



Silvio Berlusconi's troubles

## Berlusconi v the city of women

ROME

A judge's decision to commit the prime minister for trial on sex charges will hang over Italian politics for months

**I**N WHAT was perhaps his weirdest film, "City of Women", Federico Fellini took cinema-goers into the nightmare of a Latin male who is bewildered by the advent of feminism. In one scene Snaporaz, the hero, is dragged before a court to be judged for his masculinity. With rich irony, the situation of Silvio Berlusconi, Italy's most overtly *maschilista* political leader since Mussolini, is fast coming to resemble that of Fellini's woebegone libertine.

On February 15th a female judge, Cristina Di Censo, sent the prime minister for trial on two charges: paying an underage prostitute and trying to obscure this alleged offence by taking advantage of his official position. The prosecutors co-ordinating the investigation were led by another woman, Ilda Boccassini, who had argued that the obviousness of the evidence against Mr Berlusconi made a pre-trial hearing unnecessary. Ms Di Censo agreed and has now set down the first hearing in Milan on April 6th. By coincidence, all three of the judges, who are chosen automatically from a rota, will be women.

The charges, which Mr Berlusconi denies, were laid against a background of public indignation among Italian women over the affair and its effect on how they are perceived. On February 13th an estimated half a million demonstrators filled squares in Italy and abroad to protest

against Mr Berlusconi, his government and, at least implicitly, the extent of gender inequality in Italy. Two recent studies have reached strikingly different conclusions about how Italy compares with other countries. The World Economic Forum's 2010 Global Gender Gap Report put Italy in 74th place, behind Paraguay, Ghana and Kyrgyzstan. Yet the United Nations-Gender Inequality Index in 2008 ranked Italy ninth, ahead of both Britain and France.

This second assessment, at least, seems overly sanguine. A Lebanese writer, Joumana Haddad, said this week that on visits to Italy she felt indignant about the way in which she saw women being treated. Only 46% of Italian women have a job, compared with a European Union average of 59%. Mr Berlusconi's equal-opportunities minister is a former topless model. And the use made of women in advertising (notably on channels in the prime minister's Mediaset television network) is demeaning to an extent that would not be tolerated in other EU countries.

The indictment of Mr Berlusconi has dealt him what is perhaps the heaviest blow since he launched his eventful political career back in 1994. It will condition Italy's politics for months to come, not least in the increasingly likely event of there being a snap general election.

The prime minister is no stranger to

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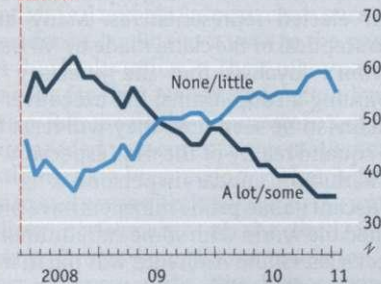
prosecution, and he will be under no obligation to resign even if he is found guilty. (In the Italian judicial system, a defendant is entitled to as many as two appeals and is not considered to have been convicted until the second appeal has been rejected.) On February 16th Mr Berlusconi said he was "not at all worried" by his indictment. But he must know that his situation is highly dangerous.

In the past he has often got off thanks to Italy's generous provision for "timing out" legal proceedings before they can be concluded. That is unlikely to happen this time. There is no statute of limitation for juvenile-prostitution offences, and the lack of a pre-trial hearing should ensure that the entire process is completed before the prosecution runs out of time on the second charge. Another factor is the weight of the evidence. The girl he is alleged to have paid is a Moroccan runaway-turned-dancer, Karima el-Mahroug, who also goes under the pseudonym "Ruby Heartstealer". Accord- ••

### Detumescent

Voters' confidence in Silvio Berlusconi, % polled

ELECTION



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• ing to *La Repubblica*, a newspaper, the prosecutors have a statement in which she claims she told the 74-year-old Mr Berlusconi she was under the age of 18, the legal minimum age for prostitution in Italy. He is alleged subsequently to have provided her with a rent-free flat and perhaps cash, too. The paper also said that prosecutors have mobile-phone records showing that the girl was a frequent visitor to Berlusconi's house outside Milan, staying on one occasion for at least two nights (though she denies having had sex with him).

The prime minister must now choose from three options. He could make an uncharacteristic admission of guilt and plea bargain. He could choose a fast-track, closed-door trial that would entitle him to a one-third reduction of his sentence if convicted. Or he could go for a full trial.

In the third case, it is highly likely that his lawyers will seek to challenge the validity of his indictment in the constitutional court. The grounds for this were laid by Mr Berlusconi's followers in parliament on February 3rd, when they passed a motion declaring that the prosecutors have no jurisdiction over the case, because they should have referred it to a special court for trying government ministers.

Such an appeal could buy Mr Berlusconi the time he needs. He remains in power largely thanks to the Northern League, his coalition partner. But that party's support, both in parliament and at the next election, will depend on whether Mr Berlusconi can secure the passage of a League-sponsored federalism bill aimed at ensuring that more tax money stays where it is raised. The League's leader, Umberto Bossi, said cryptically that if Mr Berlusconi had the votes in parliament he would be happy to back the government; but if not, "it will fall by itself". Yet there are signs that he might be positioning himself to give the coalition the fatal push: this week, unusually, his party's daily newspaper carried an interview with the leader of the opposition Democratic Party, Pierluigi Bersani, who said that he, too, would be happy to give the Northern League the "fiscal federalism" it seeks.

Some of Mr Bossi's voters are deeply uncomfortable about the accusations levelled at a man who is being kept in office by their elected representatives. Many are also sceptical of the claim made by Mr Berlusconi's loyalists that the judiciary is mounting a coup against the executive. It remains to be seen how they will react to the squalid reality of the trial, especially if Mr Berlusconi appears in person.

Recent Italian prime ministers have presented the world with some extraordinary spectacles. Giulio Andreotti was put in the dock for collaborating with the Mafia; Bettino Craxi fled the country to avoid being jailed for corruption. But there has never been anything quite like this.

## Matéria