italy from 2013 to 2018 and to estimate party positions on a number of policy dimensions.<sup>3</sup> We weight parties' labels by their degree of populism as

<sup>3</sup> Party positions were estimated by means of an expert survey fielded in March 2018 following the Benoit and Laver (2006) format. Experts were asked to locate Italian parties on the general left-right axis as well as on a set of nine substantive policy issues or dimensions (such as economic policy, immigration,

measured using our dictionary-based approach applied to parties' manifestos (see Appendix for further details).

**Figure 1.** A unidimensional map of left-right populism in Italy 2018<sup>4</sup>



Source: own elaboration.

Consistently with common understanding, our data assign the M5S and the *Lega* the highest populism scores, as both exceed 50 points on our 0-100 populism scale. Our data do not classify as populist the right-wing parties FdI and FI. On the left side, none of the left-wing parties is classified as populist according to our dictionary-based approach. Our categorization matches only partially similar efforts in the literature. Those efforts are based on expert judgements or, alternatively, rely on content analysis of official documents such as party manifestos. It should be pointed out that there is no agreement in the literature about classifying populist parties. For example, Norris and Inglehart (2019) classify FI as a non-populist party, while other sources do the opposite (Albertazzi and McDonnell (2015), Zulianello (2020), and Popu-list (2019)). As regards FdI, Albertazzi and McDonnell (2015), Zulianello (2020), and Popu-list (2019) identify the party as populist whereas Decadri and Boussalis (2019), who applied a dictionary-based approach to press releases, found that FdI is more similar to mainstream parties in terms of populist word frequencies. As regards left-wing parties, Norris and Inglehart (2019) classify the PD and other left-wing parties as populist but this result, which is the product of the aggregation of different scales measured by the CHES, is in stark contrast to other classifications available in the literature. To conclude on this point, as the Chapel Hill expert survey also provides a measurement of populism based on expert judgements, we performed a correlation among our measures and those based on the CHES scale.<sup>5</sup> Our scores are moderately correlated ( $r = 0.76$ ), suggesting that we can at least partially rely on the validity of the dictionary we built.

To sum up, our data indicate that the PD and M5S are very close on the left-right continuum but register extremely different degrees of populism. The three parties belonging to the centre-right coalition (*Lega*, FI and FdI) tend to converge on the left-right dimension; however, they show different degrees of populism. The existence of these differences justifies the use of the previous categorization of Italian parties – both in terms of their position on the left-right scale and their populism scores – to analyse the policy content of their communication using Twitter data.

environment, EU authority) using 20-point scales. Experts were also asked to locate parties on the general left-right continuum. See Giannetti, Pedrazzani, and Pinto (2018) for further details.

<sup>4</sup> The acronyms used in the figure: *Fratelli d'Italia* (FdI), *Forza Italia* (FI), *Lega, Liberi e Uguali* (LEU), *Movimento 5 Stelle* (M5S), *Partito Democratico* (PD) and *PiùEuropa*.

<sup>5</sup> CHES uses a 0-10-point scale 'people vs. elite', which measures anti-elitist attitudes (Polk et al., 2017).

### 3. Data and methods

Besides information dissemination and networking functions, Twitter may reveal the users' opinions and attitudes on various topics (Ceron 2017). In fact, this micro-blogging platform has become one of the main tools of communication worldwide, including in Italy. For this reason, Twitter has been recently regarded as an opportunity for political leaders to reinforce individualized communication with potential voters and to achieve visibility. De Sio *et al.* (2017:11) stress the fact that, regardless of how unrepresentative the Twitter audience might be in a given country, political actors use Twitter to communicate their desired messages to the media, just like in a *press release*. In other words, the literature highlights the increasing importance of both the direct as well as the indirect effects of Twitter messages in the wider environment of political communication.<sup>6</sup>

The use of Twitter as a primary source of textual data in corpus-based analyses of political communication is advantageous as Twitter's Standard Search API gives the possibility to collect large quantities of data in an effortless way (Barberá *et al.* 2015). Although tweets have been widely employed to analyse political discourse, we recognize the limitations of such data: the language of Twitter is simple, concise, and often informal, traits that altogether could affect the results of large-scale analyses using unsupervised techniques (Combei and Giannetti 2020).

Keeping in mind the nature of Twitter and its shortfalls in this study, we select several Italian political actors from *Fratelli d'Italia* (FdI), *Forza Italia* (FI), *Lega*, *Liberi e Uguali* (LEU), *Movimento 5 Stelle* (M5S), *Partito Democratico* (PD), and *PiùEuropa*. The selection of these politicians was based on their role in their party and their activity on Twitter (i.e. the most active users for each party were preferred).<sup>7</sup> While we are aware of the fact that other political actors might have been included as well, the choice of those listed in Table 2 was determined mainly by quantitative considerations, corpus balance requirements, representativity, as well as by data availability (e.g. Silvio Berlusconi did not have a Twitter account in the time frame taken into account in this study; Matteo Renzi was not particularly active on the political scene the year after the 2018 general elections; etc.).

Our corpus consists of tweets collected from 4 March 2018 (the elections day) to 4 March 2019. Prior to the topic modelling, tweets are processed as follows: functional words (i.e., articles, prepositions, determiners), numbers and one-character tokens were removed. We chose not to stem the words in our corpus, since stemming does not perform particularly well on highly inflected languages like Italian with the tools at hand (Saharia *et al.*, 2013; Singh and Gupta, 2016).<sup>8</sup> After textual processing and cleaning, the final dataset contained 13,522 original tweets.

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<sup>6</sup> De Sio *et al.* (2017) use manual coding to analyse the policy content of Twitter messages in the framework of the issue-yield theory developed by the author.

<sup>7</sup> Since Matteo Salvini was by far the most active Italian politician on Twitter, the *Lega* is represented in our corpus by him alone; FdI, LEU and *PiùEuropa* are represented by two leaders each, FI and PD by three leaders, while M5S by three MPs and by Giuseppe Conte who was indicated as Prime Minister by the M5S.

<sup>8</sup> We are aware that pre-processing decisions can influence final results (Denny and Spirling 2018). It should be noted, however, that we follow standard practices in text analysis in order to process our data (Grimmer and Stewart 2013).

**Table 2.** Selected politicians.

Politician	Party	Office
Ignazio La Russa	Fdl	Senate
Giorgia Meloni	Fdl	Chamber of Deputies
Anna Maria Bernini	FI	Senate
Maria Rosaria Carfagna	FI	Chamber of Deputies
Antonio Tajani	FI	Presidency of the European Parliament Vice-presidency of FI
Matteo Salvini	Lega	Senate
Laura Boldrini	LEU	Chamber of Deputies
Pietro Grasso	LEU	Senate
Giuseppe Conte	M5S	Head of the Council of Ministers
Roberto Fico	M5S	Chamber of Deputies
Luigi Di Maio	M5S	Chamber of Deputies
Danilo Toninelli	M5S	Senate
Roberto Giachetti	PD	Chamber of Deputies
Maurizio Martina	PD	Chamber of Deputies
Nicola Zingaretti	PD	Secretary of PD
Emma Bonino	PiùEuropa	Senate
Bruno Tabacci	PiùEuropa	Chamber of Deputies

To explore the content of Italian political communication on Twitter during our one-year timeframe, we opt for a topic model approach instead of manual coding, as the former is effortless, and less time-consuming and more unbiased than the latter. In particular, in this work, we employ the Structural Topic Model (STM) (Roberts et al. 2014; Roberts et al., 2016) to inductively identify the content of the selected political actor's communication. STM is a generative model of word counts and it is part of the unsupervised learning methods that use modelling assumptions and text properties to estimate general semantic themes (i.e., topics) within a corpus, and to simultaneously organize texts on the basis of word co-occurrences. Unlike other methods for topic modelling such as the Latent Dirichlet Allocation (Blei et al. 2003) and Correlated Topic Model (Blei and Lafferty, 2007), in the STM, the prior distribution of topics may be varied as a function of covariates (Roberts et al. 2014). This feature enables the examination of relationships among variables in a regression-like scheme, to uncover covariation with respect to topical prevalence. In this study we use the STM approach on single words to examine whether the content of political communication on Twitter varies as a function of the ideology and populism scores introduced in the previous section. For this reason, we use as covariates in our model some party-based variables, namely left-right positions, 'populism in manifestos' scores, a measure of the anti-establishment attitude and the party dummy. We also add the temporal metadatum of tweets (more precisely, the week). As a result, we model how the party structure impacts on the occurrence of topics over time. In order to establish the ideal number of topics, we perform several tests, such as held-

out likelihood, semantic coherence and residual analysis. Accordingly, we select the 20 topics-model, which has high held-out likelihood and semantic coherence as well as low residual deviance. Finally, after topic extraction, we apply a fractional logit model to explore the populist tone of political communication by examining the language through which the various issues are debated on Twitter.

## 4. Results

In this section we first present the topics identified by means of the STM, then we analyse the covariance structure of topical prevalence, and finally, we show which topics seem to display populist tones. Figure 2 shows the 20 topics of the STM analysis together with the labels we assigned them based on our examination of the first 10 words that characterize each topic and our reading of the most exemplary documents, for example, tweet chunks that have the highest proportion of words associated with each topic (see Appendix B for examples).

Based on our reading, we were able to cluster topics into four main issues or policy areas: economic policies, immigration, infrastructure/environment and the EU. This implies that political communications display policy content. By examining the topics regarding the economic policies, the content of Topics 5 (see Tajani's tweet in Appendix B) and 13 (see Giachetti's tweet in Appendix B) is associated with the 2018 annual budget bill ('*manovra*'), a key measure where the government agreed on plans to increase spending, in an unprecedented move against the EU. Moreover, the immigration issue is heavily present in our data (Topics 4, 6, 7, 8, 10, 16, 20). A closer look at most of these topics shows that the word 'immigration' is strongly associated with terms such as 'security' (see Salvini's tweet for Topic 8 in Appendix B) and 'border controls' (see Meloni's tweet for Topic 6 in Appendix B). Consistently with other evidence from the literature (Urso 2018), this suggests that the immigration issue was framed mostly in securitarian terms. Topics 9, 11, 14 and 17 refer to environmental policy, mentioning the most debated infrastructure measure, namely the TAV project (see Fico's tweet for Topic 11 and Di Maio's tweet for Topic 17 in Appendix B). The dispute over the EU, which permeated the public debate over the time period under consideration, is only slightly reflected in Topics 12 (see Di Maio's tweet in Appendix B) and 19 (see Bernini's tweet in Appendix B). Other topics do not refer to policy issues, being related to intra-party dynamics within the PD (Topic 1 refers to PD's primaries, see Giachetti's tweet in Appendix B) and in an explicit way to the local elections, such as Topics 2 (see Meloni's tweet in Appendix B), 3 and 15 (see Salvini's tweets in Appendix B). However, topics related to the immigration issue are the most prevalent, as they show an overall estimated topic proportion larger than 0.35.

The STM also manages to grasp the variation in the attention to the issues that occupied the centre stage in the public debate over the year taken into consideration in this study.<sup>9</sup> Topics related to immigration prevail throughout the year, but several significant peaks are reported, for instance, at the end of April 2018 when Italy, Cyprus, Greece and Malta sent a document to the European Commission against the EU reform on the

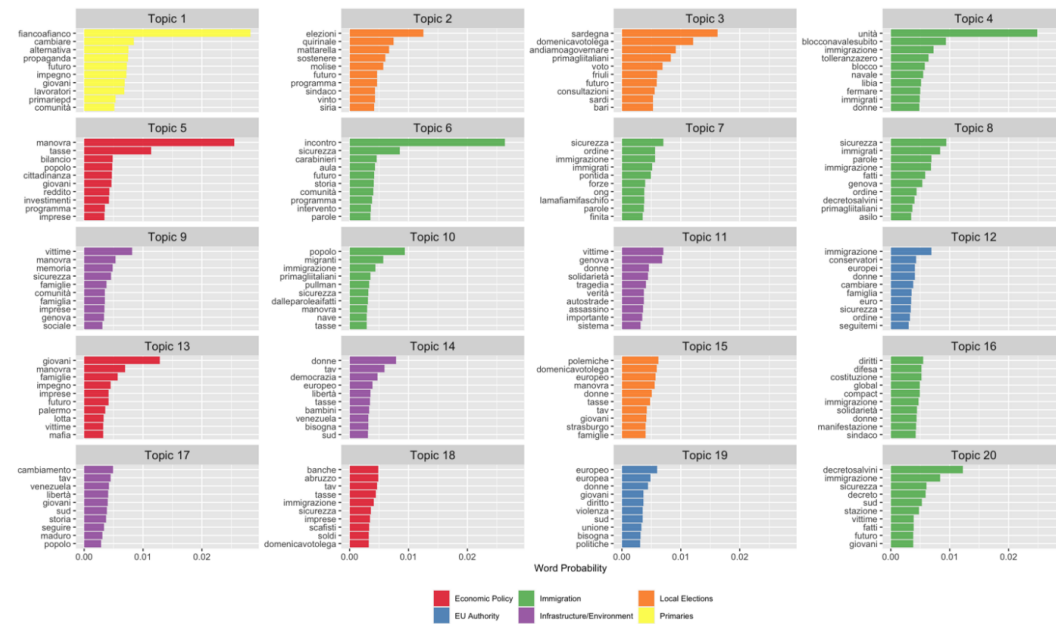
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<sup>9</sup> We do not report a graph about temporal distribution of topics for the sake of brevity. See Combei and Giannetti (2020) for further details.



reception of asylum seekers by the landing countries; and in February 2019 when the Interior Minister Salvini refused to allow the asylum seekers on two rescue boats in the Malta Sea to dock at Italian ports. Topics concerning infrastructure (Topic 9, see Di Maio’s tweet in Appendix B) are mostly debated in mid-August 2018, when the Morandi Bridge collapsed, killing 43 people. Also, in the first months of 2019 the discussion regarding the Turin–Lyon high-speed railway (TAV) was intense, and this peak was mainly reflected in Topics 14 and 17. The debate on economic policy remains constant throughout the year, with an increase in attention prior to the approval of the annual budget bill for 2019. The STM also captured variations in the attention devoted to local elections when the time of their occurrence approached (Topic 2, 3 and 15). The topic descriptions as well as their temporal distributions highlight the fact that tweets posted by Italian political actors tended to reflect everyday politics (e.g., local elections) and real-time events (e.g. the collapse of the Morandi Bridge). This notwithstanding, policy issues emerge as the main content of public communication, providing evidence that political actors use Twitter to address policy demands.

Figure 2. Distribution of topics.



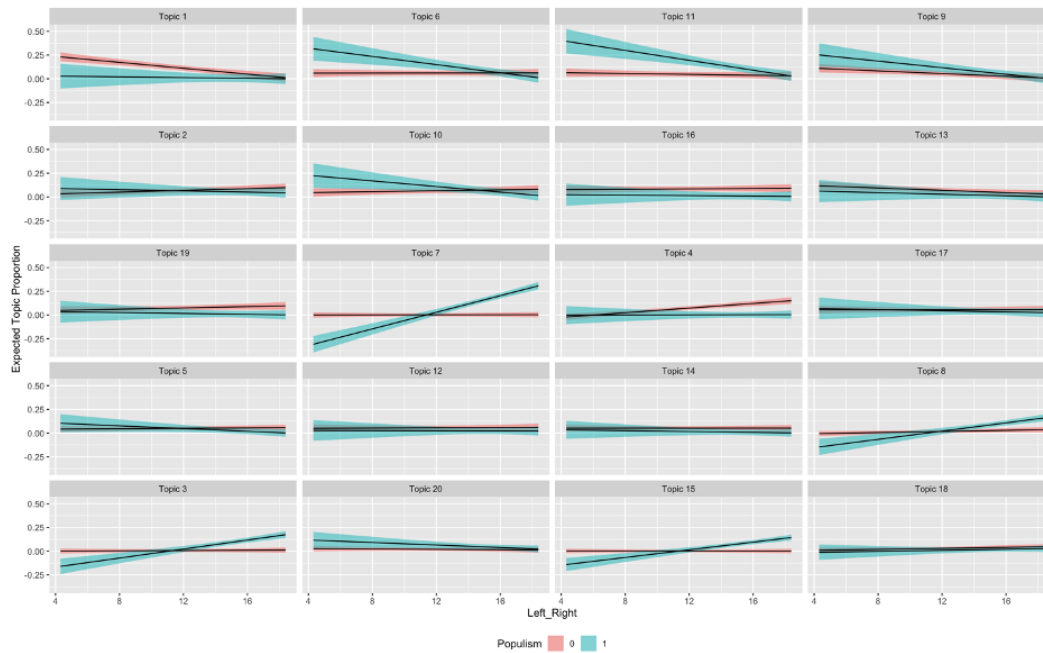
Source: own elaboration.

To explore explicitly the impact of populist attitudes on the political debate, we build another STM model where we test the interaction effect of the variables related to ideology and populism on topic distribution and topical prevalence.<sup>10</sup> The two covariates are the left-right continuum and a dummy variable that assigns 0 to non-populist parties (i.e., FdI, FI, LeU, PD, *PiùEuropa*) and 1 to populist parties (i.e., *Lega* and M5S). We opted

<sup>10</sup> We also run different model specifications without including the interaction. Since the results do not change significantly across the different specifications, and since the maximum of the lower bound on the marginal likelihood of the observed data occurs with our original model (Grimmer 2011), the latter is the one that we present here.

for using a dummy variable coding the parties with a populism score higher than 50 as populist, and those with a score lower than 50 as not populist. Despite the fact that our categorization is based on a continuous variable, the previous choice aims to make it easier to interpret the data. The topics remain mostly the same as those in Figure 2, apart from Topic 15, which in this new model is related to immigration. Figure 3 suggests that a right-wing populist party – such as the *Lega* – was mainly concerned with the immigration issue (e.g., in Topics 7, 8, 15) and with local elections (e.g., Topic 3). A left-wing populist party such as the M5S focuses on infrastructure/environment (e.g., Topics 9 and 11) but also on immigration (e.g. Topics 6 and 10). The configuration of Topics 4 and 16 shows that more traditional right-wing parties such as FdI also focus on the immigration issue (see Meloni’s tweets in Appendix B). In general, the left-right positioning of parties and their populist attitude seem to interact differently depending on the topic. This control works as an implicit validation of the first STM output.

**Figure 3.** Topic distribution as a function of ideology and populism.



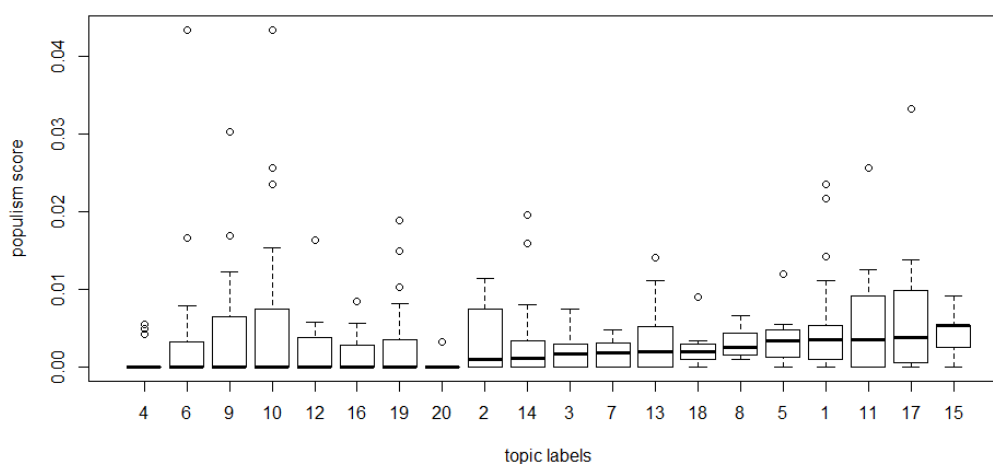
Source: own elaboration.

On the whole, these results highlight that high populism scores lead to high expected topic proportions on issues concerning immigration and, less often, infrastructure/environment. In our corpus, economic issues and the EU were mostly discussed by the representatives of non-populist parties.

The analysis carried out so far deals with the content of political communication, i.e., topical prevalence as a function of ideology and populism. In what follows we shift our focus to the tone of political communication, exploring the extent to which different topics displayed a populist character. We estimated a fractional logit model (Papke and Woolridge, 1996) where the average populism score of any single topic is related to the

average populism score in the entire corpus of tweets.<sup>11</sup> The populism scores in topics are obtained by applying our dictionary to the tweets pertaining to each topic. Figure 4 reports the conditional boxplot of populism scores by topic prevalence. Topics 11 and 17, related to infrastructures, present the highest medians, while topics 6 and 10, related to immigration, show the most prominent positive outliers. Below, we report the fractional logit model results, which are intended to test the significance of the different populism score levels across topics. Topics 10 and 17 present on average the highest populism score compared to all the other topics, with a p-value of 0.0201 and 0.0377 respectively (see Di Maio's tweet in Appendix B). Topics 4 and 16 show the lowest ones, with a p-value of 0.0905 and 0.0781 respectively. Predictably, topic 10 mainly deals with immigration from the viewpoint of populist parties, while topic 17 deals with infrastructures from the viewpoint of M5S. Topics 4 and 16 also deal with the immigration issue but from the much more traditional stance of Giorgia Meloni, the leader of FdI (see Meloni's tweets in Appendix B).

**Figure 4.** Conditional boxplot of populism score by topic prevalence.



Source: own elaboration.

In order to detect the most significant pairwise differentials among topics in terms of populism score, we then re-estimated four times the same fractional logit model. In particular, we set the expected populism score of each of the four mentioned outstanding topics as a reference level. As a result, we can derive the following ranking among significant and positive populism score differentials: 1) Topic 17 (infrastructure in the M5S view) and Topic 16 (immigration in the FdI view); 2) Topic 10 (immigration in the M5S and Lega view) and Topic 16; 3) Topic 17 and Topic 4 (immigration in the FdI view); 4) Topic 10 and Topic 4; 5) Topic 11 (infrastructure in the M5S view) and Topic 16; 6) Topic 1 (PD primary elections) and Topic 16; 7) Topic 11 and Topic 4; 8) Topic 1 and Topic 4.

The differentials listed above can be interpreted as maximal polarities in terms of populist language. For example, the infrastructure issue is mostly permeated by populist

<sup>11</sup> The estimation is performed via the `glm()` function in the R Studio environment and relies on the work on quasi maximum likelihood by Gourieroux, Monfort and Trognon (1984).

tones in Topic 17 in comparison to Topic 16 or Topic 4. Also, regarding the immigration issue, populist tones are more prevalent in Topic 10 as compared to Topic 4. To sum up, the described ranking of topics in terms of populist tone seems to reflect the different language of political parties associated with some crucial issues. Our analysis shows, in fact, that the most populist tweets are written by M5S on infrastructure and by the *Lega* on immigration, while the least populist tweets (for different reasons) are written by FdI and PD on immigration.

## 5. Conclusions

In this study we performed an inductive study of the political discourse on Twitter with the purpose of examining the policy and populism dimensions of political communication. We collected an original data set of about 25,000 tweets posted by a number of Italian politicians from different parties over a year, starting from the day of the 2018 general elections in Italy. We applied the STM technique to capture the policy content of the debate on the Twitter public forum in the period under consideration. We categorized Italian political parties using estimates of their policy positions on the left-right and the populism dimensions. To assign populism scores we used an *ad hoc* dictionary through which we content-analysed party manifestos. The ideological position and populism scores were instrumental in explaining the covariation of topic prevalence.

Our results suggest that actors from populist parties were mostly interested in emphasizing the immigration issue, although to a different extent. The debate on immigration was dominated by the *Lega*, suggesting that the party kept prioritizing the issue that occupied centre stage in its electoral campaign. It is remarkable that also the M5S was active, although to a lesser extent, on the issue of immigration. Moreover, the M5S emphasized infrastructure that had been an essential component of its pro-environment stance. The immigration issue was also emphasized by FdI which, according to our data, belongs to the more traditional right-wing party families. Our analysis also shows that populist tones were associated with different issues, with topics related to immigration displaying the highest populist tone. Overall, these results are consistent with previous research showing that some issues such as immigration are closely aligned with populist parties.

We are aware that our analysis suffers many limitations typical of the unsupervised approaches to text mining. To overcome these issues, we plan to enhance our work by applying supervised methods of Natural Language Processing and content analysis. This would facilitate a further exploration of the relationship between policy and non-policy factors in different communication settings and on different data.

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## Appendix A

The populism dictionary was applied to the scaled and normalized texts of the party manifestos of each of the parties considered in this study. Before this, we validated the dictionary on the M5S and PD platforms issued for the 2018 general elections (see Table 1 below). Even if party manifestos are generally used to estimate policy positions, the two documents were judged to be different also in terms of populist rhetoric on the basis of *a priori* knowledge. To test the accuracy of the populism dictionary, we used normalized frequencies (per million) for each of the stemmed words of the dictionary (see Table 1, in section 2) and we compared their values between the two parties. Our assumption seems to be justified, as words such as ‘*popolo*’, ‘*corruz\**’, ‘*elite*’, ‘*cast\**’, ‘*onest\**’ are more frequent for M5S than for PD (see the validation table below). It is also confirmed by the results of a Chi-square test showing statistical significance in terms of the differences between the frequencies obtained for M5S and PD (Chi-squared = 1072.6, df = 20, p-value < 2.1e-16).

**Table A1.** Validation of the populist dictionary – descriptive statistics.

Frequency per million in M5S party platform		Frequency per million in PD party platform	
Mean	83.66	Mean	33.86
Standard Error	38.59	Standard Error	15.87
Standard Deviation	144.40	Standard Deviation	59.40
Confidence Level (95.0%)	83.37	Confidence Level (95.0%)	34.30



## Appendix B

### Exemplar documents – examples of tweets pertaining to each topic

- Topic 1:** “Ho appena chiamato Nicola Zingaretti, che sarà il prossimo segretario del PD per complimentarmi per il suo risultato ed anche per il risultato della partecipazione alla quale abbiamo contribuito tutti #altrochemacerie” (Roberto Giachetti @bobogiac on Twitter, 3 March 2019)
- Topic 2:** “#Molise complimenti e buon lavoro a #Toma. Questa vittoria ottenuta col fondamentale contributo di #FdI, unico partito che cresce rispetto alle politiche, è un'altra indicazione per #Mattarella: gli italiani vogliono un governo e un programma di centrodestra ST.” (Giorgia Meloni @GiorgiaMeloni on Twitter, 23 April 2018)
- Topic 3:** “GRAZIE! Dalle elezioni politiche a oggi se c'è una cosa certa è che su sei consultazioni elettorali, la Lega vince 6 a 0 sul Pd. E come in Abruzzo anche in #Sardegna è la prima volta che ci presentiamo alle Regionali. Grazie per la fiducia, Amici! 🙌😊 #ElezioniRegionaliSardegna” (Matteo Salvini @matteosalvinimi on Twitter, 25 February 2019)
- Topic 4:** “PAZZESCO! 41 migranti della #Diciotti chiedono il ‘risarcimento danni’ al governo. Ecco a voi la gratitudine per averli salvati e accolti...” (Giorgia Meloni @GiorgiaMeloni on Twitter, 21 February 2019)
- Topic 5:** “I cittadini sono preoccupati per i loro risparmi, per il lavoro e per il futuro dei figli. Il governo deve fare marcia indietro. #manovra” (Antonio Tajani @Antonio\_Tajani on Twitter 2 December 2018)
- Topic 6:** “Servono centri di protezione europei nei paesi di origine e di transito per accelerare identificazione e richieste di asilo dei migranti. È una delle soluzioni che proponiamo per arginare traffici di esseri umani e rispettare i diritti umani.” (Giuseppe Conte @GiuseppeConteIT on Twitter, 15 June 2018)
- Topic 7:** “Uomo avvisato, mezzo salvato: stamattina mi hanno informato che c'è una nave di una Ong tedesca in arrivo verso la Libia: sappiano che con il loro carico di immigrati clandestini questi signori non arriveranno mai.” (Matteo Salvini @matteosalvinimi on Twitter, 19 February 2019)
- Topic 8:** “STRONCATO ‘TOUR OPERATOR’ DI CLANDESTINI  
25 indagati (quasi tutti somali), 11 arrestati e 5 ricercati. La centrale operativa era l'ex Moi di Torino, occupato da immigrati dal 2015, che abbiamo iniziato a

SGOMBERARE. #dalleparoleaifatti!” (Matteo Salvini @matteosalvinimi on Twitter, 16 February 2019)

- Topic 9:** “Se chi ha fatto la concessione regalo ad Autostrade e chi non l’ha annullata ha causato un danno alle casse dello Stato sarà denunciato alla Corte dei conti per danno erariale! È ora che i ministri che hanno autorizzato tale follia paghino di tasca propria.” (Luigi Di Maio @luigidimaio on Twitter, 28 August 2018)
- Topic 10:** “Queste sono le parole che ha pronunciato Macron. Sono offensive e fuori luogo. La vera lebbra è l’ipocrisia di chi respinge gli immigrati a Ventimiglia e vuole farci la morale sul diritto sacrosanto di chiedere una equa ripartizione dei migranti. La solidarietà o è europea o non è.” (Luigi Di Maio @luigidimaio on Twitter, 21 June 2018)
- Topic 11:** “La mia lettera a @LaStampa sulle grandi opere: la battaglia #noTav è una battaglia ambientale, sociale e di visione del mondo diversa.” (Roberto Fico @Roberto\_Fico on Twitter, 12 December 2018)
- Topic 12:** “I mercati vi insegneranno a votare’. Le parole del Commissario europeo #Oettinger sono assurde. Questa gente tratta l’Italia come una colonia estiva dove venire a passare le vacanze. Ma tra pochi mesi nascerà un governo del cambiamento e in Europa ci faremo finalmente rispettare.” (Luigi Di Maio @luigidimaio on Twitter, 29 May 2018)
- Topic 13:** “In Parlamento ci siamo opposti all’assurda Manovra di Lega e M5s. L’hanno approvata lo stesso, in barba a tutte le regole democratiche e al buonsenso. Oggi siamo in piazza per discuterne con i cittadini. È il Governo delle tasse e delle bugie. #promessemancate #cambiodirotta” (Roberto Giachetti @bobogiac on Twitter, 12 January 2019)
- Topic 14:** “La revisione della relazione costi benefici sulla #Tav per adattarla a quello che hanno deciso di fare è incredibile. #Toninelli se ne deve andare a casa perché è un ministro totalmente inadeguato. Giusta la mozione di sfiducia.” (Maurizio Martina @maumartina on Twitter, 1 March 2019)
- Topic 15:** “Amici abruzzesi, domani torno da voi e trascorro la mia domenica in provincia di #Chieti! Vi aspetto in tantissimi a #Vasto alle 16 e a #Lanciano alle 18. Alle elezioni del 10 febbraio, se siamo in tanti, mandiamo a casa il PD anche da voi! Passaparola. #10febbraiovotoLega” (Matteo Salvini @matteosalvinimi on Twitter, 19 January 2019)
- Topic 16:** “#SeaWatch, lo ripeto per la milionesima volta, esiste una terza via tra accogliere tutti e la chiusura dei porti: è il blocco navale. L’unica soluzione seria per fermare le partenze, le ONG e gli scafisti e impedire così le morti in mare e tutelare la salute dei migranti.” (Giorgia Meloni @GiorgiaMeloni on Twitter, 25 January 2019)

- Topic 17:** “Bene la votazione del Consiglio comunale di Torino sul Tav! Presto io e @Danilo-Toninelli incontreremo @c\_appendino per continuare a dare attuazione al contratto di Governo” (Luigi Di Maio @luigidimaio on Twitter, 29 October 2018)
- Topic 18:** “Manovra approvata, più di 20 miliardi restituiti ai cittadini. Gli Italiani non hanno nostalgia di Monti, Renzi e Fornero. Avanti tutta! Live” (Matteo Salvini @matteosalvinimi on Twitter, 30 December 2018)
- Topic 19:** “@OttoemezzoTW - Non c’è un’ #Europa buona e una cattiva. L’Europa è uno straordinario strumento e non ci sta certamente ricattando. Spesso gli diamo responsabilità che sono legate a nostre incapacità, come ad esempio quelle di utilizzare al meglio i fondi comunitari. #ottoemezzo” (Anna Maria Bernini @BerniniAM on Twitter, 15 May 2018)
- Topic 20:** “Sull’immigrazione è arrivato il momento di cambiare pagina: chi mette piede in Italia, mette piede in Europa. E nessuno, in Europa, può pensare di restare estraneo e lavarsi le mani rispetto a questo problema.” (Giuseppe Conte @GiuseppeConteIT on Twitter, 15 June 2018)

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