Politics by Denunciation [*]

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Abstract

Judicial investigations of politicians are a fundamental component of politics, often leading to scandals. Yet, empirical evidence of the strategic determinants of judicial investigations is intrinsically hard to gather, a problem that has significantly limited the study of this important phenomenon. This paper studies the politics behind judicial investigations leveraging new data on prosecutors' informants in 1125 episodes of misbehavior of Italian MPs involved in different crimes (1983-2019). Results provide evidence in favor of a political use of denunciations for corruption crimes: when a party weakens, the likelihood that political enemies denounce past misbehavior of members of the weakened party increases, suggesting that the political use of denunciation is elastic to changes in the electoral performance. The timing of past misbehavior is crucial: members of weakened parties are more likely to be accused of misbehavior that happened a long time before the accusation, which further supports the conjecture that accusations are politically motivated.

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1. Introduction

"Apart from the Punic Wars, for which I was too young, I've been blamed for everything that's happened in Italy but I never filed a lawsuit, for a simple reason, I have a sense of humor. There is another thing I have: a large archive, given I have not much use for fantasy, and everytime I speak about this archive, who must shut up, as if by magic, start to be silent."

– Giulio Andreotti, *Il Divo*

Political scandals — typically defined as "corruption revealed" (Thompson, 2013; Lowi, 2018) — are a fundamental component of politics, shaping political events and voters' opinions. The political consequences of revealing a corrupt political environment reach far: scholars have hypothesized that the deterioration of citizens' political support observed in Western democracies during the past decades is connected with the increased number of political scandals (Bowler and Karp, 2004; Thompson, 2013). The end of the Italian "First Republic" was indeed triggered by *Tangentopoli*, the corruption scandals disclosed during one of the major judicial investigations of all times (Waters, 1994), which took place in 1992-1994 and involved several political parties and politicians. For instance, Giulio Andreotti — one of the most influential politicians of the Italian First Republic,[1] whom the quote is attributed to — was involved in a decade-long judicial trial under charges of corruption and collaboration with the Mafia. The trial generated a major scandal, and Andreotti's acquittal is still questioned by many.[2]

Judicial prosecution of politicians constitutes a prominent source of political scandals. While the opinion that political enemies initiate judicial investigations is popular, empirical evidence is intrinsically hard to gather. Data on judicial investigations is often limited to whether an investigation took place or not, and whether it ended in a conviction. As for political enemies, typically what is observable is their reaction to the investigation, for example through public statements condemning the investigated politician. This paper takes advantage of unique data on political corruption to study the political nature of judicial investigations. By leveraging new data on the source of judicial investigations against Italian MPs involved in different crimes (1983-2019), we provide evidence that scandals are the result of *politics by denunciation*.

The measure of judicial investigation against MPs is the "request to proceed" (*Richiesta di Autorizzazione a Procedere,* hereafter RAP) sent by public prosecutor offices to the Chamber of Deputies. In these 36 years, public prosecutors have sent to the Parliament hundreds of requests to lift immunity of the involved MPs, all of which are publicly available. We are interested in the strategic use of these investigations for political purposes.

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[1] Andreotti has received the highest number of government assignments in the history of the Italian Republic.

[2] Cf. 'Giulio Andreotti,' *The Times*, May 7 2013: https://www.thetimes.co.uk/article/giulio-andreotti-n0k0rffhc8l.

While not all RAPs necessarily result in scandals, on average they hurt politicians' reputation (Chang, Golden and Hill, 2010). Thus, it is reasonable to expect political enemies to strategically initiate RAPs against MPs for their political gain.

The Italian data represent an unparalleled opportunity due to the rich details included in the investigation documents. The uniqueness of our data consists in the revelation of the source (or whistle-blower) — often another political actor — behind the investigation, thanks to which we can provide evidence of a political use of denunciations.[3] Our dataset is composed of 1125 requests involving 451 MPs: 597 RAPs refer to allegations of corruption and 528 to opinion crimes. Examples of the latter include slander, defamation or incitement to disobey the law.[4] Among these RAPs, 398 specify in the official document that the whistle-blower is another politician or a member of a political organization or association.

The main question we ask is: how politically-driven are denunciations? We expect political denunciations to be tied to the electoral performance of the accused MP's party. On the one hand, it could be that a party loss of electoral support opens the door to attacks from politicians that might benefit from denouncing past misbehavior of members of the weakened party. These attacks could be initiated by members of opposing parties who benefit from replacing the attacked MP with an ally (Dziuda and Howell, 2020), or by members of the same party who seek opportunities to achieve more power within the party through internal sabotage (Invernizzi, 2020*b*). On the other, if a party is electorally strong and hard to overcome with votes, enemies could try to defeat its members in courts. In this case, political attacks would be more likely the stronger the attacked party.

To test these alternative hypotheses we identify the vote share of the accused MP's party in the electoral district where the MP was elected. By comparing how this vote share changes over time, we can identify when the party weakens. We include electoral results from all the elections in the period covered (1979-2019).[5] Results provide evidence in favor of a political use of investigation of MPs for corruption charges. We find that, *when parties weaken*, the likelihood of political denunciation of past misbehavior increases. This result suggests that the political use of denunciation is elastic to changes in the electoral odds: when a window of opportunity opens because of a poor electoral performance, political opponents attack MPs belonging to the weakened party.

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[3] Examples of political actors include other MPs, local politicians, head or members of political associations.

[4] Cf. Chang, Golden and Hill (2010) for a similar classification.

[5] The only exception is the 1994 election in the aftermath of Tangentopoli. After the corruption scandal, traditional parties almost disappeared and new parties entered the electoral arena. This entirely different party system makes it impossible to compare parties' vote share before and after 1994. Notice that the exclusion of this year from our analysis stacks the deck against the first hypothesis — according to which we should expect more attacks to weakening parties — because we discard investigations related to parties that were heavily electorally damaged by Tangentopoli.

As hinted by Andreotti's quote, politicians share compromising information that can be used against each other (Tumber and Waisbord, 2004; Gambetta, 2018). Under normal circumstances the threat of revealing such information is powerful enough to prevent political enemies from blowing the whistle. Yet, when a favorable opportunity to bring down an opponent emerges, politicians might reveal such dated information or dig dirt into the MP's past to find material for a public denunciation. To provide further evidence that denunciations are politically driven, we investigate the timing of RAPs. We hypothesize that, when the leaker is a politician, the RAP is presented later (with respect to the crime) than when the denunciation does not come from a politician, and closer to elections.

Results on the timing of investigations corroborate the "digging-dirt" conjecture: we show that when the leaker is a politician, the time lag between the investigation and the alleged misconduct is significantly longer (on average, one year) than when the request is initiated by a non-political actor. We argue that this time lag is due to the political nature of the denunciation: as our results on electoral security suggest, this opportunity might present itself when the accused MP's party weakens.

Our analysis distinguishes between RAPs for crimes of corruption and opinion (e.g., slander), showing that the political incentives for tactical denunciation only play a role for the former type of allegation. When RAPs include allegations of corruption rather than opinion crimes, the likelihood of having a political whistle-blower (when parties weaken) is higher. Analogously, when dealing with corruption allegations initiated by political leakers, the time elapsed from the alleged crime increases. This result is consistent with the literature finding that revelation of corruption hurts politicians (Golden, 2006; Bågenholm, 2013; Fernández-Vázquez, Barberá and Rivero, 2016), despite its effect depending on various elements, such as social capital (Nannicini, Stella, Tabellini and Troiano, 2013), electoral and candidate selection rules (Ferraz and Finan, 2014; Rudolph and Däubler, 2016; Ceron and Mainenti, 2018), as well as voters' traits and party system features (Sberna and Vannucci, 2013; Charron and Bågenholm, 2016; Ecker, Glinitzer and Meyer, 2016; Fernández-Vázquez, Barberá and Rivero, 2016). It is also consistent with the evidence that prosecuting politicians for opinion crimes does not damage the party under attack (Van Spanje and de Vreese, 2015).

While we provide evidence of the strategic use of denunciation by politicians, clearly there are other important mechanisms that play a role. The literature has shown evidence of *fumus persecutionis* — i.e., the presumption that legal proceedings are based on an intention to impede the politician's activity — initiating from biased prosecutors (Gordon, 2009). Judicial behavior can be affected by political pressures, particularly when judges' position depends on partisan elections and judges require the support of party leaders (Hall, 1992; A. Huber and Gordon, 2004). Judicial decisions can be affected by ideology even in contexts in which judges

are not elected and their careers are independent of political institutions (Ceron and Mainenti, 2015). By providing evidence of the initiation of the investigation process driven by hostile politicians we offer an additional channel through which investigations could be exploited for political reasons.

A few studies have used data on RAPs as a measure of politicians' misbehavior, focusing on Italy's First Republic, which terminated in 1994. Chang (2005) shows that intra-party competition and electoral uncertainty trigger political corruption. Consistently with our findings on RAPs for corruption crimes, Chang, Golden and Hill (2010) find that being investigated for a potentially serious crime decreases the probability of reelection of an MP in a subsequent term. Moreover, using data on RAPs, Nannicini et al. (2013) show that this effect differs by electoral districts based on voters' traits: in district with higher social capital voters are more likely to hold politicians accountable for their alleged misbehavior. Our data advances these previous studies by including information about who initiates the process of investigation, and by extending the existing evidence to RAPs presented after 1994. Our findings suggest that the relationship between politicians' underlying corruption and RAPs is not necessarily monotone, as it varies with politicians' incentives to leak incriminating information. Thus, future work should take these incentives into account when using similar measures of corruption to make inferences about underlying transgressions.

Our paper also relates to a recently growing literature on scandals. The existing empirical literature has focused on the effects of political scandals' revelation on different outcomes, such as accountability (Ferraz and Finan, 2008; Nannicini et al., 2013; Chong, De La O, Karlan and Wantchekon, 2015; Cavalcanti, Daniele and Galletta, 2018), candidates' selection (Chang, Golden and Hill, 2010; Cavalcanti, Daniele and Galletta, 2018; Asquer, Golden and Hamel, 2019), politicians' behavior (Cho and Kruszewska, 2018; Daniele, Galletta and Geys, 2020) and the rise of populist parties (Foresta, 2020). A related literature has empirically scrutinized predictors of scandals' incidence such as divided governments, the number of topics covered by the media and low approval ratings (Nyhan, 2015, 2017), and dissent within the government (Balán, 2011). We provide to our knowledge the first existing dataset that investigates politically-driven denunciations where the identity of political whistleblowers is known. This allows to trace the political process underlying judicial investigations of politicians, which typically lead to scandals. As such, our paper relates to a recent theoretical literature that studies the political conditions facilitating scandals' emergence (Gratton, Holden and Kolotilin, 2017; Dziuda and Howell, 2020; Ogden and Medina, 2020; Invernizzi, 2020*b*).

The remainder of the paper proceeds as follows. Section 2 lays out our hypotheses. Section 3 and 4 describe the Italian Political context and the data used. Section 5 presents the empirical analysis. Section 6 discusses the results and Section 7 concludes.

2. The Strategic Determinants of Political Scandals

The view that judicial prosecutions of politicians can be initiated for political reasons is firmly entrenched in politics. In Italy, several investigations involving powerful politicians helped to foster this idea. The judicial trial that involved Giulio Andreotti from 1993 to 2004 under the accusation of corruption and collaboration with the Mafia left a controversial legacy.[6] In the aftermath of the verdict, which found Andreotti innocent, the President of the Anti-Mafia Commission Luciano Violante concluded that politics is "full of false conspiracies that are leaked for the only purpose of getting rid of political enemies."[7]

Investigations of crucial political leaders (e.g., Silvio Berlusconi) helped to radicalize this idea in more recent years. The investigation of politicians is often accompanied by scandals covered by the media, and related public protests against corruption. These can (and do) compromise the involved politician's career, even if declared innocent at the end of the judicial trial. Against this backdrop, it seems reasonable to expect opportunistic politicians to exploit investigations to achieve their political goals.

When should we expect judicial investigations to emerge as a consequence of political calculations? We hypothesize that the *electoral security* of the accused party is a crucial factor in politicians' decision to engage in politics by denunciation. That is, we expect political attacks through investigations to depend on the electoral performance of the accused MP's party. Our design allows to test for two alternative arguments that lead to opposing hypotheses regarding the effect of electoral security. First, it could be that MPs are more likely to receive political attacks when their parties weaken. Second, it could be that attacks are more likely to be directed towards successful parties, to inhibit their way up.

The first argument is motivated by different mechanisms that have been recently explored by the formal theory literature: i) scandal fabrication by political opponents, and ii) intra-party sabotage initiated by opposing factions.

First, scandals can be triggered by a political opponent who benefits from the electoral replacement of a politician. Dziuda and Howell (2020) develop a theory of political scandal revelation according to which two parties might learn about the misbehavior of a politician, whom they are either allied or opposed to, and decide whether to publicly unleash a scandal against him or not to convince voters to replace or keep the politician. One of the results shows that scandals increase when the implicated politician is more likely to be replaced by the opposing party, i.e., when electoral security of the allied party decreases. Why is it the case? When the

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[6] The judicial trial against Andreotti is commonly referred to as *Processo del Secolo* (trial of the century), the outcome of which is still questioned by many (Jannuzzi and Ferrara, 2000).

[7] Chamber of Deputies, May 11, 2003. Report: http://documenti.camera.it/Leg14/BancheDati/ResocontiAssemblea/sed384/s470.htm

allied party weakens the stakes of the election increase for both parties, as the allied party is more likely to suffer and the opposing party is more likely to benefit from the sitting politician's replacement. This increase in the electoral stakes makes political opponents *more likely* to fabricate scandals.

Similarly, this argument might apply to multi-party competition, where political actors could fabricate scandals for their electoral benefit. The benefit can be direct — e.g., winning more votes as a consequence of a weaker rival — or indirect — e.g., giving a coup de grâce to a party that suffered an electoral loss, in order to open new opportunities in the long run (no matter which party will benefit from this strategy in the short term). These opportunities can include: boosting electoral volatility, generating party system instability and policy change or dismantling a party's power in a certain local area of the country (or at the national level).

Second, scandals might emerge as a consequence of within-party fights, in a quest for internal power. Golden and Chang (2001) analyze corruption-related investigations against the Christian Democracy (DC) party in Italy during the First Republic, finding that investigations are positively correlated with the level of intra-party competition. Invernizzi (2020*b*) provides a formal mechanism to understand when intra-party competition should lead to scandals, by studying a model of elections where parties are internally divided into factions that can either help the party to win the election or sabotage each other to obtain internal power. In equilibrium, factions in the trailing party invest more resources than those in the leading party in sabotaging activities that might lead to political scandals. This happens because a lower probability of winning the election lowers the expected payoff from victory and raises the salience of the competition internal to the party. Similarly to the scandal fabrication argument, this result suggests that scandals are more likely to emerge when parties weaken, yet as the result of denunciations by same-party opponents rather than opposition parties.

Instead, the alternative argument suggests that political investigations should be used more heavily against successful parties. This mechanism is especially appropriate to explain investigations initiated by political opponents in the same electoral district of the accused MP, who are directly damaged by a successful opposing party and can only find ways alternative to the polls to weaken a strong rival.

Based on these two mechanisms, we derive the following hypothesis:

HYPOTHESIS 1 (ELECTORAL SECURITY) *The likelihood that a RAP is initiated by a political actor rather than a non-political one (a) increases (b) decreases as the party of the accused MP loses electoral support.*

Our next hypothesis investigates how political incentives are related to the timing of investigations. If politicians attack their opponents with RAPs, when should we expect them to do so? The literature provides empirical and theoretical evidence on the importance of timing of information release in elections. Gratton, Holden and Kolotilin (2017) analyze a sender-receiver game connecting the timing of information release with

voter beliefs prior to elections. The model derives an equilibrium in which fabricated scandals are only released close to the election date, and empirical data on the release of US presidential scandals confirm their equilibrium prediction.

Timing of message delivery has also been the subject of field and lab experiments. In a study of the effect of phone calls by volunteers on voter turnout, Nickerson (2007) shows that calls made during the final days prior to the election are most effective in mobilizing voters. Similarly, Invernizzi (2020*a*) shows with a controlled experiment that recency bias — i.e., the tendency of voters to follow information when it is provided close to the voting decision — largely affects collective decision making.

Overall, the evidence from the literature suggests that in our setting it is plausible to expect RAPs initiated by political leakers to be presented closer to the election, motivating the following hypothesis.

HYPOTHESIS 2 (TIMING WITH RESPECT TO ELECTION) *When the investigation is initiated by a political leaker, the RAP is presented closer to the election than when the investigation is not political.*

Furthermore, we hypothesize that — when investigations are triggered by political enemies — we should observe a longer time lag between the MP's alleged misconduct and when the date of the RAP. When a politician becomes aware of the misconduct of a political rival, she could decide whether to reveal such misbehavior immediately or to keep the information for the time in which the scandal could be more profitably revealed. Similarly, when a window of opportunity opens, political opponents might search into the MP's past to reveal evidence of corruption, which would result in more time elapsed from the alleged misconduct.

One potential confounding factor is that credible political corruptions cases take long to assemble. This would increase the time lag between the denounced events and when the case is brought before the Chamber, simply because of feasibility constraints related to the legal process. However, this constraint should be equally binding for political and non-political actors initiating an investigation. Hence, *ceteris paribus*, we should consider a longer time lag for political rather than non-political actors as evidence of politicization.

HYPOTHESIS 3 (DIGGING-DIRT PROCESS) *When the investigation is initiated by a political leaker, the time lag between the alleged events and the date of the RAP is longer than when the investigation is not political.*

So far we implicitly assumed that denunciations produce negative electoral effects for the party affected by the investigation. However, this is not always the case and depends on the type of crime. While there is evidence that voters punish corrupt politicians, this is not necessarily the case for politicians engaging in other crimes. For example, Van Spanje and de Vreese (2015) show that hate speech prosecution against the Freedom Party in The Netherlands actually enhanced that party's appeal with positive effects in terms of electoral performance. In a

comparative analysis involving Belgium, France, Germany and the Netherlands, Jacobs and Van Spanje (2020) found that hate speech prosecution did not undermine the electoral performance of anti-immigration parties. Similar findings apply to Finland as well (Askola, 2015). More generally, politicians charged with opinion crimes might enjoy higher reputation among their constituencies, who share similar opinions. Furthermore, prosecuted politicians can portray themselves as martyrs for freedom of speech (Van Spanje and de Vreese, 2015), thus increasing their popularity among voters who deem as illegitimate a trial based on opinions (Askola, 2015).

This evidence suggests that investigations related to corruption should be more dangerous than those based on opinion crimes for the reputation of the involved politicians. Chang, Golden and Hill (2010) show that this is indeed the case for Italian MPs when allegations of wrongdoings are covered by the media: in particular, they show that major crimes (often linked to corruption) reduce the likelihood of re-election for MPs hit by a RAP investigation, while soft accusations of opinion crimes do not — despite the fact that minor charges involving opinion crimes are especially likely to arise during the process of political campaigning. Thus, if only corruption crimes have the power to produce damages, we hypothesize that we should observe evidence of strategic politicization of investigations only with respect to corruption crimes.

HYPOTHESIS 4 (POLITICIZATION OF CORRUPTION VS OPINION CRIMES) *The political use of investigations (Hypothesis 1 - 3) involves corruption crimes but not opinion crimes.*

3. Background

Judicial activity investigating MPs is a salient issue in Italy, as public prosecutors have played a prominent role in the Italian political system. Their popularity and impact became particularly important after 1992, when the Mani Pulite (Clean Hands) judicial inquiry shed light on the illegal links between politics and business and revealed the political corruption permeating the political system, which resulted in the *Tangentopoli* corruption scandal. This section goes over the most relevant institutional details concerning electoral competition and the RAPs' procedures, to shed light on how these institutions might affect the political use of judicial investigations.

3.1. Italian Electoral and Party System

The time frame 1983-2019 was selected to have a balanced dataset covering both Italy's First Republic, which defines the political period starting from World War II and ending with the elections of 1994, and the current Second Republic, which begins with the 1994 election under a new electoral and party system.

During the First Republic, Italy's electoral system was based on proportional representation. This proportional representation (PR) open-list system emphasized intraparty competition among candidates (Carey and Shugart, 1995) and encouraged party factionalism (Chang, 2005). Depending on the district magnitude, voters were allowed to cast up to four preference votes. Therefore, the way in which candidates were elected from a list was completely determined by the individual preference votes cast by the party's voters in a given district. The use of preference votes (and the related intraparty competition between factions) was blamed as a source of corruption and vote of exchange (Katz, 1985). At the local level, this produced a robust system of power in which the same parties and candidates ruled for several years in certain areas of the country, taking advantage of established local strongholds that secured them re-election and granted them power.

During most of this period, Italy's multiparty system was dominated by the Christian Democratic Party (DC), the Italian Communist Party (PCI), and a number of small yet influential parties. In the 1980s, the Italian political system started to face broad transformations. After decades of party system stability and dominance of the DC, new cleavages transformed the political space, opening opportunities for green, ethno-regionalist as well as populist and radical parties which partially originated as a reaction to the "cartelization" that characterized the First Republic, and that were fueled by waves of corruption scandals (often linked to parties' public funding).

In 1993, an electoral reform modified the electoral system from pure PR to a mixed-member system in which three-quarters of the Chamber seats (475) were allocated in single-seat-district via plurality, and the remaining one-quarter (155) via party lists through proportional representation. Together with the wave of judicial prosecution of corrupted officials that involved most political parties, the new electoral law contributed to fundamentally change the party system of the First Republic. The DC, riven by scandals, imploded and was replaced by the much smaller Italian People's Party (PPI). More generally, the Italian political system — which had previously been dominated by parties of the center — became polarized between parties of the right and left.[8] A new electoral law (named *Porcellum*, later deemed unconstitutional) overturned this system in 2005 by restoring full proportional representation. However, the law also allocated a number of bonus seats in the Chamber of Deputies to the winning coalition — thus guaranteeing a majority for the winners.

Our dataset includes general elections held from 1979 until 2018, to match the time frame of investigations (1983-2019). More precisely, we match each MP affected by an investigation to the results of his/her party in the district where the MP was elected: in particular, we compare the last two elections before the RAP was sent

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[8] The political center was left to be divided by various short-lived multiparty alliances: for example, at the turn of the 21st century, the center-right House of Freedoms and the center-left Olive Tree.

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in order to measure the electoral performance of the party in that district.[9]

We are interested in knowing whether a negative performance of the party (i.e., a declining vote share) in a given district triggers political RAPs, or whether these investigations are more likely to take place when the MP's party is performing well (Hypothesis 1). Given the incentives provided by the Italian electoral institutions, it is reasonable to expect that political attacks (through RAPs) are aimed at weakening the party *per se*, rather than winning the seat of the accused MP's district. Indeed, neither the multi-member district system of the First Republic nor the closed list (and single-member district) system of the Second Republic suggest a zero-sum game logic whereby weakening a rival directly helps to obtain a seat. Rather, given that the party is weakening in a certain district, it seems plausible that political enemies attack the MP there — where the attack is more likely to be consequential. This logic is coherent with the idea, outlined in the previous section, that political enemies might initiate RAPs to benefit (either directly or indirectly) in the long run.

3.2. RAPs: Rules and Procedures

The Italian judiciary is responsible for investigating crimes perpetrated by members of parliament. MPs, however, are protected from prosecution by parliamentary immunity unless that immunity is revoked. How does the judicial process work? In order to proceed with the investigation of an MP, the public prosecutor who is investigating the case need to send a formal request (RAP) to the Chamber of Deputies, before proceeding with the investigation. Once the request is received, the President of the Chamber forwards the request to a special committee ("Giunta per le Autorizzazioni"). The committee is composed of 21 deputies who evaluate the legitimacy of the request to proceed with the investigation. Based on the committee's report, the Chamber grants or denies the authorization, and the final decision is communicated to the prosecutor.

Our dataset includes requests sent both before and after 1993, when a constitutional reform changed the reasons to request the authorization from the Chamber of Deputies. Before the reform, prosecutors were required to present all the judicial documents to the Chamber, together with the request to lift immunity of the investigated MP. After the reform, enacted in the aftermath of the *Tangentopoli* scandal, prosecutors do not need an authorization from the legislative body for criminal proceedings against deputies.[10] The authorization is still needed for warrant of arrest, personal search, or other measures such as wiretapping.

Figure 1 shows the number of RAPs that are presented in each legislative period covered by our study (black bars). As one might expect, there is a clear drop in the overall number of RAPs starting from the 12th legislature

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[9] We cover national elections held in 1979, 1983, 1987, 1992, 1996, 2001, 2006, 2008, 2013 and 2018, leaving aside the 1994 for the reasons discussed above.

[10] Constitutional Law 3/1993, enacted on October 29th.

(which marks the beginning of the Second Republic), which is a consequence of the 1993 constitutional reform that limits the reasons to request such authorizations. Notice that observing fewer RAPs after 1993 does not mean that the number of investigations dropped as well. Notwithstanding the procedural changes introduced by the reform, our analysis below shows that results are not affected by it.[11]

Notice that RAPs measure *allegations* of MPs' wrongdoing, not *convictions*. While there is no data available on judicial convictions, we know that the Chamber failed to lift immunity for most deputies. The light bars in Figure1 display the number of RAPs that are granted by the Chamber of Deputies in each legislative period. Only few RAPs are conceded by the Chamber — especially during the First Republic — thereby allowing the judiciary to proceed. This obviously implies that an even smaller proportion of these allegations manages to reach the judicial stage. This might present an issue of measurement validity if we used RAPs as a measure of MPs' underlying corruption. Because our goal is to provide evidence of the political use of RAPs, we do not need the final verdict: indeed, there is evidence that RAPs compromise the involved politicians' career even if declared innocent at the end of the judicial trial.[12]
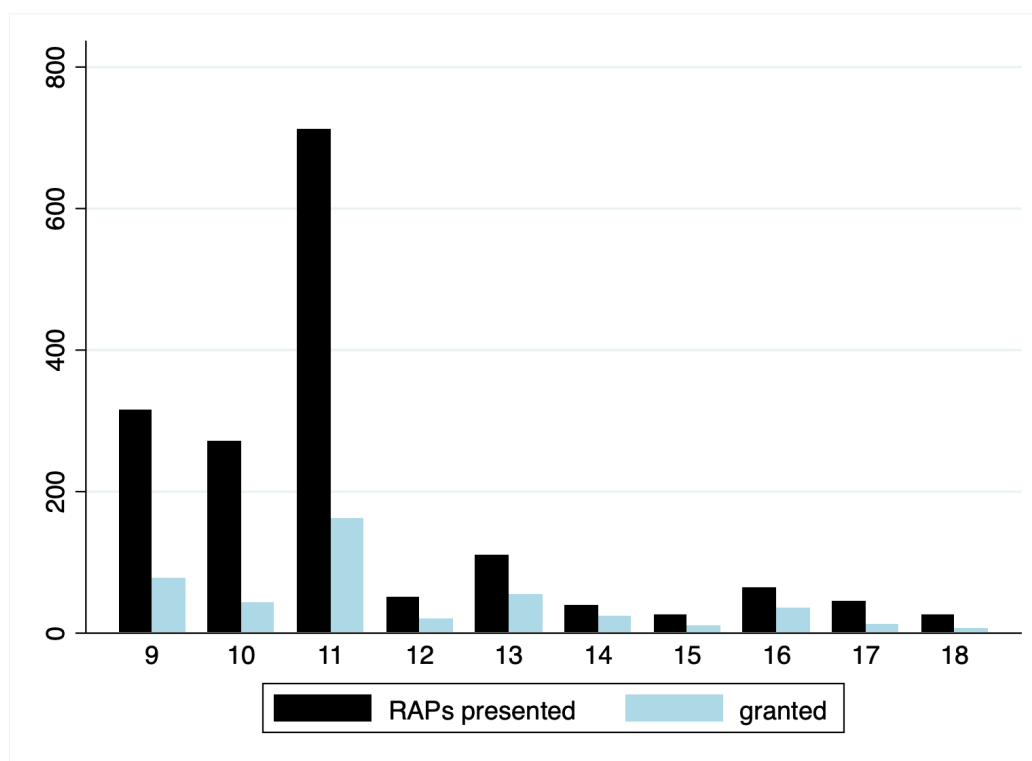
Figure 1: Frequency of RAPs presented (black bars) and granted (light bars) by legislature.

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[11] Our results remain virtually unchanged when including in our model a dummy variable to account for requests sent after 1993.

[12] It would be interesting to compare the outcome of judicial investigations for political vs. non political RAPs. Observing a higher fraction of non-political RAPs granted would provide further evidence of the extensive margin of "politicization" of the investigation process.

We collect data based on three fundamental sources, related to the RAPs. First, the request itself, which includes the name of the investigated MP and other information, such as the type of crime, typically in a concise format. Second, the Chamber Committee's report about the RAP (*Relazione della Giunta per le Autorizzazioni a Procedere*), which summarizes the information included in the RAP and grants (or denies) the authorization to proceed with the investigation. Our final source is the minutes of the Committee meeting, which allow to retrieve more information regarding the investigation, when this was not included in the Committee's report. Information about the leaker or how the investigation initiated was provided either in the original request, in the Committee's final report or in the minutes of the Committee meeting.[13]

4. Data

Over the period 1983-2019, public prosecutors submitted 726 RAPs involving 1,655 MPs to remove their parliamentary immunity and proceed with their investigation. We build our dataset based on these RAPs. For each legislative term, our unit of analysis is the MP affected by each RAP. While a RAP could refer to multiple alleged crimes, each request is related to a single investigation. Furthermore, while multiple crimes could be under investigations in the same document, all of them refer to the same type (corruption or opinion). When a RAP is directed to multiple MPs, each politician represents a separate observation in our dataset. Finally, each MP could be affected by different RAPs over time and we created multiple observations accordingly.

In terms of episodes of alleged misbehavior, our data consists of 1125 episodes involving 451 MPs. We consider two types of crimes: corruption and opinion. Of the episodes composing our dataset, 597 refer to corruption charges and 528 to opinion ones. We do not consider 530 requests linked with other crimes such as private violence, murder and participation to organized crime (Mafia or terrorism) because these charges follow specific procedures that provide additional resources and opportunities to courts, thus minimizing the incentives for the political usage of RAPs. Specifically, the Constitution (art. 68) indicates that prosecutors do not need authorization from the Chamber to prosecute an MP if the crime requires mandatory arrest ("arresto obbligatorio in flagranza"), which renders RAPs unnecessary.[14]

The list of corruption crimes includes information regarding requests to lift immunity for MPs charged with public administration improprieties, such as misappropriation and abuse of power, in addition to illegal party funding, which is frequently related to other public administration crimes in Italy (Rhodes, 1997). Conversely,

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[13] We include in the Appendix an original example (in Italian) of the Committee's final report.

[14] The penal code (art. 380) lists all the crimes requiring mandatory arrest, among which the participation and promotion of Mafia organizations.

the list of crimes of opinions include slander, defamation, insult, contempt or incitement to disobey the law.[15]

Figure 2 shows, for each legislature, the frequency of RAPs for corruption crimes (black bars) versus opinion crimes (light bars). As one might expect, the 11th legislature includes an exceptionally high number of corruption RAPs: this corresponds to the Tangentopoli investigation, when 35 percent of deputies are named in RAPs for corruption crimes.[16]
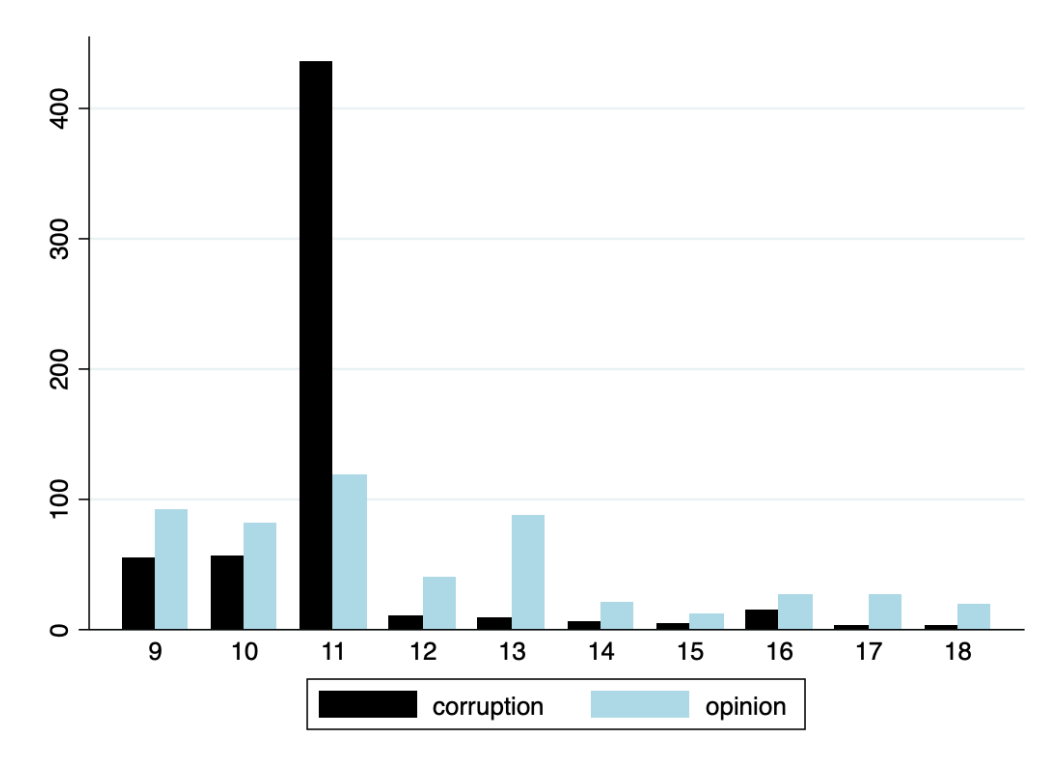

Figure 2: Number of RAPs presented by type of allegation and legislature.

To shed light on whether investigations are politically driven, we gather information on the citizen whose contribution in the investigation is relevant to generate the RAP. Depending on the investigation, such crucial contribution might come from entrepreneurs, police officers, public administration workers or managers, private citizens, or political actors (MPs, local politicians, head or members of political associations, etc.).

Out of 1125 MPs investigated for corruption or opinion crimes, in 398 cases (35.4%) the leaker is a political

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[15] We code as opinion crimes charges listed in the following articles of the Italian penal code: 278, 290, 336, 368, 414, 415, 594, 595, 612, 656, as well as infringements of laws on defamation via press/mass media: art. 13 and art. 21 law 47 (08/02/1948) or art. 30 law 223 (06/08/1990); we code as corruption crimes charges related to articles 314, 317, 318, 319, 320, 321, 322, 323, 324, 328, 333, 317-bis, 319-bis, 319-ter, and 319-quarter of the Italian penal code as well as infringements of laws on public funding of parties: art. 7 law 195 (02/05/1974) and art. 4 law 659 (18/11/1981)

[16] The extraordinary number of corruption RAPs during the 11th legislature suggests that it is crucial to control for the specific peculiarities of each legislature. To do so, we include in our model fixed effects by legislative term. Notice also that our results remain virtually unchanged when including a dummy variable to specifically account for requests sent during Tangentopoli, i.e., from 1992 to 1994.

actor (175 times with respect to corruption and 223 times with respect to crimes of opinion). Based on this, we build the variable Political Leaker, which is a dummy equal to one when the leaker of the investigation (or at least one leaker in case of multiple leakers) is a political actor, and zero when no leaker is a political actor, or when there is no clear leaker indicated in the RAP — the latter being usually the case when the investigation is independently initiated by the police or the judiciary. Figure 3 plots, for each legislature, the frequency of RAPs initiated by a political leaker (black bars) versus a non-political one (light bars).
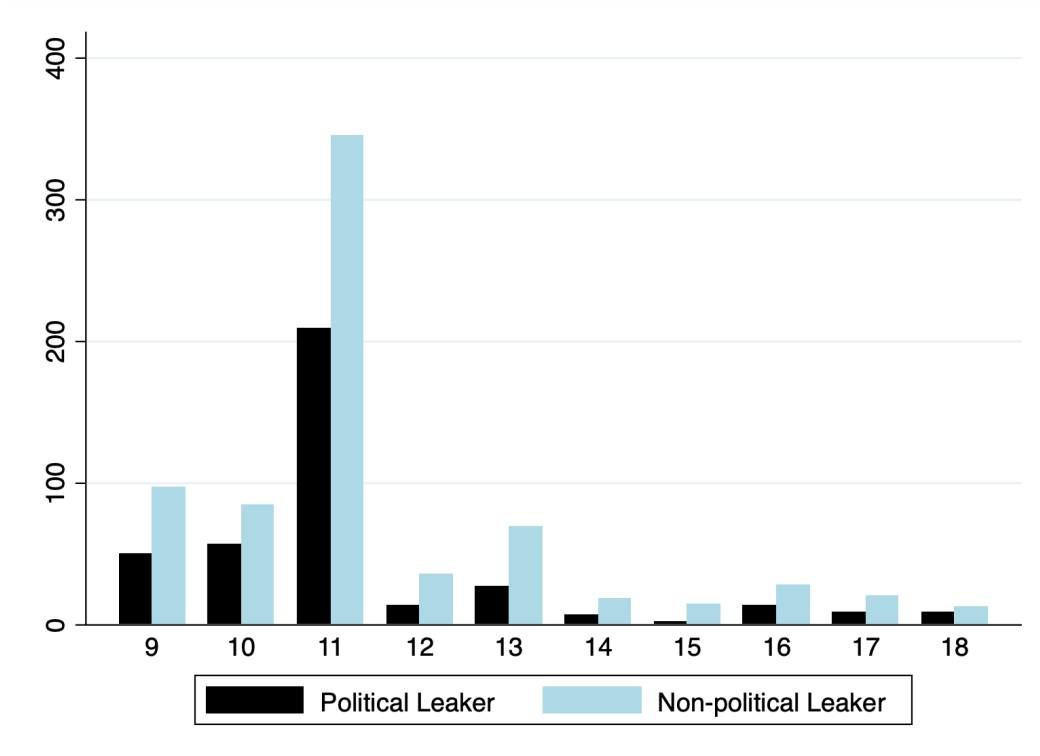
Figure 3: Number of RAPs presented by type of leaker and legislature.

5. Results

5.1. What Drives Political Investigations?

We start by asking whether electoral concerns affect the likelihood that investigations are initiated by a political leaker. Following Hypothesis 1, we expect that political leakers are motivated by electoral concerns: when the MP's party weakens/strengthens electorally, this opens a window of opportunity for political opponents to attack the deputy. To test this hypothesis, we employ a logistic regression where the dependent variable is the likelihood that a RAP is initiated by a political leaker. That is, of all the requests against MPs in our data we

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analyze how many investigations were initiated by political leaker.[17]

Our main independent variable measures the electoral performance of a party in a given district: for each MP hit by a RAP, ΔVOT_{ijt} is equal to the difference between the vote share of his/her party at time $t-1$ and the vote share at time t, where t indicates the last election before the RAP is sent. Higher (lower) values indicate that the party is losing (gaining) support in the electoral district that elected the MP. Our baseline specification is

$$POL_{ijt} = \alpha_t + \beta \Delta VOT_{ijt} + \gamma OPC_{ijt} + \delta \Delta VOT_{ijt} \cdot OPC_{ijt} + \epsilon_{ijt}, \tag{1}$$

where ΔVOT_{ijt} represents the electoral loss of MP i's party in district j at time t. We account for the moderating role of different types of crimes testing the interaction between ΔVOT_{ijt} and the dummy variable OPC_{ijt}, which is equal to 1 when the RAP is related to an opinion crime, and 0 for a corruption crime. POL_{ijt} is a dummy which takes value 1 when the RAP against MP i in district j at time t is initiated by a political leaker. Finally α_t refers to time fixed effects (by legislative term).

Table 1 summarizes the results. Column 1 refers to the most parsimonious specification, which only includes legislatures fixed effects.[18] The likelihood of observing a RAP related to an investigation driven by a political leaker (rather than a non-political one) is higher when the electoral performance of the MP's party is declining.[19] Remarkably, the significant coefficient of the interaction term suggests that this effect is conditional on the type of crime and it holds only when dealing with corruption crimes.

The sign and significance of the interaction term remains unaltered even when adding additional regressors. It could be that MPs belonging to stronger parties in a district are immune to political attacks, even conditioning of an electoral loss. Column 2 adds as controls the variable (i) Party Size, which is the percentage of votes that the MP's party obtained at the national level in the last election before the RAP was sent to the Chamber, (ii) Government, which is a dummy equal to 1 when the politician hit by the RAP is a member of a party in office, and (iii) External Support, which is equal to 1 if that party was externally supporting the cabinet.

Similarly, accounting for the salience of corruption scandals in the political system does not alter the impact of the MP's party electoral loss. This is shown in the third column, where we control for the variable Corruption Salience, which is based on the hand-coding of legislative speeches, and records the saliency of the corruption

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[17] As we discuss in Section 6, a related question that we do not consider in this study is whether losing electoral support could trigger RAPs initiated by any actor (not only political ones).

[18] The results are robust to using party fixed effects as well: see Table 5 in Appendix. Finally, results are also robust to adding district fixed effects: see Table 6 in Appendix.

[19] When testing the potential quadratic effect of the electoral performance we find no significant effect for the quadratic term of electoral loss, suggesting that we are more likely to find political leakers only when parties weaken and not when they are gaining support.

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issue in parliamentary debates.[20] From column 3 we notice that a one standard deviation increase from the mean of Electoral Loss increases the likelihood of a RAP driven by a political leaker by 7.1% (which corresponds to a 20.3% increase in relative terms); conversely, this effect is no longer statistically significant for crimes of opinion.

Table 1: The Impact of Electoral Loss on Investigations Driven by a Political Leaker

	(1)	(2)	(3)
Electoral Loss (ΔVOT_{ijt})	0.041** [0.020]	0.053** [0.022]	0.053** [0.022]
Opinion Crime	0.965*** [0.169]	0.868*** [0.192]	0.867*** [0.193]
Electoral Loss $\times$ Opinion Crime	-0.050** [0.028]	-0.055** [0.029]	-0.055** [0.029]
Party Size		-0.011* [0.006]	-0.011* [0.006]
Government		-0.027 [0.197]	-0.028 [0.197]
External Support		-0.438 [0.488]	-0.449 [0.496]
Corruption Salience			0.001 [0.049]
Legislative Terms FE	Yes	Yes	Yes
Observations	951	951	951

Notes: Logit estimations; coefficients reported. Dependent variable: dummy equal to one if the member of Parliament received a request for removal of parliamentary immunity initiated by a political actor. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.

The effect that (alleged) corruption crimes are exploited against MPs when their party is weakening, while opinion crimes are not, underscores an interesting component of the leaker's incentives. Intuitively, if the purpose is to weaken an electoral adversary, exposing a MP with a RAP (which is typically covered by the media) for corruption likely triggers a negative reaction from attentive voters. Displaying opinion crimes, on the other hand, could simply reinforce the MP's reputation among voters who likely share the same beliefs

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[20] More specifically, the variable Corruption Salience reports the average percentage of sentences pronounced during each investiture debates of Italian government (almost every year) emphasizing the need to eliminate corruption in political life. This variable varies across years, though on average the salience of corruption in investiture debates is overall rather similar in the First and Second Republic. This variable is built following a strategy similar to that of the Comparative Manifesto Project, applying such approach to speeches delivered by party leaders during the investiture debates.(Ceron and Mainenti, 2018)

(Van Spanje and de Vreese, 2015; Jacobs and Van Spanje, 2020).

Why, then, do politicians initiate more opinion RAPs, if not for hurting political adversaries? The significant coefficient associated to the variable Opinion Crime means that politicians tend to rely on this type of allegations: as we discuss in Section 6, opinion RAPs are mainly exploited by politicians with the aim of mobilizing their electorate (rather than weakening a rival's reputation) and defending their own reputation against allegations. As such, charges of opinion crimes are especially likely to arise during the process of political campaigning (Chang, Golden and Hill, 2010). For example, the modal motive for initiating a political opinion RAP is *defamation towards false accusations*.[21] Thus, rather than being an attempt to bring down a political opponent, opinion RAPs often reflect an attempt to defend one's reputation against such attacks.

5.2. Are Political RAPs Released Closer to Elections?

If investigations reflect political motives, then MPs' opponents could leak damaging information in the midst of the electoral campaign, when their damaging effect is arguably stronger (Hypothesis 2). The literature has provided evidence of the importance of timing of information released during electoral campaigns, showing that scandals are indeed released closer to elections (e.g., Gratton, Holden and Kolotilin, 2017); this suggests that in our setting we should expect RAPs initiated by political leakers to be presented closer to elections.

To test Hypothesis 2, we employ an OLS regression where the dependent variable is the number of days elapsed between the date of the RAP and the next election. The following is our baseline specification:

$$Election_{ijt} = \alpha_t + \beta POL_{ijt} + \gamma OPC_{ijt} + \delta POL_{ijt} \cdot OPC_{ijt} + \eta \Delta VOT_{ijt} + \epsilon_{ijt}, \tag{2}$$

where the main regressor of interest is the dummy POL_{ijt}, which takes value 1 when the RAP against MP i in district j at time t is initiated by a political leaker. POL_{ijt} is interacted, as before, with the type of crime: OPC_{ijt} is a dummy for opinion crimes. ΔVOT_{ijt} is the electoral loss of MP i's party in district j at time t, and α_t refers to time fixed effects by legislative term.

Table 2 summarizes the results, showing that having RAPs initiated by political leakers does not affect the timing of the requests; the effect is not statistically significant for either corruption or opinion crimes. The fact that we do not find evidence in favor of Hypothesis 2 is interesting; we conjecture that this might happen because the leaker does not have complete control over the timing of the investigations (and obviously the timing of elections).

This null finding is plausible for two reasons. First, Italy is an outlier for the elevated number of early

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[21] Section 6 provides an example of this type of RAPs.

elections, which might reduce the effectiveness of the strategic use of judicial investigations. Second, even if the date of the election was certain, it would still be difficult for a political opponent to forecast the amount of time needed for a scandal to outbreak and have an electoral effect.

Table 2: Political Investigations and Timing of Elections

	(1)	(2)	(3)
Political Leaker	37.822 [28.175]	33.289 [27.511]	39.412 [26.846]
Opinion Crime	21.244 [29.330]	-44.056 [31.481]	-51.182* [30.721]
Political Leaker × Opinion Crime	6.554 [43.138]	6.839 [42.063]	-5.368 [41.062]
Electoral Loss	6.813*** [2.307]	6.149** [2.424]	5.020** [2.369]
Party Size		-0.165 [0.879]	-0.289 [0.858]
Government		-172.976*** [30.009]	-173.036*** [29.267]
External Support		-405.056*** [68.150]	-324.382*** [67.476]
Corruption Salience			47.511*** [6.847]
Legislative Terms FE	Yes	Yes	Yes
Observations	933	933	933

Notes: OLS estimations; coefficients reported. Dependent variable: time (days) elapsed between RAP and next election. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.

5.3. Additional Evidence of Politicization: the Digging-Dirt Process

In this section we investigate further the political use of judicial investigations. To do so, we draw evidence from the timing of the RAPs. Our data includes the date of when the request is presented to the committee and that of the alleged crime. In line with Hypothesis 3, we expect that politicians who want to get rid of their political enemies take advantage of judicial prosecutions by leaking incriminating evidence of old episodes of corruption.

To test our "digging-dirt" hypothesis, in our baseline specification we regress the variable $DAYS_{ijt}$ —

i.e., the number of days elapsed from the crime to the date of the RAP — on our regressor of interest, i.e., the dummy indicating whether the leaker is political:

$$DAYS_{ijt} = \alpha_t + \beta POL_{ijt} + \gamma OPC_{ijt} + \delta POL_{ijt} \cdot OPC_{ijt} + \eta \Delta VOT_{ijt} + \epsilon_{ijt}, \tag{3}$$

where as before POL_{ijt} is a dummy which takes value 1 when the RAP against MP i in district j at time t is initiated by a political leaker. POL_{ijt} is interacted, as before, with the type of crime: OPC_{ijt} is a dummy for opinion crimes. ΔVOT_{ijt} is the electoral loss of MP i's party in district j at time t, and α_t refers to time fixed effects by legislative term.

Results from an OLS estimation are reported in Table 3. The coefficient of Political Leaker clearly shows that political leakers do tend to dig back in time. The average time between the alleged corruption crime and the political RAP is about 6 years. In line with Hypothesis 3, this time lag is significantly larger than for non-politically initiated corruption RAPs, both statistically and substantively (433 days larger).

By contrast, the elapsed time for opinion crime is about 2 years for non-political opinion crimes and less than one year for political opinion crimes, which is consistent with the frequent use of the latter during political campaigns. Among opinion RAPs, the difference between politically driven and non-politically driven ones is positive (+48 days) but not statistically significant. The results are robust also when including the control variables discussed above or when using party fixed effects.[22]

Our results in favor of the digging-dirt conjecture are further supported by qualitative interviews to politicians involved in the Tangentopoli scandal.[23] When asked about the trial against Andreotti, Luciano Violante (PCI) — former Head of the Chamber of Deputies — says that "despite the trial initiated in the 1980s, it was only triggered after the Mani Pulite investigation, when traditional parties had already been dismantled."[24] Furthermore, Violante highlights that entrepreneurs had been reporting corruption crimes for ages, well before the rise of the Tangentopoli scandal, so that this scandal only revealed a latent corruption that was already common knowledge.

Similarly, when discussing the Tangentopoli investigations, the former Head of State Francesco Cossiga (DC) reports the words of a very famous businessman (name omitted) claiming that *"prosecutors charged him with crimes dating 4-5 years back in time, that were clearly the result of wiretapping that began long before."*[25]

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[22] See Table 7 in the Appendix.

[23] Cf. Andrea Pamparana (2004) "Mani Pulite," produced by Giovanni Di Clemente, published by Istituto Luce. The interviews mentioned in this paper are available at: https://www.youtube.com/watch?v=rPaqLj_x6zY.

[24] The original interview can be listened from minute 46 onwards.

[25] The original interview can be listened from minute 11:30 onwards.

Table 3: Political Investigations and Time Elapsed from Crime (Days)

	(1)	(2)	(3)
Political Leaker	438.534*** [83.711]	437.027*** [83.898]	433.114*** [83.912]
Opinion Crime	-1,001.306*** [86.864]	-1,015.158*** [95.220]	-1,012.175*** [95.204]
Political Leaker × Opinion Crime	-396.995*** [127.729]	-395.678*** [127.784]	-385.596*** [127.950]
Electoral Loss	-6.571 [6.527]	-6.250 [6.969]	-5.666 [6.979]
Party Size		-1.855 [2.679]	-1.747 [2.679]
Government		16.919 [91.750]	15.208 [91.718]
External Support		341.574* [199.521]	289.595 [203.187]
Corruption Salience			-28.740 [21.496]
Constant	1,719.578*** [90.879]	1,752.027*** [125.721]	1,880.280*** [158.094]
Legislative Terms FE	Yes	Yes	Yes
Observations	907	907	907

Notes: OLS estimations; coefficients reported. Dependent variable: time elapsed between (alleged) crime and RAP. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.

According to other interviews (amongst them, the anchorman Enrico Mentana or the prosecutor Gherardo Colombo), those judicial investigations initiated indeed only when all the main Italian parties started to face an electoral crisis, losing voters' support.[26] This anecdotal evidence provides support in favor of the argument that investigations against MPs are politicized.

5.4. Digging-dirt Closer to Elections?

While we find no evidence that political RAPs affect the timing of the requests with respect to elections (Table 2), it could be that the incentive to release *old* compromising information closer to an election is stronger for political opponents than for non-political ones.

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[26] The original interviews can be listened from minute 13 onwards.

If denunciations are political, we might expect leakers to plan the timing of information release to judicial authority such that the resulting RAPs fall closer to election dates. By only searching among recent events, leakers might not find enough rumors of misconduct to be used during the election campaign. Conversely, by digging-dirt back in time, political leakers might take advantage of their rivals' past misbehavior to generate timely investigations against them closer to the election in order to damage their electoral performance. Therefore, we might expect that RAPs initiated by political leakers refer to events that took place further back in time than non-political RAPs, especially when these investigations are disclosed closer to the election day.

Table 4 shows a three-way interaction involving Political Leaker, the type of crime and Days to Election. The positive and significant interaction suggests that, when RAPs involve corruption crimes, *the difference in digging-back between political and non-political leaders is more pronounced closer to election day.*[27] This result might be interpreted as follows. As elections approach, political leakers might not find enough rumors of misconduct by looking at recent events. Conversely, by digging-dirt back in time, they might exploit their rivals' past misbehavior to generate timely investigations against them in order to damage their electoral performance.

The first panel of Figure 4 shows that RAPs related to corruption crimes that are (i) sent closer to an election and (ii) initiated by a political leaker tend to refer to older crimes; the marginal effect of a political leaker on the gap between the crime and the RAP indicates that politically-initiated RAPs issued in the last month before election day date approximately 680-700 days back in time compared to politically-initiated RAP issued earlier during the legislature.[28] Conversely, the marginal effects suggest that there are no differences between RAPs initiated by political or non-political leakers, when RAPs are presented to the Chamber long before the election. In other words, when we are far from the election, political leakers are no longer more willing to dig back in time compared to non-political leakers. Even if a political leaker does not have a full control on the timing of the RAP (as discussed above), we find evidence in favor of the idea that leakers attempt to affect such process, digging dirt and releasing information especially when new elections are approaching.

The second panel in Figure 4 shows that there is no effect for opinion crimes (the line is flat and the marginal effect is never statistically significant). Notice that this difference does not seem related to the time needed for the crime to be statute barred. For instance, both corruption and defamation (an opinion crime) are statute barred in the same amount of time (6 years). Similarly, existing work suggests that opinion crimes can arise due to the process of political campaigning (Chang, Golden and Hill, 2010). Our findings differ as on average RAPs are sent closer to the election when they are related to corruption crimes (471 days) rather than opinion crimes (841 days).

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[27] See also the marginal effects reported in Figure 2, in the Appendix.

[28] See Figure 5 in the Appendix for marginal effects.

Table 4: Time Elapsed from Crime

	(1)	(2)	(3)
Political Leaker	675.451***	708.838***	700.575***
	[151.454]	[145.165]	[145.400]
Days to Election	-0.051	-0.044	-0.011
	[0.146]	[0.148]	[0.152]
Political Leaker × Days to Election	-0.600**	-0.636**	-0.624**
	[0.289]	[0.277]	[0.277]
Opinion Crime	-1,021.163***	-1,116.021***	-1,103.354***
	[139.831]	[153.763]	[154.285]
Political Leaker × Opinion Crime	-674.005***	-636.482***	-617.722***
	[218.516]	[231.674]	[232.434]
Opinion Crime × Days to Election	0.116	0.113	0.099
	[0.172]	[0.183]	[0.183]
Political Leaker × Opinion Crime × Days to Election	0.590*	0.604*	0.584*
	[0.327]	[0.329]	[0.329]
Electoral Loss		-4.883	-4.577
		[7.433]	[7.439]
Party Size		-2.016	-1.941
		[2.712]	[2.713]
Government		26.482	30.142
		[95.754]	[95.824]
External Support		413.980*	385.003*
		[211.317]	[213.297]
Corruption Salience			-22.374
			[22.388]
Constant	1,719.578***	1,752.027***	1,880.280***
	[90.879]	[125.721]	[158.094]
Legislative Terms FE	Yes	Yes	Yes
Observations	1,021	892	892

Notes: OLS estimations; coefficients reported. Dependent variable: time elapsed between (alleged) crime and RAP. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.

6. Discussion

6.1. Motives of Political Attacks

What brings political leakers to blow the whistle, thus initiating an investigation likely to hurt a MP? This section provides some descriptive evidence of the motives behind these political investigations. Because there is
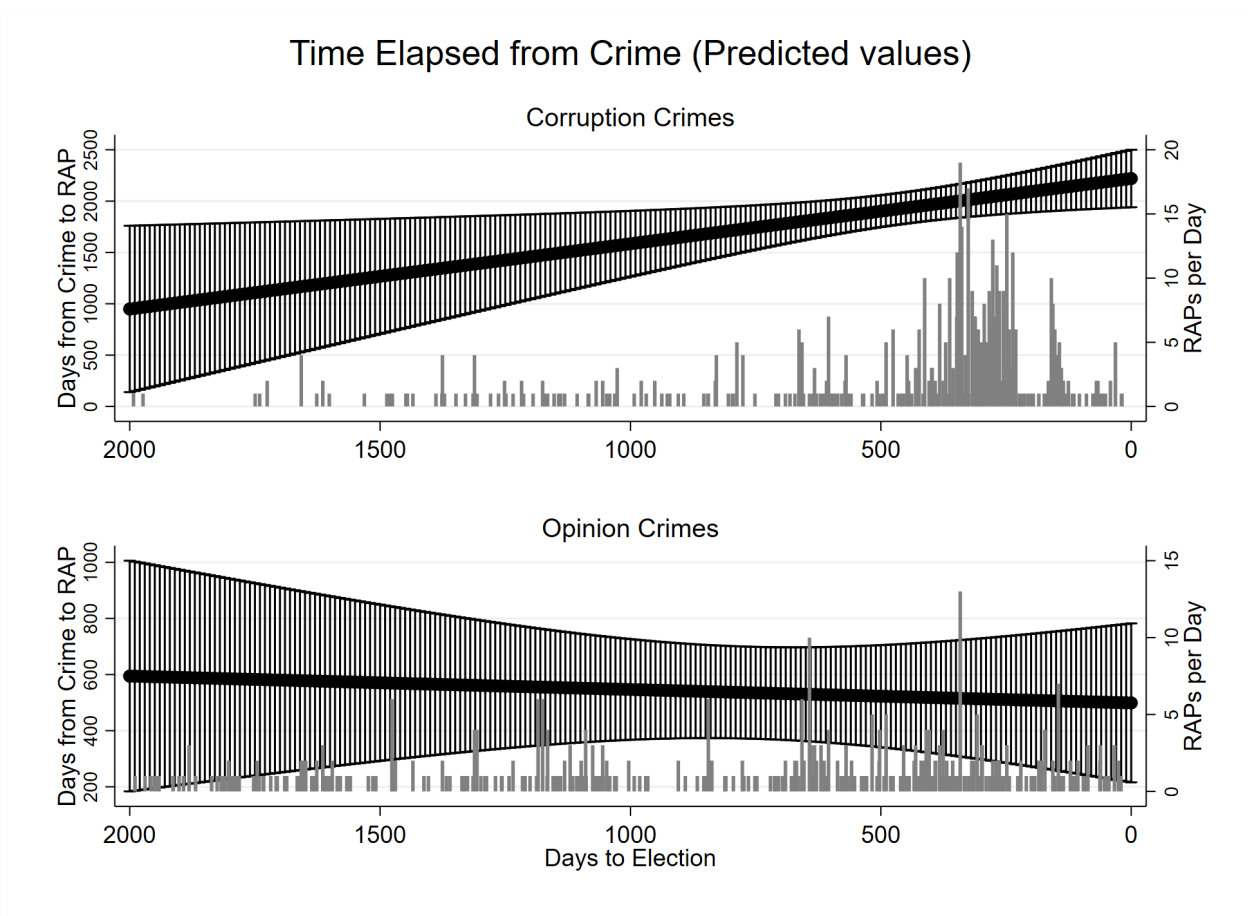
Figure 4: Predicted values of time elapsed from crime in days, for both corruption and opinion crimes.

not enough information about political leakers to perform a statistical analysis aimed at inferring their underlying motives, we report examples of typologies that occur repeatedly in our data.

One possible driver of the political usage of RAPs is *ideology*. That is, it could be that the use of RAPs is increasing in the ideological distance between the leaker and the accused MP. While ideological disagreement is certainly a plausible motive for initiating an investigation, our data is based only on initiated RAPs, and therefore we cannot directly shed light on this mechanism. Yet in future work it might be possible to identify the ideological stakes of the accuser side to have a picture of whether political leakers are ideologically close or far from the accused MP. In particular, it would be interesting to see whether political leakers and accused MPs belong to different parties or to the same one. Furthermore, to the extent that factional struggle matters for initiating RAPs, we should expect more leakers belonging to the same party of the accused MP in the First Republic — when parties were highly factionalized and the electoral system incentivized intra-party conflict (Chang, 2005) — than in the Second Republic.

Second, it could be that RAPs are an indication of *intra-party sabotage*. Competition among same-party

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factions was especially heavy in the Christian Democracy, where political corruption constituted a necessary evil to finance the exorbitant financial needs for the electoral campaign of opposing factions through illegal resources. Resorting to bribes was (and still is) extremely common in public procurement, which in our observations translates into several RAPs revealing a widespread financial network of kickbacks among firms and politicians. A well known — and representative — example of extortion and bribes directed to particular factions is the RAP initiated by Oscar Luigi Scalfaro (DC) against Vincenzo Scotti, another prominent member of an opposing faction within the DC.[29] The request reveals that — in the aftermath of an earthquake that hit Naples — the contractors tasked with the reconstruction of the infrastructures were forced to pay large sums of money to Scotti's faction in order to have their projects approved. This money was then used to finance the Neapolitan faction's expenses (and the electoral campaign above all). The MP denied all the accusations, and the case was widely covered by the media.[30]

Furthermore, RAPs could be used as campaigning tools by political opponents. This frequently happens with opinion RAPs, used among competitors in the same electoral district before elections. It is important to stress that, differently from corruption allegations, opinion RAPs are typically used defensively. One recurrent motive for politicians to initiate an opinion RAP is *defamation towards accusing opponents*. Political opponents frequently accuse each other of being close to the Mafia or being elected thanks to the Mafia. To mention an example, on September 13, 1993 a request to proceed with the investigation of the deputy Giovanni Fava, elected in the district of Catania (Sicily), was presented on behalf of the Socialist MP Antonio Salvatore (PSI), elected in the same district. In the request, Fava is accused of publishing in the newspaper "Avvenimenti" (June 19, 1993) an article implying that the MP Salvatore interfered with the investigation of a major Mafia boss, Nitto Santapaola, interceding for him with the prosecutor.[31] These mafia-related incidents are frequent among opinion RAPs, as politicians often attempted to defend themselves from such accusations. Importantly, while mafia-related incidents are the object of defensive RAPs, the same are not used offensively with the aim of bringing down opponents. In fact, as already noted above, the prosecution of MPs investigated for participation to Mafia organizations is independent of authorization to proceed granted from the Chamber.

Finally, notice that, while political RAPs represent a minority of the observations in our sample, we conjecture that at least some "non-political" RAPs are initiated on behalf of politicians. That is, it is reasonable to believe that politicians want to engage in politics by other means without shouldering the costs of leaking

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[29] More precisely, the information was gathered before the investigation by a special House committee (*Commissione Parlamentare di Inchiesta*) chaired by Scalfaro. Link to original RAP: http://legislature.camera.it/dati/leg11/lavori/stampati/pdf/37782.pdf.

[30] One of the main national newspapers, *La Repubblica*, closely followed the case pointing out the weakness of Scotti's defense to the prosecutors. Link to original article here: https://ricerca.repubblica.it/repubblica/archivio/repubblica/1993/04/22/scotti.

[31] Link to original RAP: http://legislature.camera.it/dati/leg11/lavori/stampati/pdf/38242.pdf.

the information themselves, hence provide known incriminating information to a third party (or anonymously to the prosecutors). In this sense, Andreotti's quote and personal experience are suggestive: despite having several political enemies, he was never involved in a RAP initiated *by another politician*.[32] Ultimately, it is not possible to empirically identify the political roots of non-political RAPs with existing data, and it might well be that the politicization of judicial investigation is even more pervasive than what our data shows.[33]

6.2. Limitations and Future Directions

In this paper we seek to understand when investigations against MPs are initiated by other political actors. In order to do so, we base our dataset on all the RAPs sent by judicial prosecutors over the period 1983-2019, and link these requests to parties' electoral performance over the same period. This allows us to show that corruption RAPs are more likely to be initiated by political actors when the accused MP's party weakens electorally. That is, we show that conditional on parties losing vote shares there are more political leakers that explicitly accuse an MP through a RAP. An interesting related question that we do not consider is whether losing electoral support could trigger RAPs initiated by any actor (not only political ones). In other words, in addition to the relative number of political vs non-political RAPs, it could be that weaker parties receive more attacks in absolute terms. Future work could explore this question by augmenting our dataset to include all the MPs in a legislative term. This would allow to answer the question of whether weaker parties are more likely to receive any RAP, in addition to the relative number of political RAPs that we study.

A related important question concerns the determinants of parties losing vote shares. While we are agnostic about what determines parties' electoral decline, there are reasons to exclude that denunciations cause electoral insecurity. Typically voters are informed of MPs' corruption by media coverage of the judicial inquiry that is initiated by — and does not precede — RAPs. Without this knowledge, voters cannot internalize the information on corruption in their vote, as media are the major source of information for voters upon which effective accountability relies (Chang, Golden and Hill, 2010). Future work could compare the timing of media coverage of corruption allegations with respect to the corresponding RAP, to provide further evidence that RAPs constitute the first public announcement of the alleged misbehavior. Another reason to exclude reverse causality in our context is the old nature of corruption allegations, which for political RAPs are on average older than five

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[32] The RAP against Andreotti that gave rise to the "trial of the century" was based on the testimony of the Mafia informant (pentito) Tommaso Buscetta.

[33] We also believe that this observation is consistent with the main argument of the paper, which is that scandals could be politicized and that the relationship between the emergence of scandals and the underlying corruption is not necessarily monotone. Of course scandals could be even more politicized (i.e., politicians could be behind other accusations as well), but we believe that our results provide a useful reference for a lower bound of the effect.

years. In other words, it is unlikely that voters keep MPs accountable for corruption allegations that become known to the judiciary in a later electoral cycle.

Finally, are RAPs consequential, or likely to outbreak in scandals? Throughout the paper we present anecdotal evidence that they do, being covered by the press after requests are presented. Yet it could be interesting to systematically study the consequences of RAPs. A simple measure of RAPs' coverage suggests that this is indeed high. We searched for corruption-related keywords in La Repubblica, Italy's second most widely read daily newspaper. In the period 1983-2019, the keyword "Request of Authorization to Proceed" alone produced 1658 results. While we do not know the tone of the press, at least this provides information of RAPs' coverage. To provide further evidence, future research should analyze the aftermath of denunciations, by showing how often each RAPs leads to scandals, and with what consequences for the politician involved.

7. Conclusion

This paper studies political scandals through their denunciation, using original data on investigations of Italian MPs from 1983 to 2019. Results provide evidence in favor of a political use of investigations for corruption charges: when parties weaken, the likelihood of political denunciation of past misbehavior by political rivals increases.

The literature has shown that, when allegations of corruption are covered by the press, voters tend to punish politicians. While requests of authorization to proceed with the investigation of MPs represent a useful measure of the MPs' underlying corruption, our results suggest that sometimes these requests can be the results of politics "by other means"— i.e., politicians might find advantageous to publicly denounce their cronies' corruption for their political gains. Voters are most likely to make errors of inference when the MPs' parties weaken, punishing alleged misbehavior that results from political opponents' attacks. This strategic use of investigations suggests to scale down the (partially) positive effect of accountability found by the literature, at least when incentives for political attacks are strong.

While we focus on Italian data for their richness, we believe that our findings are informative for other countries as well. The investigation of members of the legislature in most democracies is typically managed by the legislative institution itself. For example, the U.S. House of Representatives created the House of Ethics Committee in 1964 with the power to investigate and report evidence gathered to appropriate federal and state judicial authorities. Between 1972 and 2012, 5.1% of all representatives who served in the U.S. House of Representatives were subjected to a corruption investigation by the Ethics Committee, for a total of 93 investigations (Praino and Graycar, 2018). Our findings suggest that some of these investigations could be driven by

political reasons.

While we do not systematically trace media coverage of each case of investigation, an overall search for these in news' archives suggests that they often results in scandals affecting the investigated MP. Recently, the former Minister of the Interior Matteo Salvini received a RAP for kidnapping that received massive coverage.[34] In the last years other investigations played a crucial role in everyday politics. For instance, Armando Siri, a junior minister belonging to Salvini's League, was forced to resign due to the pressure of the Five Star Movement (partner of the League in the Conte first cabinet) when Siri received a RAP concerning an investigation for money laundering. Similar examples can be found in other periods of Italian history, particularly (but not only) throughout the Tangentopoli scandal (when there was a daily media coverage of any investigation, even at early stages). In light of this, future research could further contribute to explaining the link between political leakers, judicial investigation and media coverage to shed light on the role that judges and (sometimes partisan) journalists can have in damaging the image of a politician and its party.

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[34] The RAP was related to the immigration crisis following Salvini's decision to shut ports to a migrant rescue ship.

References

A. Huber, Gregory and Sanford C Gordon. 2004. "Accountability and Coercion: Is Justice Blind When it Runs for Office?" *American Journal of Political Science* 48(2):247–263.

Askola, Heli. 2015. "Taking the Bait? Lessons from a Hate Speech Prosecution." *Canadian Journal of Law and Society / Revue Canadienne Droit et Société* 30(1):51–71.

Asquer, Raffaele, Miriam A Golden and Brian T Hamel. 2019. "Corruption, Party Leaders, and Candidate Selection: Evidence from Italy." *Legislative Studies Quarterly* .

Balán, Manuel. 2011. "Competition by Denunciation: The Political Dynamics of Corruption Scandals in Argentina and Chile." *Comparative Politics* 43(4):459–478.

Bowler, Shaun and Jeffrey A Karp. 2004. "Politicians, Scandals, and Trust in Government." *Political Behavior* 26(3):271–287.

Bågenholm, Andreas. 2013. "Throwing the Rascals Out? The Electoral Effects of Corruption Allegations and Corruption Scandals in Europe 1981-2011." *Crime, Law and Social Change* 60(5):595–609.

Carey, John M and Matthew Soberg Shugart. 1995. "Incentives to Cultivate a Personal Vote: A Rank Ordering of Electoral Formulas." *Electoral Studies* 14(4):417–439.

Cavalcanti, Francisco, Gianmarco Daniele and Sergio Galletta. 2018. "Popularity Shocks and Political Selection." *Journal of Public Economics* 165:201–216.

Ceron, Andrea and Marco Mainenti. 2015. "Toga Party: The Political Basis of Judicial Investigations Against MPs in Italy (1983–2013)." *South European Society and Politics* 20(2):223–242.

Ceron, Andrea and Marco Mainenti. 2018. "When rotten apples spoil the ballot: The conditional effect of corruption charges on parties' vote shares." *International Political Science Review* 39(2):242–255.

Chang, Eric CC. 2005. "Electoral Incentives for Political Corruption under Open-List Proportional Representation." *The Journal of Politics* 67(3):716–730.

Chang, Eric CC, Miriam A Golden and Seth J Hill. 2010. "Legislative malfeasance and Political Accountability." *World Politics* 62(2):177–220.

Charron, Nicholas and Andreas Bågenholm. 2016. "Ideology, party systems and corruption voting in European democracies." *Electoral Studies* 41(1):35–49.

Cho, Joan E and Dominika Kruszewska. 2018. "Escaping Collective Responsibility in Fluid Party Systems: Evidence from South Korea." *Electoral Studies* 56:114–123.

Chong, Alberto, Ana L De La O, Dean Karlan and Leonard Wantchekon. 2015. "Does Corruption Information Inspire the Fight or Quash the Hope? A Field Experiment in Mexico on Voter Turnout, Choice, and Party Identification." *The Journal of Politics* 77(1):55–71.

Daniele, Gianmarco, Sergio Galletta and Benny Geys. 2020. "Abandon Ship? Party Brands and Politicians' Responses to a Political Scandal." *Journal of Public Economics* 184:104172.

Dziuda, Wioletta and William G Howell. 2020. "Political Scandal: a Theory." *American Journal of Political Science, Forthcoming* .

Ecker, Alejandro, Konstantin Glinitzer and Thomas M Meyer. 2016. "Corruption Performance Voting and the Electoral Context." *European Political Science Review* 8(3):333–354.

Fernández-Vázquez, Pablo, Pablo Barberá and Gonzalo Rivero. 2016. "Rooting out Corruption or Rooting for Corruption? The Heterogeneous Electoral Consequences of Scandals." *Political Science Research and Methods* 4(2):379–397.

Ferraz, Claudio and Frederico Finan. 2008. "Exposing Corrupt Politicians: the Effects of Brazil's Publicly Released Audits on Electoral Outcomes." *The Quarterly Journal of Economics* 123(2):703–745.

Ferraz, Claudio and Frederico Finan. 2014. "Partisanship and Electoral Accountability: Evidence from the UK Expenses Scandal." *The Quarterly journal of economics* 9(4):441–472.

Foresta, Alessandra. 2020. "The Rise of Populist Parties in the Aftermath of a Massive Corruption Scandal." *Public Choice* pp. 1–18.

Gambetta, Diego. 2018. Why is Italy Disproportionally Corrupt?: A Conjecture. In *Institutions, Governance and the Control of Corruption*. Springer pp. 133–164.

Golden, Miriam. 2006. "Some Puzzles of Political Corruption in Modern Advanced Democracies." *Unpublished manuscript, Annual Meetings of the Japan Political Science Association, Tokyo* .

Golden, Miriam A and Eric CC Chang. 2001. "Competitive corruption: Factional Conflict and Political Malfeasance in Postwar Italian Christian Democracy." *World Politics* pp. 588–622.

Gordon, Sanford C. 2009. "Assessing Partisan Bias in Federal Public Corruption Prosecutions." *American Political Science Review* 103(4):534–554.

Gratton, Gabriele, Richard Holden and Anton Kolotilin. 2017. "When to drop a bombshell." *The Review of Economic Studies* 85(4):2139–2172.

Hall, Melinda Gann. 1992. "Electoral Politics and Strategic Voting in State Supreme Courts." *The Journal of Politics* 54(2):427–446.

Invernizzi, Giovanna M. 2020*a*. "Public information: Relevance or salience?" *Games* 11(1):4.

Invernizzi, Giovanna Maria. 2020*b*. "Electoral Competition and Factional Sabotage." *Unpublished Manuscript* .

Jacobs, Laura and Joost Van Spanje. 2020. "Prosecuted, yet popular? Hate speech prosecution of anti-immigration politicians in the news and electoral support." *Comparative European Politics* 0(0):1–0.

Jannuzzi, Lino and Giuliano Ferrara. 2000. *Il Processo del Secolo: Come e Perché è Stato Assolto Andreotti*. Mondadori.

Katz, Richard S. 1985. "Preference Voting in Italy: Votes of Opinion, Belonging, or Exchange." *Comparative Political Studies* 18(2):229–249.

Lowi, Theodore. 2018. *Forward to The politics of Scandal: Power and Process in Liberal Democracies*. Holmes & Meier New York.

Nannicini, Tommaso, Andrea Stella, Guido Tabellini and Ugo Troiano. 2013. "Social Capital and Political Accountability." *American Economic Journal: Economic Policy* 5(2):222–50.

Nickerson, David W. 2007. "Quality is job one: Professional and volunteer voter mobilization calls." *American Journal of Political Science* 51(2):269–282.

Nyhan, Brendan. 2015. "Scandal potential: How political Context and News Congestion Affect the President's Vulnerability to Media Scandal." *British Journal of Political Science* 45(2):435–466.

Nyhan, Brendan. 2017. "Media Scandals are Political Events: How Contextual Factors Affect Public Controversies Over Alleged Misconduct by US Governors." *Political Research Quarterly* 70(1):223–236.

Ogden, Benjamin G and Alejandro Medina. 2020. "Strategic Opposition Research." *Unpublished Manuscript* .

Praino, Rodrigo and Adam Graycar. 2018. "Does Corruption Follow Opportunity? A Study of the US Congress." *Public Integrity* 20(5):478–496.

Rhodes, Martin. 1997. "Financing Party Politics in Italy: A case of Systemic Corruption." *West European Politics* 20(1):54–80.

Rudolph, Lukas and Thomas Däubler. 2016. "Holding Individual Representatives Accountable: The Role of Electoral Systems." *The Journal of Politics* 78(3):746–762.

Sberna, Salvatore and Alberto Vannucci. 2013. ""It's the politics, stupid!". The politicization of anti-corruption in Italy." *Crime, Law and Social Change* 60(5):565–593.

Thompson, John B. 2013. *Political scandal: Power and visability in the media age*. John Wiley & Sons.

Tumber, Howard and Silvio R Waisbord. 2004. "Introduction: Political scandals and media across democracies, volume I." *American Behavioral Scientist* 47(8):1031–1039.

Van Spanje, Joost and Claes de Vreese. 2015. "The good, the bad and the voter The impact of hate speech prosecution of a politician on electoral support for his party." *Party Politics* 21(1):115–130.

Waters, Sarah. 1994. "'Tangentopoli'and the Emergence of a New Political Order in Italy." *West European Politics* 17(1):169–182.

A. Additional Tables & Figures

Table 5: The Impact of Electoral Loss on Investigations Driven by a Political Leaker - with Party Fixed Effects

	(1)	(2)	(3)
Electoral Loss	0.050**	0.049**	0.049**
	[0.023]	[0.023]	[0.023]
Opinion Crime	0.977***	0.982***	0.980***
	[0.201]	[0.204]	[0.204]
Electoral Loss × Opinion Crime	-0.059*	-0.069**	-0.069**
	[0.033]	[0.034]	[0.034]
Party Size	0.037	0.038	
		[0.047]	[0.047]
Government		-0.539	-0.542
		[0.555]	[0.556]
External Support		-0.431	-0.410
		[0.549]	[0.559]
Corruption Salience			0.010
			[0.052]
Legislative Terms FE	Yes	Yes	Yes
Party FE	Yes	Yes	Yes
Observations	949	949	949

Notes: Logit estimations; coefficients reported. Dependent variable: dummy equal to one if the member of Parliament received request for removal of parliamentary immunity initiated by another politician. Electoral Loss is measured as the difference in the vote share of the MP's party with respect to the previous election. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.

Table 6: The Impact of Electoral Loss on Investigations Driven by a Political Leaker - with Party Fixed Effects and District Fixed Effects

	(1)	(2)	(3)
Electoral Loss	0.062**	0.061**	0.060**
	[0.026]	[0.027]	[0.027]
Opinion Crime	1.291***	1.306***	1.306***
	[0.232]	[0.236]	[0.236]
Electoral Loss × Opinion Crime	-0.069*	-0.081**	-0.082**
	[0.036]	[0.037]	[0.037]
Party Size	0.046	0.050	
		[0.049]	[0.049]
Government		-0.598	-0.619
		[0.578]	[0.581]
External Support		-0.520	-0.431
		[0.571]	[0.580]
Corruption Salience			0.047
			[0.055]
Legislative Terms FE	Yes	Yes	Yes
Party FE	Yes	Yes	Yes
District FE	Yes	Yes	Yes
Observations	949	949	949

Notes: Logit estimations; coefficients reported. Dependent variable: dummy equal to one if the member of Parliament received a request for removal of parliamentary immunity initiated by another politician. Electoral Loss is measured as the difference in the vote share of the MP's party with respect to the previous election. Standard errors are indicated in brackets. *** $p<0.01$, ** $p<0.05$, * $p<0.1$.

Table 7: Political Investigations and Time Elapsed from Crime - with Party Fixed Effects

	(1)	(2)	(3)
Political Leaker	435.678***	435.732***	433.441***
	[84.586]	[84.648]	[84.634]
Opinion Crime	-1,020.582***	-1,012.189***	-1,012.211***
	[98.214]	[98.894]	[98.856]
Political Leaker × Opinion Crime	-375.112***	-372.702***	-364.518***
	[129.099]	[129.173]	[129.279]
Electoral Loss	-12.171	-13.124	-12.247
	[8.301]	[8.492]	[8.516]
Party Size		2.330	0.582
		[19.083]	[19.124]
Government		18.470	37.605
		[217.498]	[217.918]
External Support		333.441	272.030
		[220.054]	[225.043]
Corruption Salience			-28.302
			[21.898]
Legislative Terms FE	Yes	Yes	Yes
Party FE	Yes	Yes	Yes
Observations	907	907	907

Notes: OLS estimations; coefficients reported. Dependent variable: time elapsed between (alleged) crime and RAP. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.

Table 8: Political Investigations and Time Elapsed from Crime, Interacted with Days to Election - with Party Fixed Effects

	(1)	(2)	(3)
Political Leaker	674.741***	704.691***	696.966***
	[144.712]	[146.506]	[146.715]
Days to Election	-0.093	-0.005	0.026
	[0.142]	[0.151]	[0.155]
Political Leaker × Days to Election	-0.569**	-0.634**	-0.621**
	[0.275]	[0.279]	[0.280]
Opinion Crime	-1,058.333***	-1,041.807***	-1,036.235***
	[147.602]	[161.843]	[161.943]
Political Leaker × Opinion Crime	-658.026***	-674.655***	-652.442***
	[209.989]	[233.996]	[235.074]
Opinion Crime × Days to Election	0.055	-0.028	-0.035
	[0.176]	[0.194]	[0.194]
Political Leaker × Opinion Crime	0.604*	0.683**	0.657*
	[0.315]	[0.334]	[0.335]
Electoral Loss		-8.933	-8.465
		[8.740]	[8.753]
Party Size		-3.593	-5.030
		[20.264]	[20.316]
Government		-22.155	3.870
		[237.265]	[238.722]
External Support		365.303	330.108
		[236.173]	[238.841]
Corruption Salience			-22.538
			[22.783]
Legislative Terms FE	Yes	Yes	Yes
Party FE	Yes	Yes	Yes
Observations	998	892	892

Notes: OLS estimations; coefficients reported. Dependent variable: time elapsed between (alleged) crime and RAP. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.
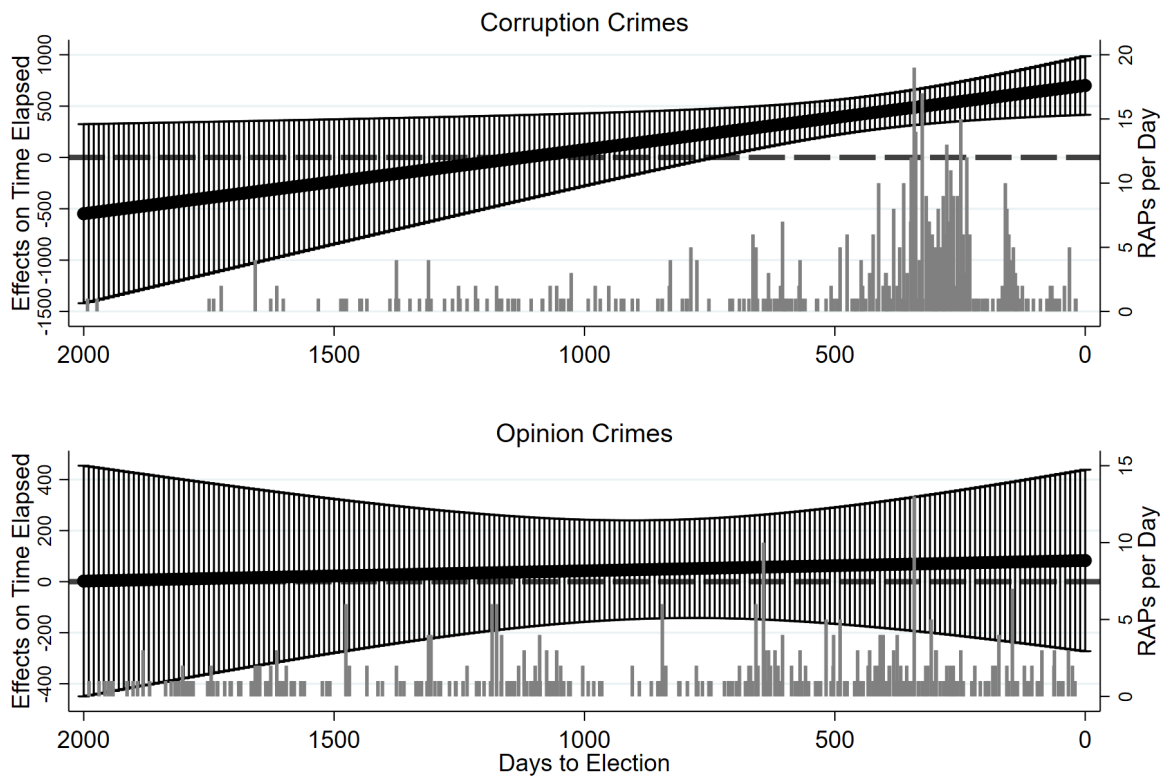
Figure 5: Marginal effects of time elapsed from crime in days, for both corruption and opinion crimes.

CAMERA DEI DEPUTATI

Doc. **IV**
N. 153-A

RELAZIONE DELLA GIUNTA
PER LE AUTORIZZAZIONI A PROCEDERE

(Relatore: **FERRARI SILVESTRO**)

SULLA

DOMANDA DI AUTORIZZAZIONE A PROCEDERE IN GIUDIZIO

CONTRO IL DEPUTATO

FERRARI GIORGIO

PER I REATI DI CUI AGLI ARTICOLI 5, LETTERA *d*, E 6 DELLA LEGGE 30 APRILE 1962,
N. 283 (VIOLAZIONI DELLE NORME PER LA DISCIPLINA IGIENICA DELLA PRODUZIONE E
DELLA VENDITA DELLE SOSTANZE ALIMENTARI E DELLE BEVANDE) ED AGLI ARTICOLI 444
E 452 DEL CODICE PENALE (COMMERCIO COLPOSO DI SOSTANZE ALIMENTARI NOCIVE
PER LA SALUTE PUBBLICA)

TRASMESSA DAL MINISTRO DI GRAZIA E GIUSTIZIA
(MARTINAZZOLI)

il 13 febbraio 1985

Presentata alla Presidenza l'11 aprile 1985

ONOREVOLI COLLEGHI ! — In data 13 febbraio 1985 è pervenuta alla Camera dei deputati, da parte del pretore di Padova, una domanda di autorizzazione a procedere in giudizio nei confronti del deputato Giorgio Ferrari per violazione delle norme sulla disciplina igienica della produzione e vendita di sostanze alimentari e bevande, nonché per commercio colposo di sostanze alimentari nocive alla salute pubblica.

La vicenda trae origine dalla denuncia sporta dal responsabile del settore igiene pubblica della USL n. 21 della regione Veneto, a seguito di alcuni accertamenti sanitari effettuati su un campione di pane toscano risultato avariato e che, ingerito dal signor Del Santo, gli aveva provocato sintomi da avvelenamento.

Il signor Del Santo dichiarava in un primo momento all'ufficio d'igiene di aver acquistato il pane presso un supermercato della società PAM, ma successivamente smentiva per telefono tale affermazione, precisando appunto di aver acquistato il pane presso altro negozio, il tutto come risulta dagli atti in calce alla richiesta di analisi dell'ispettore capo dell'ufficio di igiene.

Nonostante la rettifica, il pretore di Padova citava a giudizio l'onorevole Giorgio Ferrari, nella sua qualità di legale rappresentante della società PAM s.p.a., rinviando poi il dibattimento a nuovo ruolo per richiedere la prescritta autorizzazione a procedere, essendo risultato che l'onorevole Giorgio Ferrari è deputato al Parlamento.

La Giunta ha esaminato la domanda di autorizzazione a procedere nella seduta del 27 marzo 1985 ed ha proceduto anzitutto all'audizione – ai sensi dell'articolo 18 del regolamento – del deputato Giorgio Ferrari.

Questi, dopo aver ricordato di essere presidente del consiglio di amministrazione e legale rappresentante della società PAM a titolo professionale, senza detenerne le azioni, ha confermato la totale estraneità della società medesima alla vicenda, come dichiarato dallo stesso denunciante.

Inoltre, date le dimensioni della società PAM, in alcun modo potrebbe essere ritenuto responsabile dei reati possibilmente commessi presso i singoli punti di vendita, per ciascuno dei quali, comunque, esiste un responsabile legale *ad hoc*. Questa situazione per altro è stata riconosciuta anche da una recente sentenza pronunziata in analogo processo a suo carico. Ha quindi, il Ferrari, lamentato le inutili ed erronee incriminazioni che per tale sua attività professionale lo vedrebbero coinvolto in numerose domande di autorizzazione a procedere.

La Giunta ha rilevato anzitutto che, nel caso di specie, dagli stessi atti processuali emerge l'erronea contestazione dei reati di cui ai capi d'imputazione, al legale rappresentante della società PAM, proprio per la rettifica effettuata dallo stesso denunziante che, scagionando tale società, fornisce la prova della sua estraneità alla vicenda.

In secondo luogo, la stessa impostazione aziendale di una società delle dimensioni della PAM esclude che la responsabilità penale per reati, come quelli in questione, possa farsi risalire al presidente del consiglio di amministrazione e legale rappresentante, onorevole Giorgio Ferrari, ma semmai ai dirigenti preposti ai singoli punti di vendita (oltre quattrocento), cui è stata delegata la responsabilità per il loro corretto funzionamento.

Il giudice pertanto – ad avviso della Giunta – avrebbe potuto evitare di promuovere il procedimento penale a carico dell'onorevole Giorgio Ferrari, laddove chiaramente appaiono infondate le imputazioni mosse nei suoi confronti e quindi l'assenza di ogni sua responsabilità penale.

Per questi motivi la Giunta ha deliberato di proporre che l'autorizzazione a procedere in giudizio non sia concessa.

Silvestro FERRARI, *Relatore.*