

Looking at Berlin, Ending up on Capitol Hill

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On 3 November 2023, the Italian Council of Ministers approved a [constitutional reform bill](#) to introduce the direct election of the Prime Minister in Italy. The reform would grant the Prime Minister significantly broader powers than those currently outlined in the Constitution. The proposal is now set to be evaluated by the Italian Parliament, and possibly submitted to a popular referendum if it is not approved by two-thirds of the members of both chambers. During a press conference, Prime Minister Giorgia Meloni called the bill the „[mother of all reforms](#)“, capable of guaranteeing both the citizens' right to decide who governs them and the principle that whoever is chosen by the people can potentially govern for the entire legislature, without changes of majority and government. The problem is that the reform completely – and dangerously – misses its target: a comparison with the German chancellorship, in fact, clearly shows how the Italian government's proposal annihilates precisely the element that represents the strength of continuity of government in the German model, namely political parties.

The [draft reform](#) stipulates that the Prime Minister would be elected concurrently with the general elections for the renewal of the Chamber of Deputies and the Senate, serving a five-year term of office. A majority prize equal to 55 per cent of the seats in Parliament is also envisaged for the coalition that elects the Prime Minister to ensure greater stability for the government. A proposal to amend the electoral law is currently lacking.

The reform aims to prevent the future establishment of so-called technical governments that do not reflect the majority that won the elections. Thus, if the elected Prime Minister does not gain the confidence of Parliament, the President of the Republic renews his office and, if he does not gain confidence again, dissolves the Chambers. In case of resignation, impediment, or lack of parliamentary confidence, the President of the Republic may entrust the task of forming a new government to the resigning Prime Minister or to another Member of Parliament from the majority. However, they are obligated to implement the government programme announced by the initially elected Prime Minister. If this subsequent government does not gain confidence either, the Head of State dissolves the Chambers.

Political instability undermines growth

According to the government, the reform will make it possible to form more stable governments than those usually known in Italy. Indeed, the stability of governments is a [very serious problem](#) in the Italian political system: in 19 legislatures, from July 1946 to October 2023, Italy had 65 governments with 31 Prime Ministers, averaging a new government approximately every 14 months.

Undoubtedly, the stability of government action is a decisive factor in fostering a country's economic growth and international reliability: major reforms need continuity to be implemented, and this is not possible if in a single legislature there are several governments, often with different political compositions and consequent revisions of legislative measures approved by the previous executive. In this sense, the need to revise the constitutional rules to ensure greater continuity of action of the executive is real. However, the problem is that the changes proposed by the reform just announced by Giorgia Meloni do not achieve this objective.

The cornerstone of the reform consists in the direct election of the Prime Minister: in this way, Meloni argues, the Head of Government will enjoy personal electoral legitimacy, which will allow him (or her) to more effectively guarantee the stability of his (or her) Cabinet. This would help avoid crises that often arise as a result of conflicts between the parties of a certain majority, which typically lead to government resignations and the formation of cabinets supported by different party coalitions, even within the same legislature. If the reform is approved, its proponents assure that an internal crisis within a coalition will no longer potentially result in the formation of governments with a different composition, potentially involving parties that were part of the minority after the vote. In such cases, in fact, only three alternatives would be available: 1) a second attempt by the elected Head of Government to gain confidence in Parliament again; 2) if this fails, entrusting the task of forming a government and seeking confidence in Parliament to another member of the majority linked to the elected Prime Minister (but with a commitment not to deviate from his government programme); 3) early dissolution and a return to the vote.

Trading political legitimacy for stability

The basic idea is clear: faced with political parties and parliamentary groups that are unreliable and incapable of upholding the commitments made post-election when forming a coalition or choosing to join a specific parliamentary group, an attempt is made to confer stability on the government through the direct popular legitimisation of the Prime Minister. In other words, the parliamentary legitimisation expressed through a vote of confidence in a government and its programme freely expressed by the parties in Parliament is replaced by a plebiscitary legitimisation of the Head of Government alone. This renders the former ineffective and essentially redundant.

This is a true institutional paradigm shift, transforming a constitutional model originally designed as a parliamentary one – centered on the independent relationship of trust between the executive and the legislative – into a de facto presidential setup, i.e. a model in which the chief executive of the government bases his institutional role on popular investiture alone, rather than on his ability to aggregate political consensus first among the parties, and then in the parliamentary halls. In this way, the vote of confidence is reduced to a mere notarised attestation of a political choice made in the ballot box outside Parliament.

The successful German model

In contrast, the German system is notable for its stability, where governments generally last for their entire term, and both early elections and changes of government during a legislature are very rare: from 1949 to 2023, in fact, the Federal Republic had only experienced two votes of no confidence against the incumbent Chancellor, in 1972 and 1982, with only the latter resulting in a change of government when Helmut Kohl replaced Helmut Schmidt. Certainly, some help in this came from the [“constructive”](#) nature of the Bundestag’s no-confidence vote against the incumbent Chancellor, which, according to Article [67](#) of the Basic Law, provides for a concomitant obligation on the part of the parliamentarians who voted no-confidence to vote by an absolute majority of the Bundestag’s members in favour of another Chancellor, so that the latter can replace his predecessor. Where this does not happen, the challenged chancellor and his government remain in office.

The German system has so far guaranteed an [impressive degree of stability](#): between 1949 and 2023, there were 24 governments, on average one every 3.1 years, and 9 chancellors. Yet, none of them were directly elected by the German citizens. The source of stability of German governments is, in fact, different from plebiscitary investiture, and is rooted entirely in the parliamentary system, i.e., parties and the parliamentary groups they represent. Following the Bundestag election, negotiations commence between the parties, which can last a few days or several months. This duration depends on the clarity of the election result, the share of political representation that each party has obtained in Parliament, as well as the ability of the respective leaders to find an understanding around which to build a coalition agreement. The German political vocabulary has even introduced the term [„coalition contract“](#), a document signed by the parties in a coalition to formalize their intent to form a government together and agree on the program to be implemented during the legislative term. While this contract is not legally binding and no party could be sued for non-compliance with its clauses, it carries very strong political weight: any party that breaches it, causing the end of the government and, in the worst-case scenario, a return to the polls, would probably face a substantial drop in public support. In the German system, in fact, voters expect the parties, political leaders, and parliamentarians they have helped to elect to keep their word when they commit to a certain government agreement.

Parties don’t work? Get rid of them!

German parliamentarianism provides – correctly – that in elections, each party competes on an equal footing with the others to win as many votes as possible. Only after the votes have been counted and converted into seats according to the electoral rules in force do the parties (or rather their governing bodies) negotiate a possible coalition agreement. Parties are thus the key protagonists here: once a commitment has been made to a cabinet and a programme, barring exceptional and unforeseeable events that upset the political framework, the voters expect the parties to respect it. Thus, the provision of Article [21](#) of the Basic Law, according to which

parties „shall participate in the formation of the political will of the people, “ is fully implemented.

In contrast, the reform proposed by the Italian government effectively strips parties of their function, despite Article [49](#) of the Constitution stating that „any citizen has the right to freely establish parties to contribute to determining national policies through democratic processes.“ By substituting the dynamics of the relationship of trust typical of the parliamentary system with the plebiscitary dynamics of the direct vote of the Prime Minister, the reform permanently eliminates the [role of mediation](#) between civil society and institutions that parties are expected to play in a mature parliamentary democracy. Parties become de facto irrelevant, while both Parliament and the President of the Republic – who should retain the power to appoint the Head of Government and Ministers even with the reform – are relegated to a merely notarial role of certifying a choice made elsewhere, despite the “parliamentary Republic” definition that the constitutional amendment formally claims to preserve.

It matters little that, in various respects, the elected Prime Minister could be replaced by one of his coalition colleagues: the distortion of Italian parliamentarianism in a plebiscitary sense would, in any case, have already been accomplished. The formula of “the man (or woman, lately) in command”, the idea that the ballot box serves to select a leader chosen by the people, who will then govern the country for the entire legislature, whatever happens, [has long been cherished](#) by the Italian right. The proposed reform is only the latest expression of this. But the objective for which it was officially conceived, namely the certainty of the country’s governability, is far from being guaranteed, while its approval would definitively sanction the distortion of the Italian model in the sense of an identity-based democracy customised around a leader, with no longer any mediation between him (or her) and the voters who appointed him (or her).

The German model would suggest a completely different approach if governability were to be strengthened in a parliamentary system. Measures that could also be adopted in Italy include introducing [strict party discipline](#) that would also regulate their internal organisation, establishing [public financing of parties](#) with a strict system of external controls, strengthening the role of parliamentary groups, prohibiting members from switching to a group other than the one that elected them and reducing the prerogatives of parliamentarians not belonging to a group, approving an electoral law of a proportional nature but with adequate correctives to avoid excessive fragmentation of the Chambers. These measures could be adopted by ordinary laws, without amending the Constitution, and without distorting the parliamentary nature of the Italian form of government.

A dangerous constitutional reform

The reform drawn up by the Meloni government, on the other hand, follows a different path, and indeed a very dangerous one. While it claims to ensure the continuity of governments – a known weak point of the Italian political system – it undermines the very foundation of parliamentary representation: the party system. Breathing the spirit of plebiscitary populism, this misguided reform, while seemingly

looking towards Berlin for inspiration, risks in a worst-case scenario creating an atmosphere reminiscent of Capitol Hill on a fateful day a few years ago.

