

The Role of Italian Presidents: The Subtle Boundary between Accountability and Political Action¹

Selena Grimaldi

University of Padua

Abstract: This article explains the role of the President in the Italian context. The head of state has been defined as a neutral power; however, such a definition tends to delineate more the 'musts' of the presidency than the real work associated with the role that each president plays in practice. The implosion of the party system in the early 1990s not only allowed presidents to hold a position as protectors of the system with the aim of containing government instability and rediscovering their role as controllers, but also allowed them to commit themselves to policy-making and to projects aimed at integrating the nation, thereby accomplishing what the parties did in the past. The unstable political situation in Italy during the Second Republic confirmed that the President is a political actor to all effects, even though a non-partisan political actor.

Keywords: President of the Republic, head of state, accountability, government-building, policy-making, integration of the nation.

In a democratic regime presidential power is determined first of all by the Constitution, but also by charisma, as an extraordinary and personal element, ideally the counterpart of the formalised principles of the legal system (Weber 1922). The sphere in which presidential power is exercised can be delineated by the government-state continuum. In fact, the role of President can be analytically divided into two components: that of head of the Government and that of head of State, with evident repercussions for the form of government. In presidential regimes the two components will coincide, while in semi-presidential and parliamentary regimes the two offices will be occupied by different individuals. This article seeks to explain the role of the head of state in the Italian context, as an emblematic example of a parliamentary system. In such systems, the President has no executive power but rather functions as the personification of the nation and the guarantor of the Constitution. The head of state has been defined as a neutral power, distinct from the three traditional powers and placed

above the political parties with the task of moderating their interaction and resolving any conflicts that arise among them. However, such a definition tends to delineate more the 'musts' of the presidential institution rather than the real work required by the role that presidents play in practice. A president cannot be defined as a neutral power in the sense of an institution that does not act politically. The head of state, in fact,

is a 'political power' not in the sense that he makes fundamental decisions [...], but in another, no less important, sense. More precisely, he a) does not make political decisions but is capable of influencing them; b) does not initiate trends, but maintains the existing ones or favours the new ones which are emerging; c) does not 'control' decision making through powers of annulment, but does so by making those who decide reflect on their actions; d) does not launch crusades or give an impetus, but advises and encourages; e) does not represent those who govern or, worse still, a political party, but rather the totality of the national community (Baldassarre, 1994: 477, translation mine).

In Italy, presidents can have an impact in at least five spheres of action connected with the three faces of politics: at the level of *politics* (meaning the acquisition and management of power) on (1) the process of government-building and (2) the structure of Parliament; at the level of *policy* (meaning decisions about issues arising from the community) on (3) the legislative process; at the level of the *polity* (defined by identity and the boundaries of the political community) on (4) the representation and (5) integration of the nation.

The formal powers of presidents can be considered with the help of an analytical framework based upon political actions that can be linked to the dimensions of *politics*, *policy* and *polity* (see Table 1).² The President's impact on the formation of governments is given its constitutional sanction both by article 92.2 and by constitutional conventions. However, it becomes real when the President goes beyond ratifying the will of the electorate or of the parties to intervene directly in the formation of the Cabinet, either by nominating a Prime Minister other than one nominated by the parties or by blocking Cabinet appointments or sponsoring alternatives. Likewise, presidential influence on the structure of Parliament is given constitutional sanction and is rendered explicit by the power to dissolve Parliament (art. 88), the power to appoint five senators for life (art. 59.2) and the power to convene extraordinary sessions of Parliament (art. 62.2). And again: the President can be said to act autonomously on the structure of Parliament whenever early dissolution or a decision not to dissolve reflects the exercise of discretion, going beyond mere ratification of the will of the parties in Parliament.

Presidential influence on policy-making is exercised through the power to require Parliament, before promulgation, to reconsider proposed

legislation (art. 74), by sending messages to the chambers (art. 87.2), by withholding authorisation of government legislative initiatives (art. 87.4) and through so-called moral suasion, which is proving to be a recurring and legitimate practice.

Table 1: Political powers of the President of the Republic as provided for by the Constitution and by constitutional convention

Politics		Policy	Polity	
<i>Powers affecting government-building</i>	<i>Powers affecting the structure of Parliament</i>	<i>Powers affecting policy-making</i>	<i>Powers of representation</i>	<i>Powers for integrating the nation</i>
Power to appoint the Prime Minister and, based on the PM's proposal, to appoint the other ministers (Art. 92.2, art. 93).	Power to dissolve one or both of the chambers (art. 88)	Can require fresh deliberation by the chambers before promulgation (art. 74)	Internal representation (Art. 87.1)	Nothing is stated with regard to integration, although the President of the Republic must be faithful to the Republic and observe the Constitution (Art.91)
Conventionally, he can influence the appointment of the Prime Minister as well as the other ministers	Appoint 5 senators for life (art.59.2)	Can send messages to the chambers (art. 87.2)	Conventionally, also external representation	By convention, can send messages to the nation
	Convene an extraordinary session of the chambers (art. 62.2)	Promulgate laws (Art. 87.5, art. 73.1)	Accredit and receive ambassadors, ratify treaties (art. 87.8)	Confer honours of the Republic (Art. 87.12)
		Authorise the Government to present bills (art. 87.4)		

Finally, the impact of the President on the polity concerns the fulfilment of his representational responsibilities – externally, towards the world at large

and internally towards the national community (art. 87.1) – and his responsibility to promote national integration, especially by sending messages to the nation (a prerogative recognised by practice). In the latter case, presidents seek to act as the authentic interpreters of the core values uniting the political community and to redefine and strengthen the myths of national foundation.

Elections and the presidents elected

The President of the Republic is elected by Parliament in a joint sitting of its two branches (art. 83 Const.) whose members constitute an electoral college that also includes 58 representatives of the regional councils. A majority of two thirds is required at the first three rounds of voting, whereas only fifty percent plus one is needed for the fourth. Because of the need for an ample majority, all Italian presidents hitherto have, with the exception of Giorgio Napolitano, been elected by majorities that have included the votes of the opposition. Nevertheless, presidential elections have been rather contentious: on average they have required ten rounds of voting per president (Fusaro, 2010) the most problematic case having been that of Giovanni Leone whose election came only after twenty-three rounds. Only two Presidents have been elected at the first turn: Francesco Cossiga and Carlo Azeglio Ciampi, who reached remarkable percentages of support, although neither exceeded the height of Sandro Pertini (with 84 percent of the votes – but on the sixteenth ballot: see Table 2).

The choice of President has often constituted a moment of conflict within the governing majority, given that rarely have elections been won by the official candidate of the largest party of government. The official candidate of the Christian Democrats (Democrazia Cristiana, DC) was often beaten by another man of the same party but belonging to a minority faction, as was the case with Giovanni Gronchi who, thanks to the support of the leftist block, beat Cesare Merzagora. In the same way in 1971, Amintore Fanfani, the official DC candidate, was beaten by Leone who had been seeking election since the 1960s. Official DC candidates were elected without problems only twice: in the cases of Antonio Segni and of Cossiga, and ironically, these two presidents have been the most controversial in the entire history of the Republic.

In three cases one can speak of a 'president of the majority', that is a president supported by a combination of parties coinciding with the combination of parties making up the governing majority. Segni and Leone were able to gain the Presidency with the votes of the governing parties plus the votes of the Italian Social Movement (Movimento Sociale Italiano, MSI) as the only additional contributor. The third case is that of Napolitano elected by a majority composed only of the parties that made up Romano Prodi's third government. Segni, Leone and Napolitano, however, are the

presidents who have been elected with the least number of votes (53, 52 and 55 percent respectively: see Table 2).

The unwritten agreement that became established after the victory of Giuseppe Saragat and which provided for a kind of alternation at the Quirinale between a Christian Democrat and a secular candidate came to an end following the collapse of the parties in 1992: in fact, after Cossiga's presidency another Catholic followed - Oscar Luigi Scalfaro - and in the case of Ciampi, one cannot speak of a secularist in strict terms, but rather of an outsider. Only after many years following the end of the *conventio ad excludendum* and after the Democratic Party of the Left (Partito della Sinistra, PDS),³ had had some experience of government was it possible to elect an ex-communist candidate to the Presidency.

Table 2: Elections of Presidents of the Republic

Year and President	No. of voting rounds	Majority obtained	Parties supporting the President	Parties in the government majority
1948 Einaudi	4	59.4%	DC, PSDI, PRI, PLI PNM	DC, PSDI, PRI, PLI (De Gasperi IV)
1955 Gronchi	4	78.9%	DC, PCI, PSI, PNM	DC, PSDI, PLI (Scelba)
1962 Segni	9	52.6%	DC, PLI, MSI, PNM	DC, PSDI, PRI (Fanfani IV)
1964 Saragat	21	68.9%	DC, PCI, PSI, PSDI, PRI	DC, PSI, PSDI, PRI (Moro II)
1971 Leone	23	52.0%	DC, PSDI, PRI, PLI, MSI	DC, PSI, PSDI, (Colombo)
1978 Pertini	26	83.6%	DC, PCI, PSI, PSDI, PRI, PLI, DP	DC, app. Est. PSI, PSDI, PRI (Andreotti IV)
1985 Cossiga	1	76.8%	DC, PCI, PSI, PSDI, PRI, PLI	DC PSI, PSDI, PRI, PLI (Craxi)
1992 Scalfaro	16	67.0%	DC, PDS, PSI, PLI, Rete, Verdi, Lista Pannella	DC, PSI, PSDI, PRI, PLI (Andreotti VII)
1999 Ciampi	1	71.4%	DS, PPI, RI, SDI, Verdi, UDR, PDCL, FI, AN, CCD-CDU	DS, PPI, RI, SDI, Verdi, UDR, PDCL (D'Alema)
2006 Napolitano	4	54.8%	DS, Margherita, PRC, IDV, PDCL, Verdi, Radicali, UDEUR	DS, Margherita, PRC, IDV, PDCL, Verdi, Radicali, UDEUR (Prodi III)*

* Strictly speaking, the government in power was still Berlusconi's third administration, composed of FI, AN, LN, UDC, New PSI. The general election held in April, however, had been won by the centre-left. The new government was installed only after the election of the President.

Table 3: Political careers of Presidents of the Republic

President	Highest office within his party	Highest office in Parliament	Highest office within the Government	Other institutional offices	Duration of political activity within the institutions
Einaudi	Active member PLI	Senator	Deputy Prime Minister	Governor of the Bank of Italy, Member of the Constituent Assembly	10 years (from 1919-25 then from 1946)
Gronchi (DC)	Active member DC	President of the Chamber of Deputies	Minister	Member of the Constituent Assembly	15 years (from 1923-26 and then from 1943)
Segni (DC)	Regional Secretary of the DC	Committee President	Prime Minister	Member of the Constituent Assembly	17 years (from 1945)
Saragat (PSDI)	National Secretary of the PSLI and then of the PSDI	Committee President	Deputy Prime Minister	President of the Constituent Assembly	18 years (from 1946)
Leone (DC)	Local Secretary of the DC	President of the Chamber of Deputies	Prime Minister	Member of the Constituent Assembly	23 years (from 1948)
Pertini (PSI)	National Secretary of the PSI	President of the Chamber of Deputies	-	Member of the Constituent Assembly	32 years (from 1946)
Cossiga (DC)	Member of DC National Council	President of the Senate	Prime Minister	-	27 years (from 1958)
Scalfaro (DC)	Assistant General Secretary of the DC	President of the Chamber of Deputies	Minister	Member of the Constituent Assembly	46 years (from 1946)
Ciampi	Active member PdA	-	Prime Minister	Governor of the Bank of Italy	4 years
Napolitano (PCI; then DS)	Assistant General Secretary of the PCI	President of the Chamber of Deputies	Minister	-	53 years (from 1953)

With regard to their political profiles (see Table 3), for the most part presidents have belonged to the DC (five). Three have belonged to leftist forces: Saragat to the Social Democrats (Partito Socialista Democratico Italiano, PSDI); Pertini to the Socialists (Partito Socialista Italiano, PSI); Napolitano to the Communists (Partito Comunista Italiano, PCI). Two presidents have not been members of any parties (Ciampi and, in part, Luigi Einaudi). Presidents, though for the most part professional politicians, have not generally had significant leadership roles within their parties, with the exception of Saragat, leader of the PSDI, Pertini, the national secretary of the PSI for a year, and Napolitano, assistant secretary of the PCI. Generally, if presidents have not had a significant career within their party, they have been able to count on considerable careers within the institutions of state: seven have been former members of the Constituent Assembly (with the exception of Cossiga, Ciampi and Napolitano); five have held the position of President of the Chamber of Deputies (Gronchi, Leone, Pertini, Scalfaro and Napolitano) and one the position of President of the Senate (Cossiga). Ciampi is the only one never to have been in Parliament before becoming President. Furthermore, all the presidents, with the exception of Pertini, have held some government office, either as a minister or Deputy Prime Minister, and four (Segni, Leone, Cossiga and Ciampi) had been Prime Minister before becoming President.

The President and his relations with the Government and Parliament

Between 1948 and 1992 the influence of the head of state on the process of government building was very limited because, in a multiparty system with a strong tradition of party government (Vassallo, 1994), executive appointments were determined by party agreements. Presidents tended to ratify the choices of the Government and Prime Minister in a systematic way, exercising passive control over the concerns of the parliamentary majority. The presidencies of Segni and Leone, the last phase of the Pertini presidency (1983-85) and the first phase of Cossiga's term of office (1985-87) all exemplified this tendency. Control over the appointment processes was firmly in the hands of the parties (Pasquino, 1987) – so much so that prime ministers' powers in the matter of ministerial appointments were very heavily circumscribed by inter- and intra-party dynamics.

Nevertheless, due to the competitive multipolar context, periods of stability within government coalitions alternated with periods of instability, as well as periods of greater or lesser closure to alternative governing formulas. During phases of instability and phases of transition from one governing formula to another, the President of the Republic was able to play an active part in the process of government formation and could exercise greater discretion in decisions to dissolve Parliament.

Actually, during the passage from centrism to the centre-left formula, Gronchi intervened in two government crises and, in the case of the administrations of Adone Zoli and Fernando Tambroni, was able, successfully, to influence their outcomes. Furthermore, he vetoed a ministerial appointment during the formation of Fanfani's second government (1958). When the centre-left formula went into decline and government instability was rising, opportunities for presidential intervention in government formation again increased. From 1968 on, Saragat began to play an active part in government formation with the clear intention of protecting the governing alliances of the centre left by first proceeding with the formation of temporary single-party governments (Leone's second administration and Mariano Rumor's second administration), and then using the instrument of the 'binding mandate',⁴ which involved Rumor's third government and the government of Emilio Colombo. With the transition from governments of national unity to the period of five-party coalitions, there was another phase of acute instability and President Pertini intervened in the process of government formation by obliging the prime ministerial candidate designated by the DC (Giulio Andreotti's fifth administration) to be supported by two deputy prime ministers (Ugo La Malfa and Saragat) with the aim of guaranteeing the political neutrality of the rising electoral government. During Cossiga's mandate there began to emerge the crisis of representation which, in just a few years, would strike the principal governing parties thus revealing a significant deficit of governability which brought a weakening of party government. However, Cossiga's impact on the formation of governments was very limited (Pasquino, 1992). Only in the case of the last government crisis of his seven-year term, during Andreotti's sixth administration, can one say that there was real, direct intervention. Then, he suggested which ministers should be part of the governing team, as Andreotti himself confirmed (De Fiores, 1991).

With regard to the structuring of Parliament, the presidential role between 1948 and 1992 was not particularly incisive. The six dissolutions decreed during the period were brought about by Leone (1972 and 1976), Pertini (1979 and 1983) and Cossiga (1987 and 1992).⁵ The dissolutions between 1972 and 1983 were substantially agreed with by a large part of the governing majority and accepted by the major opposition party, the PCI. In 1987, however, the support of the PSI, the principal ally of the DC, was lacking (Fusaro, 2003). In these cases, the President simply took note of the gradual erosion of the governing majority and the impossibility of constituting a government with an alternative parliamentary majority. The dissolution of 1992, although it took place against the background of deep disagreements between the Presidency and the parties, was decided on with the approval of all the political forces and only slightly anticipated the natural end of the tenth legislature.

Beginning with approval of the predominantly majoritarian electoral law of 1993 (the so-called *mattarellum*), the period from 1992 to 1996 saw the most acute phase of the transition whose protagonists sought to reinforce the executive branch. President Scalfaro's interventionism in government formation can be attributed to several factors, above all the disappearance of the multipolar party system and the Christian Democrat diaspora (Baccetti, 2007). The party system was completely de-structured, bringing about a crisis of representation and governability never before experienced. Three of the six government crises which Scalfaro had to manage were resolved by an assertion of presidential will the outcome of which was the unmistakable supremacy of the President of the Republic over the potential government majority (Tebaldi, 2005). In the first case, after the 1992 elections, Scalfaro was unwilling to nominate Bettino Craxi as Prime Minister, preferring to choose another person from the group of candidates proposed by the potential majority (the extinct five-party coalition). Furthermore, the President expressly required that the new government exclude those being investigated by the judiciary. Giving the office to Giuliano Amato had the significance of a binding mandate (Tebaldi, 2005). Ciampi's appointment gave rise to what was referred to as a 'government of the President' since it was not based on the support of any relevant party and therefore its formation and survival relied specifically on presidential support. In this sense, the Government was subject to the so-called 'double confidence' mechanism (Carlassare, 2001): that of Parliament and that of the President. Finally, in the case of Lamberto Dini's appointment (1995), Scalfaro's intervention was considerable: it is enough to bear in mind that the Government took office without *any* party agreement, and was composed almost entirely of non-parliamentary personnel which, except for the Premier, included no ministers from the outgoing government. Furthermore, the prime ministerial nomination came with a binding mandate. Later, the intervention of the head of state was less incisive, but still noticeable: even though the outcome of the 1994 election was such that Silvio Berlusconi was the only possible appointee in forming the Government, Scalfaro entrusted him with the office subject to his 'acceptance of several guidelines regarding the criteria for choosing ministers and of insurmountable limits in the areas of foreign, domestic and social policies' (Di Giovine, 1997: 45, translation mine).⁶ In particular, Scalfaro opposed the nomination of Cesare Previti as Minister of Justice (who then became Minister of Defence).

Since 1998, when the bipolar order began to consolidate itself, the President has lost the role of 'guardian' of the functionality of the system (Fusaro, 2003) and interventions in the processes of government formation have become more sporadic: in fact, from 1998 to 2010 there was only one case of direct intervention. In 2001 Ciampi sponsored the appointment of Renato Ruggiero as Foreign Minister and warned that the Government's

programme should guarantee continuity in foreign policy, resolution of the Prime Minister's conflicts of interest and reform of the legal system. Recently, in the latest Cabinet reshuffle, Napolitano opposed the appointment of Saverio Romano as Minister of Agriculture – but without success.

Despite party-system bipolarity, weak party government (Pasquino, 2001) seems to be one of the permanent characteristics of Italian democracy and perhaps one of the reasons why a fully-fledged majoritarian model of democracy remains to be firmly established. If in this context there has been a diminution of the powers of the head of state in government formation following elections, they have remained significant during government crises and changes of government between elections. The influence of the President on the decision whether or not to dissolve the chambers has become particularly relevant since Scalfaro's term, while presidential intervention in the processes of appointment during the formation of a government without recourse to elections remains an option.

From Scalfaro to Napolitano, all presidents have, notwithstanding the majoritarian context, rejected constitutional interpretations that regard the dissolution of Parliament as the sole means of resolving government crises. In 1994, Scalfaro refused a dissolution as requested by Prime Minister Berlusconi. This crisis was unusual, less because of the effects of the decision itself – in Italy there is a long tradition of governments being installed between elections, a completely legal act in all parliamentary systems including majoritarian ones – than because of the opposition of the outgoing Prime Minister, who placed considerable pressure on the head of state to dissolve the legislature only seven months after it had come into existence. Scalfaro, having ascertained the existence of a potential alternative majority, maintained that as long as it was possible to keep such a recently elected parliament alive, the President had the constitutional duty to facilitate the survival of the legislature. The other cases of presidential autonomy in the decision whether or not to dissolve the chambers are: the disbanding of Ciampi's cabinet, again in 1994, when a government was brought to an end and elections called despite the absence of any government crisis; the refusal, in 1998, to dissolve which was accepted by the parliamentary majority given that the centre-left parties showed they were able to come to a governing agreement despite the change in leadership (from Prodi to Massimo D'Alema) and the departure of Communist Refoundation (Rifondazione Comunista, RC); Napolitano's decision, in 2007, not to dissolve given that he did not accept Prodi's resignation and sent him back to the chambers, which gave him a vote of confidence.

In the new fundamentally majoritarian political context, the presidential role in the structuring of Parliament could become more significant as compared to the past thanks to the President's power to

appoint five senators for life. The entitlement could influence the balance of power in parliaments with small and/or barely cohesive majorities of the kind that sustained Prodi's third administration. Furthermore, interpretation of the relevant constitutional article is left to the President since it has been interpreted *both* to mean that there can be up to five life senators in total, *and* to mean that *each president* can nominate five (as Pertini and Cossiga so interpreted it). Above all, the latter interpretation enables the head of state to influence the solidity of governments' majorities, with potentially significant implications for the activities of governments themselves. Every president, with the exception of Scalfaro, has appointed some life senators. Napolitano, for the moment, has not made any appointments. Considering the very narrow Senate majority on which Prodi's third administration could count, the President probably feared that any such appointment might be read as an instrument for strengthening or thwarting the parliamentary majority (Cacace, 2008).

The President and policy-making: strengthening of control or a legislative role?

The growing strength of majoritarianism as a feature of the political system has tended to reinforce the significance of the President's guarantee and guidance functions (Grisolia, 2009). These are exercised through the powers concerning the promulgation of laws, the issuing of government regulations, authorising the presentation to Parliament of government bills. Partial confirmation of the argument that in a bipolar order the President's powers of supervision over the acts of Parliament and government would be extended, can be found by observing that all of President Scalfaro's requests for reconsideration of legislation were issued after 1994. However, presidents have adapted to the changed political and institutional context with substantial delay, in the sense that they have continued to make very sparing use of their power to require reconsideration and for the most part have limited it to legislation lacking the necessary financial coverage (art. 81 Const.) in accordance with the practice consolidated between 1948 and 1989.⁷

The suspensive veto was used fifteen times between 1994 and 2010.⁸ Scalfaro sent six laws back to Parliament, Ciampi eight and Napolitano one. Theories about its use are elusive: neither the criterion of procedural legitimacy nor that of merit offer sound bases on which to construct an interpretative model (Ruggeri, 1997). Even though requests for reconsideration on grounds of merit were occasionally made prior to the emergence of bipolarity as a party-system feature,⁹ presidents continue to use such justification with extreme caution and parsimony. There was a modest discontinuation of the practices of the First Republic during Ciampi's term of office especially, because for the first time requests for

reconsideration came to be made with respect to laws considered important by the parties of the governing majority and in particular by the Prime Minister (Cacace, 2008).

Of the six requests for reconsideration made by Scalfaro, five were motivated by a lack of financial coverage and only one (the first) was based on queries about the constitutionality of the proposed legislation. None concerned matters of particular importance except the penultimate (23 March 1998) which, although it was motivated by a query about financial coverage, 'allowed the head of state for the first time to enter into the merits of particularly controversial questions and formally to express his own concerns with regard to decisions recently taken by the legislature' (Grisolia, 2009, translation mine): the law in question concerned contentious issues relating to the public financing of political parties.

In the case of Ciampi, while the suspensive veto continued to be used sparingly, there were elements of novelty: only two requests for reconsideration were motivated by a presumed lack of financial coverage, while most of the others concerned matters of constitutional legitimacy and merit. Ciampi's term of office was characterised by two distinct phases: until 2003 the President maintained a low profile, having recourse to article 74 mostly for technical reasons and in cases of little political importance. This was succeeded by a new phase beginning with the request for reconsideration of legislation concerning reorganisation of the radio and television system and the state broadcasting network, RAI (the so-called Gasparri Law). The President tended to highlight not only matters of evident unconstitutionality, but also the constitutional merit of laws having considerable political significance for the Government (Balboni, 2005), for example the law of delegation for the reform of the legal system - the so-called Castelli reform (2004) - or the matter of the inappellability of sentences of acquittal (2006).

In March 2010, Napolitano requested reconsideration of an employment law with concerns focussing especially on provisions for the use of arbitration as an instrument for resolving disputes. However, Napolitano's most controversial act was his decision, to refuse to sign the emergency decree issued by the Government in the case of car-crash victim, Eluana Englaro, who was in a persistent vegetative state.¹⁰ Even though there have been significant controversies surrounding the legitimacy of this presidential power, Napolitano himself cited various precedents for its use;¹¹ and mainstream constitutional opinion has for some time upheld the view that the President can refuse to sign decree laws despite the lack of explicit provision for it in the Constitution (Spadaro, 1993).

The formal powers by means of which the President can influence policy-making include the right to send messages to the chambers (art. 87 Const.). For the most part this power has been used to deal with topics of an institutional nature concerning the form of State and government,

national unity, election of the President and the appointment of Constitutional Court judges. Up until the 1990s, the power had been used only twice, by Segni in 1963 and by Leone in 1975, and in no way did it affect the workings of Parliament (Fusaro, 2003). However, in the two-year period between 1990 and 1992 alone, Cossiga used the prerogative six times. Since then, presidential messages have had greater impact, initially generating heated parliamentary debates and later producing more concrete effects. Scalfaro's message in 1996, which was intended to sensitise Parliament to the secessionist threats being made by the Northern League (Lega Nord, LN) seemed, over the next few months, to inspire several judicial initiatives against LN spokespersons; that of Ciampi in 2002 on matters of pluralism and impartiality in the provision of information was followed by a government bill on these issues. In general, the power to send messages to Parliament is the formal means with the least impact on policy-making that the President possesses; however, 'the political forces in Parliament can no longer afford to allow initiatives emanating from the Quirinale to be summarily disregarded' (ivi, 89-90, translation mine).

The powers to require reconsideration of laws and to refuse the promulgation of government acts provide the basis for the clearest examples of presidential (as compared to government) influence on policy and of action to uphold constitutional principles. Nevertheless, since the political system acquired a bipolar character, presidents have not used these powers in a pervasive manner, often preferring to use other, informal, means – means that can be likened to 'suggestions concerning the work in progress' and which can be called 'moral suasion'.

Although the rights of heads of state in parliamentary republics to express opinions and give advice are often not given explicit constitutional sanction, the entitlement tends to be recognised in practice (Bagehot, 1867), even if it is exercised through informal, confidential relations between the President and the Government and therefore is often unnoticed. In Italy, cases of informal intervention have been described both in constitutional reports and in the press; furthermore, several presidents have publicly claimed such an entitlement: Cossiga, in his message to the chambers on 26 June 1991, Ciampi, in his 2001 end-of-year address and, lastly, Napolitano in several interviews.¹²

Particularly since 1999, presidents have preferred to bring about necessary changes to bills by intervening during the course of their parliamentary passage, rather than by clashing with the Government later during the promulgation phase. This was especially the case with Ciampi, who suggested changes to policies while tough parliamentary negotiations were underway concerning law no 367/2001 on international extradition requests, the Cirami law (no. 148/2002) – allowing trials to be moved in cases of legitimate suspicion that the judge involved is biased – and the law

on immunity from prosecution of the holders of the highest offices of state (law no 140/2003).

Ciampi's habit of active and incisive intervention in the course of parliamentary proceedings essentially transformed him into an authoritative and influential co-legislator (Pasquino, 2003). However, the potential consequences of such action were and are – as former President Cossiga noted – both questionable and serious. On the one hand, the President may end up becoming involved in political struggles, so undermining confidence in his impartiality; on the other hand, he risks creating conflict between institutions of the State should the Constitutional Court uncover elements of unconstitutionality in laws 'guided' by the President. Furthermore, even if moral suasion can be counted among the legitimate actions of the President, the fact remains that it has not always proved to be especially effective in bringing about changes of policy (Ponthoreau and Rayner, 2007; Pugiotto, 2004). Nevertheless, it has the advantage that its use is less likely to aggravate conflict between the majority and opposition, or between executive and judiciary, than some of the other instruments in the presidential toolkit.

Like his predecessor, Napolitano used informal powers much more frequently than formal ones, in particular, moral suasion. In the majority instances, moral suasion was used to exert control over the enactment of emergency decrees, the most emblematic episode occurring in April 2009 at the time of his approval of the 'incentive decree'.¹³

Other significant cases of moral suasion by President Napolitano concern decree law no. 92/2008, dealing with security, and the decree law on telephone interceptions. With regard to the former, during the session to convert the decree into ordinary law, a regulation was added which provided for a year's suspension of trials concerning crimes punishable by less than ten years imprisonment (the case in point being a trial involving Berlusconi) supposedly in order to allow precedence to be given to trials concerning more serious crimes. An agreement between the President and the Government led to this added provision being dropped. The *quid pro quo* was that the chambers would in the meantime consider the Alfano arbitration bill in which the suspension of criminal proceedings against the holders of the highest offices of state had been re-proposed.¹⁴ In the case of the decree concerning telephone interceptions, as early as 2007 Napolitano had sent a letter to the presidents of the Chamber and Senate asking that this question be considered at a later date with respect to the more urgent reform of the legal system. Following this, his work of moral suasion continued until the point at which he threatened not to sign the decree.

It is important to point out that moral suasion can preclude use of the suspensive veto and can generate recourse to questionable actions such as 'promulgation with reservations'. Ciampi was the first president to promulgate a law 'while citing grounds for objection' (Ruggeri, 2002,

translation mine). That is to say, he accompanied promulgation of the law converting decree no. 63/2002 with the statement of a series of reasons that would have justified a request for it to be reconsidered – without mentioning the reasons for which he was promulgating it. A similar case arose in 2009 in relation to the law on security – regarding which Napolitano had previously exercised *ex ante* control of moral suasion (Ruggeri, 2009) – and again in relation to law no. 240/2010 concerning university reform.

The President and the political community: between national identity and Europeanism

With the one exception of the end-of-year speech (which has become, since Einaudi's presidency, a well established political tradition), until the 1970s presidents never attempted to establish channels of direct contact with the public, preferring to interact with other institutions or at most with the parties collectively. Since the 1980s, changes in the media have begun to have their effects on the way in which politics is conducted and perceived. President Pertini knew how best to take advantage of these changes, building a solid relationship with public opinion, so much so as to act as interpreter of the problems of vast numbers of citizens disillusioned with the performance of the other political institutions. From Pertini onwards, it has become apparent that the enjoyment of popular support can translate into a surplus of political power with respect to the Government, the legislature and the parties, a surplus which the presidents of the majoritarian era (Ciampi and Napolitano) in particular have enjoyed. In part, they actively built their popular support, giving the Presidency from the second half of the 1990s, as the majority of surveys would show, approvals ratings incomparably higher than those enjoyed by other political institutions.

Presidents prior to Cossiga had always reaffirmed their duty to integrate the nation as a republic founded on the Resistance Movement and on a constitution perceived as an antifascist pact. Narratives of the country's history began to change at the beginning of the 1990s. In the final months of his term, Cossiga began to touch on the problems of a weak national identity and the need for a revision of the country's history. It was he who carried out the first symbolic acts marking a break with the pedagogical efforts of presidents since 1948. In 1992 Cossiga visited two places his predecessors had never been to in their official capacities: the Karst pits (*foibe del Carso*), the theatre of Tito's communist massacres, and the Malga Porzus (an alpine hut) in Friuli where sixteen Catholic partisans and Party of Action activists had been killed by communist partisans. Furthermore, intending to wrest the Resistance myth from the control of the Left by uncovering the excesses of communist partisans who until then

had enjoyed the status of national heroes, Cossiga attempted the rehabilitation of Edgardo Sogno, a liberal-monarchic partisan who was involved in an attempted coup. With the terms of office of Scalfaro and Ciampi there began a 'battle of the memory' whose aim was to re-enhance the value of antifascism. The President of the Republic as guarantor of the Constitution is also defender of the principles which inspire it, among which is antifascism. However, since the 1990s, there have been moves to take responsibility for healing the fracture in the collective memory with regard to the Resistance. Presidents have therefore sought to redefine the myth of national foundation by defending the antifascism which is its basis, but also enjoining 'understanding' for those who fought on the 'wrong side'. Scalfaro was the first President of the Republic to have to give a concrete answer to the request for 'reconciliation' put forward by Gianfranco Fini shortly after the so-called 'Fiuggi turning-point' in 1994.¹⁵ Without acceding to pressures for parity of treatment of fascists and antifascists, Scalfaro conceded to the Right the *pietas* which is owed to all those who have died.¹⁶ In the case of Ciampi, besides recognition of those who died for the wrong cause,¹⁷ there was also an attempt to consolidate a broad vision of the Resistance, one which regarded as protagonists not only the partisans in the strictest sense, but also the soldiers of the renewed royal army, concentration-camp prisoners and the silent actions of the numerous ordinary people who helped the wounded and fugitives.¹⁸ Furthermore, the Resistance became directly linked with the Risorgimento.¹⁹ The idea was to re-cast the founding myth in more ecumenical terms, in order to guarantee a set of common values that could be shared by everyone and through which an agreement between all the political parties could be found so as to reform the country, without, however, giving in to relativism.

No concessions, however, were made to those who supported secession. Scalfaro tried many times to restrain the separatist rhetoric of the LN, in particular when it theorised a two-speed Europe which excluded the South. Ciampi, on the other hand, gave life to an authentic process of reflection on the topic of the nation, which provided the basis for a pedagogy of civic nationalism (Grimaldi and Riccamboni, 2007). This political project can be analysed on three levels: symbolic, historic and pedagogical.

On a symbolic level, Ciampi revived the civil liturgy of national holidays, requiring that on these occasions the national anthem be sung and the flag raised. In particular, he reinstated the anniversary of the Republic's independence;²⁰ promoted the anniversary of Liberation as a day of commemoration for all citizens not just the politically involved part of the population, and instituted the celebration of Flag Day.²¹

On an historical level, by means of the so-called 'voyage through historical memory' - a kind of pilgrimage, so to speak, to the places where

essential episodes of the building of the Italian Republic had taken place – Ciampi tried to restore importance to the fundamental moments of state history as the basis for a common identity.

On a more pedagogical level, he turned to the young and to students. In fact, his most significant initiative was to give the speech marking the start of the academic year at the Vittoriano monument. If these speeches created an opportunity for presidents to reflect on the problems of education and the future of the country,²² Ciampi also used this opportunity to create a project for national identification which the Italian school system had never supported.²³

On these occasions Ciampi tried to create a synthesis between the re-evaluation of national values and the development of European ones. For Ciampi, the identity of the modern citizen had necessarily to be multiple; one could no longer define oneself by reference to the regional or national levels only, but one inevitably had to include Europe.

In continuity with this vision, Napolitano's efforts have concentrated mostly on strengthening the plans for a European political union, while never hiding the difficulty of this or the moments of deadlock (Grimaldi, 2011). Throughout 2007, the year marking the fiftieth anniversary of the signing of the Treaty of Rome, Napolitano made exhaustive efforts to claim a common European identity, hosting at the Quirinale the member countries' heads of State and Government, visiting the European institutions, and establishing a relationship of close contact with Horst Köhler, the German president, mostly with regard to the problem of revising the Constitutional Treaty.

Finally, Napolitano even tried to strengthen the founding myth by pledging to organise celebrations of the 150th anniversary of Italian Unification. In particular, he wanted to retrace the journey taken by the expedition of the Thousand, recreating an event lasting almost ten months, beginning in Quarto (Genoa) on 5 May 2010 and ending on 17 March 2011, the day of the proclamation of Italian Unification. Having requested that 17 March be, to all effects, a national holiday, the Quirinale then looked on as a series of controversies unfolded surrounding the possibility that the celebrations would disrupt what would otherwise have been a normal working day. Such concerns were expressed both by Government spokespersons – not only those of the LN (Roberto Calderoli), but also including the Minister of Education (Mariastella Gelmini) – and the President of the Autonomous Province of Bolzano – whose complaints focussed on the rights of the ethnic minorities – as well as important interest groups such as Confindustria. These dissidents once again highlight that despite the intense efforts of presidents over the years, members of the Italian political class find it hard to think of themselves as a nation and the only institutional office holder committed to these efforts of integration remains the President.

Conclusion

The role of President has changed profoundly since the 1990s. The changes in the political and institutional contexts towards majoritarian democracy have inevitably reduced the scope for presidential intervention in the formation of governments; but the influence of the head of state on the structure of Parliament through decisions about whether or not to dissolve has begun to be particularly relevant since Scalfaro's term, proving itself to be an act in which the presidential contribution remains fundamental.

With regard to their impact on policy-making, presidents have, in the new bipolar context, asserted their powers of control more forcefully, even if they have at times been restrained in order to prevent irreconcilable conflict between institutions of the State or in order to respond to contingent political needs. In continuity with the practices of the First Republic, presidents have declined a more extensive use of the suspensive veto and other powers exercisable *ex post*, favouring more informal means exercised *ex ante*. These mechanisms can, however, prove to be risky as in the case of moral suasion should the Constitutional Court decide on the unconstitutionality of a law in whose design the president has actively taken part (thereby risking the de-legitimation of the head of state) or they can turn out to be totally ineffective as in the case of 'promulgation with reservations'.

The implosion of the party system in the early 1990s not only allowed heads of state to assume a position as protectors of the system with the aim of containing government instability and rediscovering their role as political managers, but also allowed them to commit themselves to projects aimed at integrating the nation, thereby accomplishing what the parties had achieved in the past. The plan to build a civic religion, which took complete form during the Ciampi presidency, must be viewed from the perspective of the progressive decline of formerly deep-seated, even if geographically circumscribed, values – a decline that is attested to by the substitution of the LN for the white subculture and by the decline of the red subculture (Baccetti and Messina, 2009).

The unstable political situation in Italy during the Second Republic revealed that the head of state was a political actor to all effects, even though a non-partisan one. Today, the President of the Republic has become one of the principal points of reference for Italians, who for some years now have included this office among the institutions they regard as being most worthy of trust.²⁴

Notes

¹ An earlier version of this essay has been published in Italian in M. Almagisti and D. Piana (eds.) (2011), *Le parole chiave della politica italiana*, Rome: Carocci. I wish to thank Professors Gianni Riccamboni and Gianfranco Pasquino for their useful remarks and suggestions. I would also like to thank Professor Jim Newell for his comments on a first draft of this work.

² Excluded from the analysis are those powers which go beyond the political sphere such as, for example, the power to nominate of one third of the Constitutional Court justices (art. 135.1 Const.); the presidency of the High Judicial Council (Consiglio Superiore della Magistratura (CSM) (arts. 87.10 and 104.2 Const.), the power of pardon (arts. 79 and 87.11), the presidency of the Supreme Council for defence (art. 87.9).

³ Offspring of the Italian Communist Party and which subsequently became the Left Democrats, (Democratici di Sinistra, DS).

⁴ Prime ministers can be appointed with a binding mandate 'thereby conditioning *in pectore* the Prime Minister's choice of majority and/or general programmatic orientation' (Tebaldi 2005, 172-3 translation mine), or with a free mandate, leaving ample discretion with regard both to the composition of the Government and to its policy objectives.

⁵ The early dissolutions of 1953, 1958 and 1963 are not taken into consideration. Only since 1963 has the maximum duration of both chambers been set at five years.

⁶ The new cabinet was sworn in fourteen days after Scalfaro had nominated Berlusconi and six weeks after the elections. In an unprecedented public exchange Scalfaro, worried by the inclusion of both the Northern League and the National Alliance (Alleanza Nazionale, AN), wrote an open letter to Berlusconi warning him not to form a government that would give the country a bad reputation. A written guarantee to this effect was made public by Berlusconi. This is a unique episode in the in the history of the Republic.

⁷ With the exception of Cossiga who required a reconsideration of twenty-two laws in seven years, of which fifteen between 1990 and 1992 alone, and which perhaps reflected a specific strategy of opposition to the Government and its parliamentary majority.

⁸ Since 1948 the suspensive veto has been used sixty times.

⁹ Two requests for reconsideration were driven by concerns about guarantees of fundamental rights: one concerned of the law relating to conscientious objection, the other the mandatory insurance for civil liability of the drivers of motor vehicles and watercraft, both requested by Cossiga in 1992 (Ruggeri 1997).

¹⁰ For details of the Eluana Englaro case see Pasini (2010).

¹¹ There are five: Pertini twice refused to sign decree laws, once in 1980 (regarding verification of the signatures on petitions demanding an abrogative referendum) and once in 1981 (when he held a health services provision to be in conflict with a legal judgement that was still in the process of being formulated). Cossiga refused his signature twice, in 1989 and in 1990, because he was not convinced of the necessity or urgency of the measures. Scalfaro refused once in 1993 on account of a measure concerning the financing of the political parties.

¹² In particular his interview for the Chilean newspaper *El Mercurio* on 17 March 2008. Source: Quirinale website.

¹³ The President, in a letter to the presidents of the chambers, the Prime Minister and the Minister for the Economy, criticised the inclusion of regulations heretofore not envisaged, among which, those relative to milk quotas, with an added public-expenditure burden of €1.3 billion. Such action by the President could lead to a paradox: given that requests for partial revision are not provided for by the Italian system, if the head of state sends a decree law back to the chambers on account of measures introduced during the session to turn the decree into law, he must request reconsideration of the entire measure, thereby rejecting the original text whose emanation he had previously authorised.

¹⁴ Law no. 140 of 20 June 2003, article 1, was the subject of ruling no. 24/2004 of the Constitutional Court which thereby declared it to be unconstitutional.

¹⁵ At the Congress of Fiuggi the MSI changed its name to National Alliance and adopted a new symbol, thereby renouncing claims of continuity with the Italian Social Republic and recognising the ‘antitotalitarian’ Resistance’ as an historical accomplishment (Tarchi, 1997).

¹⁶ At the commemoration of don Giuseppe Morosini, Scalfaro paid tribute to those who had died on all fronts and in all battles. Cfr. Website of the Italian Presidency.

¹⁷ In this sense, the most important symbolic gesture was Ciampi’s visit to El-Alamain in 2002 which provoked significant criticism, especially that of Luzzatto (2004).

¹⁸ In open opposition to the ‘*zona grigia*’ (the grey zone: the theory that the majority of people were indifferent as between the cause of the Resistance and that of Fascism) of which Renzo De Felice spoke (1995).

¹⁹ Such a vision of history has been contested by many historians mostly because it carries with it the risk of considering Fascism as a mere ‘parenthesis’. See Nevola (2003) on this point.

²⁰ With regard to this, Cartocci (1994) recalls that for more than fifty years, policy makers showed not the slightest interest in public holidays. The most flagrant example of this was abolition of the holiday marking the Republic’s Independence and Italian Unity in 1977.

²¹ Flag Day was instituted by a decree of the President of the Republic on 7 April 2001.

²² The most important historical precedent with respect to Ciampi’s initiative was the series of meetings with Pertini at the Quirinale organised with students from schools throughout Italy (Ridolfi, 2003; Baldassarre and Mezzanotte, 1985).

²³ The Italian school system was not able to replace the traditional model of nationalism, considered irremediably compromised by nationalistic excesses, with an alternative model (Gaudio, 2003; cfr. Cartocci and Parisi, 1997).

²⁴ Ilvo Diamanti’s DEMOS surveys for the newspaper, *la Repubblica*, show that since Ciampi’s seven year term, the levels of public confidence in the President have been higher than the levels of confidence in most other institutions. Trust in Napolitano increased between 2007 and 2010 by more than 14 points, from 56.0 to 70.9 percent. Cfr. Website of Demos&PI.

References

- Baccetti, C. (2007), *I postdemocristiani*, Bologna: Il Mulino.
- Baccetti, C. and Messina, P. (2009), *L'eredità. Le subculture politiche della Toscana e del Veneto*, Turin: Liviana.
- Bagehot, W. (1867), *The English Constitution* [Italian Translation: *La Costituzione inglese*, Bologna: Il Mulino, 1995].
- Balboni, E. (2005), "Ordinamento giudiziario: il rinvio di Ciampi", *Quaderni Costituzionali*, 2, pp. 408-412.
- Baldassarre, A. (1994), "Il Capo dello Stato", in G. Amato and A. Barbera (eds.), *Manuale di Diritto Pubblico*, Bologna: Il Mulino, pp. 463-501.
- Baldassarre, A. and Mezzanotte, C. (1985), *Gli uomini del Quirinale. Da De Nicola a Pertini*, Bari: Laterza.
- Cacace, E. (2008), "La Presidenza della Repubblica nella democrazia bipolare e maggioritaria", *Quaderni Costituzionali*, 2, pp. 301-318.
- Carlassare, L. (2001), "Il ruolo del Capo dello Stato nella gestione delle crisi di governo", in L. Ventura (ed.), *La crisi di governo nell'ordinamento e nell'esperienza costituzionale: atti di un convegno*, Catanzaro, 22 e 23 October 1999, Turin: Giappichelli.
- Cartocci, R. (1994), *Fra Lega e Chiesa. L'Italia in cerca di integrazione*, Bologna: Il Mulino.
- Cartocci, R. and Parisi, A. (eds.) (1997), *Difesa della Patria e interesse nazionale nella scuola*, Milan: Franco Angeli.
- De Felice, R. (1995), *Rosso e Nero*, Milan: Baldini e Castoldi.
- De Fiores C. (1991), "Il Presidente della discordia", *Democrazia e Diritto*, 31 (4), pp. 217-64.
- Di Giovine, A. (1997), "Dieci anni di presidenza della Repubblica", in M. Luciani and M. Volpi (eds.), *Il Presidente della Repubblica*, Bologna: Il Mulino, pp. 25-97.
- Fusaro, C. (2003), *Il Presidente della Repubblica. Il tutore di cui non riusciamo a fare a meno*, Bologna: Il Mulino.
- Fusaro, C. (2010), "Italia: un Presidente contropotere d'influenza", in G. Passarelli (ed.), *Presidenti della Repubblica. Forme di governo a confronto*, Turin: Giappichelli, pp. 183-206.
- Gaudio, A. (2003), "L'educazione civica nella scuola", in M. Ridolfi (ed.), *Almanacco della Repubblica. Storia d'Italia attraverso le tradizioni, le istituzioni e le simbologie repubblicane*, Milan: Mondadori, pp. 328-37.
- Grimaldi, S. (2011), "L'Italia nella narrazione del Presidente Napolitano", *Comunicazione Politica*, 1, pp. 73-93.
- Grimaldi, S. and Riccamboni, G. (2007), "Valori e capitale sociale nei discorsi dei presidenti della Repubblica", in M.A. Cortelazzo and A. Tuzzi (eds.), *Messaggi dal Colle. I discorsi di fine anno dei presidenti della Repubblica*, Venice: Marsilio, pp. 135-78.

- Grisolia, M.C. (2009), "Alla ricerca di un nuovo ruolo del Capo dello Stato nel sistema maggioritario", www.associazionedeicostituzionalisti.it/dottrina/organizzazione/stato/grisolia.html
- Luzzatto, S. (2004), *La crisi dell'antifascismo*, Turin: Einaudi.
- Nevola, G. (2003), "Quale patria per gli italiani? Dalla repubblica dei partiti alla pedagogia civico-nazionale di Ciampi", in G. Nevola (ed.), *Una patria per gli italiani? La questione nazionale oggi tra storia, cultura e politica*, Rome: Carocci, pp.139-189.
- Pasini, N. (2010), "La morte di Eluana Englaro e il dibattito sul testamento biologico", in M. Giuliani. and E. Jones (eds.), *Politica in Italia. I fatti dell'anno e le interpretazioni*, Bologna: Il Mulino.
- Pasquino, G. (1987), "Party Government in Italy: Achievements and Prospects", in R. Katz (ed.), *Party Governments: European and American Experiences*, Berlin: De Gruyter, vol. II, pp. 202-42.
- Pasquino, G. (1992), "La fisarmonica del Presidente", *La Rivista Dei Libri*, March, pp. 8-10.
- Pasquino, G. (2001), "Teoria della transizione e analisi del sistema politico: il caso italiano", *Rivista Italiana di Scienza Politica*, 31 (2), pp. 313-27.
- Pasquino, G. (2003), "La presidenza Ciampi", in J. Blondel E P. Segatti (eds.), *Politica in Italia, I fatti dell'anno e le interpretazioni*, Bologna: Il Mulino, pp. 115-134.
- Ponthoreau, M. and Rayner, H. (2007), "Da Ciampi a Napolitano", in J.L. Briquet and A. Mastropaolo (eds.), *Politica in Italia. I fatti dell'anno e le interpretazioni*, Bologna: Il Mulino, pp. 147-167.
- Pugiotto, A. (2004), "Veto players» e dinamiche istituzionali nella vicenda del «lodo Maccanico»", *Quaderni Costituzionali*, 2, pp. 255-80.
- Ridolfi, M. (2003), "I presidenti: l'immagine della Repubblica e l'unità della nazione", in M. Ridolfi (ed.), *Almanacco della Repubblica. Storia d'Italia attraverso le tradizioni, le istituzioni e le simbologie repubblicane*, Milan: Mondadori, pp. 274-98.
- Ruggeri, A. (1997), "Rinvio presidenziale delle leggi e autorizzazione alla presentazione dei disegni di legge fra aperture del modello e delusioni della prassi", in M. Luciani and M. Volpi (eds.), *Il Presidente della Repubblica*", pp. 171-219.
- Ruggieri, A. (2002), "Verso una prassi di leggi promulgate con "motivazione" ... contraria?", www.forumcostituzionale.it
- Ruggeri A. (2009), "Ancora un caso di promulgazione con "motivazione" ... contraria. (a proposito del mancato rinvio della legge sulla sicurezza)", www.forumcostituzionale.it
- Spadaro A. (1993), "Prime considerazione sul Presidente della Repubblica quale garante preventivo della Costituzione ed eventuale parte passiva in un conflitto per interposto potere", in A. Anzon, B. Caravita, M. Luciani and M. Volpi (eds.), *La Corte Costituzionale e gli altri poteri dello Stato*, Turin: Giappichelli.

- Tarchi M. (1997), *Dal Msi ad An. La prima approfondita analisi del maggior partito della destra italiana: organizzazione, strategie, rapporti con la società civile*, Bologna: Il Mulino.
- Tebaldi M. (2005), *Il Presidente della Repubblica*, Bologna: Il Mulino.
- Vassallo S. (1994), *Il governo di partito in Italia (1943-1993)*, Bologna: Il Mulino.
- Weber M. (1922), *Wirtschaft und Gesellschaft*, [Italian translation: *Economia e Società*, P. Rossi (ed.)], Milan: Comunità, 1995.