

Italy: Berlusconi intensifies his attacks on the judiciary

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At the beginning of this month, Italian prime minister Silvio Berlusconi once again hit the headlines with an onslaught against the judiciary. In an interview with the right-wing British magazine the *Spectator* during his recent holiday in Sardinia, the current chairman of the European Union (EU) council declared: “These judges are mad twice over. First because they are politically that way, and second because they are mad anyway. To do that job you need to be mentally disturbed, anthropologically different from the rest of humanity.”

Berlusconi was referring to the legal actions against Giulio Andreotti, the seven-times Christian Democrat prime minister and lifelong senator, who had close links to the Mafia, as a court in Palermo confirmed this summer. But Berlusconi’s latest remarks fit seamlessly into the vendetta waged for years by the richest man in Italy against judges and public prosecutors, whom he declaims alternatively as “red robes” or communists in disguise.

Berlusconi is pursuing two aims with his campaign against the judiciary. In the first place, he is seeking to protect himself and his company empire Fininvest against legal investigations. The multibillionaire has been the subject of over a dozen trials on charges of fiddling the books, tax evasion or bribery, and he has only been able to avoid sentencing through appeals or last-minute changes to the law. In three cases, he was actually sentenced to a total of six years in prison by lower courts, only to have their decisions overturned. Second, he is seeking to annul the existing division of state power and evade any sort of judicial control over the increasingly arbitrary activities of his government by intimidating and muzzling judges.

Only this summer, and in great haste, the right-wing parliamentary majority passed an immunity law tailored entirely to the requirements of the head of government when it became clear that a court in Milan was preparing

to sentence him for the bribery of judges. With the judges’ hands tied, Berlusconi then went on the offensive and appointed a parliamentary commission to investigate whether, according to party speaker Sandro Bondi, there is among judges and state prosecutors a “criminal conspiracy aimed at overthrowing the democratic institutions of Italy.” At the same time, the Justice Ministry initiated investigations into an abuse of office by the two prosecutors in the trial against Berlusconi.

Judges in Milan certified that Berlusconi’s Fininvest concern was guilty of corruption that was “without parallel in Italian history and perhaps in the entire world.” These words are recorded in the reasons for judgement in another trial, in which Berlusconi’s closest associate, Cesare Previti, was sentenced to 11 years in jail by the lower court. According to the judges, Previti and his co-workers had “elevated corruption to a way of life.”

Italian president Carlo Azeglio Ciampi, who reacted with restraint to previous comments of Berlusconi abusing the judiciary, answered this latest outburst in the *Spectator* with a clear reprimand for the head of government. Ciampi, who is also president of the Supreme Judicial Council, published a statement in which he declared his “complete confidence” in the judges and attorneys.

But Berlusconi showed not the least intention of pulling back. He is a politician who “has the courage to say what the majority of Italians think,” declared government speaker Paolo Bonaiuti. And the mouthpiece for Berlusconi’s party Forza Italia, Sandro Bondi, threatened: “Until we have managed to wipe out that part of the judiciary which is pursuing political aims, then we cannot say we are living in a civilised and democratic country.”

In the meantime, conflicts between leading figures of the Italian state and official political life are steadily intensifying.

Berlusconi has reacted to growing pressure by directing

an unprecedented torrent of abuse at his political opponents, hoping that some of it will stick. At the same time, he has posed as the injured party. The opposition was “undemocratic” and is “vilifying” the government, he complained. Up to 80 percent of the media was oriented to the left, he claimed—an absurd statement, considering the fact that Berlusconi holds a monopoly on Italian television and controls a number of the main newspapers.

For months, the newspapers and television stations controlled by Berlusconi have been carrying out an intensive campaign against the chairman of the EU commission, Romano Prodi, who is expected to be Berlusconi’s main challenger in Italian parliamentary elections planned for 2006. The anti-Prodi campaign maintains that in 1997 he took bribes when two Italian state concerns took over interests in the Serbian telephone company—a move that led to huge losses, as it later became clear. The claims are based on the testimony of a dubious businessman, who has also made the same accusations against Piero Fassino, but without providing any proof. At the time of the transaction, Fassino was a state secretary in the foreign ministry and today he leads the largest of Italy’s opposition parties—the Left Democrats.

On September 1, Fassino accused Berlusconi in the paper *Corriere della Sera* of being personally behind the accusations and of leading “a sort of insidious civil war” against the opposition, in order to “butcher the enemy.” He went on to compare Berlusconi to the Nazi propaganda minister Goebbels, declaring that he (Berlusconi) uses the latter’s “technique: vilification, vilification.” Berlusconi reacted by lodging a charge of slander against the leader of the opposition and demanding 15 million euros in damages. Fassino took up the challenge by voluntarily abandoning his parliamentary immunity.

These clashes in the press and the courts cannot hide the fact that the opposition is not interested in mobilising a popular movement against Berlusconi. During its own five years in office, the opposition introduced a drastic policy of budget cuts, involving huge attacks on the majority of the population—and thereby opened the way for the election of Berlusconi, whose first government had collapsed ignominiously in 1995. Since then, the opposition has remained distinctly restrained under conditions in which millions of Italians have taken to the streets on a number of occasions to protest Berlusconi’s own attacks on the welfare state and democratic rights as

well as his support for the war in Iraq. In terms of its political outlook, the opposition has little real differences with Berlusconi. They hope to replace him at the next election—and then push ahead with his policies.

Berlusconi, however, is not prepared to concede so easily. Barely had the dust settled after his broadside against the judges when the *Spectator* published the second part of his interview, provoking further scandal. In the interview, Berlusconi made favourable remarks about Benito Mussolini. Flying in the face of historical evidence, he claimed the fascist dictator “never killed anybody. He sent people on holiday when he wanted to detain them.”

His latest outburst should be regarded not as a slip of the tongue, but rather a warning. When it comes to the defence of his own interests and power, Berlusconi, who heads a coalition with Mussolini’s heirs—the National Alliance—will not be satisfied with mere verbal attacks on the judiciary. He will not shrink from even more far-reaching attacks on democracy using dictatorial measures.

Comments made by the writer and Mussolini biographer Nicholas Farrell, who carried out the interview with Berlusconi for the *Spectator*, give an indication of the views that predominate in such circles. He expressed his agreement with Berlusconi and stressed that the Italian Fascists did not have to resort to murder in order to stay in power. “There was no need. You see, Mussolini—until he started losing battles—was very popular.” The “historian” Farrell appears to have overlooked the fact that the Fasci, the armed thugs who gave their name to the Italian movement, paved the way to power for Il Duce with a campaign of murder and terror aimed against the organised working class. Farrell also blatantly ignores the many thousands of resistance fighters who lost their lives in the struggle against fascism.



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