

The vote of confidence hinders the minority government

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Published in *Il Sole 24 Ore*, March 26, 2013

Minority governments are neither an anomaly nor a rarity. What Pierluigi Bersani is trying to do at this very moment is something pretty common in many countries. First of all, one may think of Denmark, where these governments have been, in the past, more frequent than those of majority. Neither one may say that these governments function worse than the others. Again, the Danish case teaches. Italy, though, is a much different case.

Minority governments are not formed by accident. They are born and function where there are favorable conditions. One of them is the vote of confidence required at the setup of the government. In Denmark, the government, once it is formed, does not have to ask for the Parliament's vote of confidence. It is assumed that it has it. Only if the oppositions approve a vote of no confidence can the government be dismissed. In Italy, it is different. Article 94, the third subsection of the Italian constitution, sets forth that "within ten days of its formation the Government shall come before the Houses to get their confidence."

This is the most relevant formal obstacle to the creation of a minority government in our country. At the Chamber of Deputies, though, this obstacle can be bypassed with the abstention. As a matter of fact, abstentions are not calculated against the government. Therefore, the case of abstention is implicitly to be considered in favor of the government. But at the Senate, it is not like that. The Senate is the House of Parliament where the damages of a chaotic electoral system add themselves to those of some particularly inflexible parliamentary rules. In this House of the Parliament, the abstention counts as a vote against. As a consequence, to get the vote of confidence, having the majority of the valid votes does not suffice. One must have the majority of the expressed votes. It is also true that here one may resort to some alchemy to bypass the obstacle, but right now, they do not work. It is thus impossible that a minority government

may be formed at the Senate. Also, those opposition's parties that would be in favor to this solution cannot act. It is a mess raising the following question: why on such a delicate point and in a system of perfect bicameralism are the two houses' rules so different?

For a series of reasons, if a newly formed government does not have to get the Parliament's confidence, the birth of a minority government is easier. In this case, the oppositions have to explicitly take the initiative. It is not to be taken for granted that political parties of different affiliations are able to do so. Besides that, for a party of the opposition, it is much simpler not to ask for the vote of confidence than to vote in favor or to abstain. In the first case, there is nothing to do; in the second one, the party has to take a position anyhow. This is not a difference without importance, as Bersani has experienced with the M5S. Without the third subsection of Article 94 of the constitution, the likelihood that the M5S may allow a minority government would be greater. Could it join the PdL to express a vote of no confidence against the government? In Sicily, it was not like that.

Rules make a big difference, but they are not everything. For a minority government to be formed and to also function, something more is needed. What is needed is a fundamental agreement among all the biggest parties on the fact that this formula represents the right solution. For the PD today, it is like this. Maybe it could be like that also for the M5S, if one could overcome the obstacle of the initial vote of confidence. But this is not the case for the PdL. Minority governments are based on the principle of mutual conveniences. A similar executive must be convenient not only to those who set it up but also to those who tolerate it. And which convenience could have the PdL form a minority government that would end up searching for consensus, especially from the M5S? In Denmark, the minority governments that have best

functioned are those alternatively supported by the different oppositions as to make approved measures on which establishing a broad consensus was not possible. In Italy, it would not be so. The obstacle is the fundamental mistrust that separates the PD and PdL. On the other hand, if such mistrust was not there, what would prevent the two parties to form a broad consensus government? The conclusion is that, with or without Article 94 of the constitution, we are not Hamlet's homeland.

References

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