

Politics by Denunciation: Political Whistleblowing against Members of Parliament in Italy *

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March 8, 2023

Abstract

Judicial investigations into politicians are a fundamental component of politics, with these investigations often leading to public 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 by 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. Furthermore, weakened MPs are more likely to be accused of misbehavior that happened a long time before the accusation, which further supports the argument that accusations are politically motivated.

*We are grateful to Luca Bellodi, Alessandra Casella, Diego Gambetta, Miriam Golden, John Huber, Marco Le Moglie, Ahmed Mohamed, Arnaud Maurel, Beatrice Montano, Paolo Pinotti, Oscar Pocasangre, Carlo Prato, Mike Ting and audience members at the CLEAN seminar on crime at Bocconi for their feedback and their suggestions. Paride Carrara provided outstanding research assistance. This work has been developed under the framework of the PRIN 2020 Project DEMOPE DEMOcracy under PressurE (Prot. 2020NK2YHL), funded by the Italian Ministry of University and Research.

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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) — are a fundamental component of politics, shaping political events and voters’ opinions. The political consequences of revealing a corrupt political environment are far-reaching: 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). Indeed, the end of the Italian “First Republic” was triggered by *Tangentopoli*. Disclosed in 1992-1994 during one of the major judicial investigations of all times (Waters, 1994), this scandal involved several political parties and politicians. For instance, Giulio Andreotti — quoted above and one of the most influential politicians of the Italian First Republic— was involved in a decade-long judicial trial for charges of corruption and collaboration with the Mafia. The trial generated a major scandal, and many still question Andreotti’s acquittal.¹

Judicial prosecution of politicians constitutes a prominent source of political scandals. While the opinion that political enemies initiate judicial investigations (e.g., by leaking incriminating information to prosecutors) is popular, empirical evidence is intrinsically difficult to gather.² We take advantage of unique data on corruption allegations to study the political use 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 the scandals emerging from allegations of corruption can be 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 prosecutors to the Chamber of Deputies to lift immunity of the involved MPs. 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 and incitement to disobey the law (Chang, Golden and Hill, 2010).

¹ ‘Giulio Andreotti,’ *The Times*, May 7 2013: <https://www.thetimes.co.uk/article/giulio-andreotti-n0k0rffhc8l>.

² Data on judicial investigations is often limited to whether an investigation took place, as well as 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.

The uniqueness of our data consists in the revelation of the source (or leaker/whistleblower) — often another political actor — behind the investigation, thanks to which we can provide evidence of the political use of denunciations. Among the RAPs in our dataset, 398 specify in the official document that the leaker is a political actor. Examples of political actors include other MPs, local politicians and party officials. We investigate the political use of denunciations by tying the political identity of the leaker to the electoral performance of the accused MP’s party. Our measure of performance compares how the party vote share changes over time in the district that elected the accused MP. Furthermore, we investigate the timing of the RAP with respect to the alleged crime. Here the conjecture is that, in comparison to denunciations from non-politicians, when the leaker is a politician the RAP is presented later (with respect to the crime) and closer to elections.

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 poor electoral performance, political opponents attack MPs belonging to the weakened party. Results on the timing of investigations corroborate the “dirt-digging” 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, more than 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.

2. Contribution to the Literature

Our work closely relates to the literature on corruption that uses data on RAPs as a measure of politicians’ misbehavior. Chang (2005) shows that intra-party competition and electoral uncertainty trigger political corruption. Consistent 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, Stella, Tabellini and Troiano (2013) show that this effect differs by electoral districts based on voters’ traits: in districts 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 monotonic, as it varies with politicians’ incentives to leak incriminating information. Thus, our analysis suggests these incentives must be taken into account when using similar

measures of corruption to make inferences about underlying transgressions.

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 in the former type of allegation. This result is consistent with the literature finding that the revelation of corruption hurts politicians (Bågenholm, 2013; Fernández-Vázquez, Barberá and Rivero, 2016), despite its effect depending on various elements, such as electoral and candidate selection rules (Ferraz and Finan, 2014; Rudolph and Däubler, 2016; Ceron and Mainenti, 2018). 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 intended to impede the accused politician’s activity — initiating from biased prosecutors (Gordon, 2009). Judicial behavior can be affected by political pressures, particularly when judges’ positions depend 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.

Finally, and most importantly, we provide (to our knowledge) the first existing dataset that investigates politically-driven denunciations where the identity of political whistleblowers is known. This allows us 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 leading to scandals (Gratton, Holden and Kolotilin, 2017; Dziuda and Howell, 2021; Invernizzi, 2022).

3. Hypotheses

When should we expect political actors to exploit judicial investigations? We hypothesize that *electoral security* — i.e., the electoral performance of the accused MP’s party — is a crucial factor in a politician’s decision to engage in politics by denunciation. In principle, we could think of motives leading political opponents to generate RAPs both when parties weaken and when they are successful. When a party weakens, political opponents might have direct benefits from attacking it, for instance by winning more votes. The benefit of attacking a weak opponent can also be indirect: eliminating a weak party might open new opportunities in the long run, by generating party system instability and change. MPs could also be attacked from within their own

parties (Golden and Chang, 2001). When parties weaken, lower electoral stakes raise the salience of internal party competition, which leads to factional sabotage (Invernizzi, 2022). Alternatively, attacks could be directed more towards successful parties, to inhibit their political climb. This mechanism is especially appropriate when explaining 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 two alternative hypotheses.

HYPOTHESIS 1 (ELECTORAL SECURITY) *(A) The likelihood of a political exploitation of the RAP increases as the party of the accused MP loses electoral support. (B) The likelihood of a political exploitation of the RAP decreases as the party of the accused MP loses electoral support.*

In both cases a significant effect would reveal a link between political motives and investigations, in the presence of a political leaker. However, observing a higher probability of having a political leaker when a party is gaining more support (H1B) would indicate a behavior analogous to that of negative campaigning, in which parties and candidates usually attack the frontrunner to prevent his/her full success. Conversely, observing a higher probability of having a political leaker when a party is losing support (H1A) would imply that the leaker is oriented toward a more radical change, to give a coup de grâce to the power of that party in a specific area. In this regard, only a null relationship between electoral support and the presence of a political leaker could indicate that political motives are not driving his/her behavior.

We also analyze 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 observational and theoretical evidence showing that fabricated scandals are released close to the election date (Gratton, Holden and Kolotilin, 2017). Similarly, Invernizzi (2020) shows that the tendency of voters to follow information when it is provided close to the voting decision largely affects collective decision making. Overall, we can expect that RAPs initiated by political leakers are presented *closer to the election* in order to generate a scandal that will damage the rival party. If this is the case, we would find additional evidence supporting the idea that a political leaker is motivated by electoral concerns. We raise our second hypothesis (H2) accordingly:

HYPOTHESIS 2 (TIMING WITH RESPECT TO AN ELECTION) *When the investigation is exploited by a political leaker, the RAP is presented closer to the election.*

Furthermore, we hypothesize that — when investigations are triggered by political enemies — we should observe a longer lag time between the MP's alleged misconduct and the date of the RAP. When a politician becomes aware of the misconduct of a political rival, she could decide to reveal such misbehavior immediately

or to keep the information until a time when 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 could result in more time elapsed from the alleged misconduct. One potential confounding factor is that credible political corruption cases take a long time to assemble. This would increase the lag time 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 lag time for political rather than non-political actors as evidence of politicization under the idea that political leakers dig back in time to strategically generate an investigation and produce a political scandal.

HYPOTHESIS 3 (DIRT-DIGGING PROCESS) *When the investigation is exploited by a political leaker, the lag time between the alleged events and the date of the RAP is longer.*

So far we have implicitly assumed that denunciations produce negative electoral effects for the party affected by the investigation (Giommoni, 2021). However, previous studies have proved that this depends on the type of crime. 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 on 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.

Accordingly, investigations related to corruption should be more damaging than those based on opinion crimes. Chang, Golden and Hill (2010) confirm this argument for the Italian case: 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. If only crimes of corruption can produce damages, we should observe evidence of strategic politicization of investigations only with respect to corruption. Therefore, we test our hypotheses (H1A, H1B, H2 and H3) separately for crimes of corruption vis-a-vis opinion.

To sum up, to evaluate H1A and H1B we assess the impact of electoral performance on the likelihood of observing a political leaker for corruption versus opinion crimes; to test H2 we assess whether observing a political leaker influences the time gap between the RAP and the next election in case of either corruption or opinion crimes; finally, to test H3 we assess whether observing a political leaker influences the days elapsed

between the crime and the RAP, separately for corruption or opinion crimes.

4. Data

4.1. RAPs: Rules and Procedures

Judicial investigations of MPs represent a salient issue in Italy. Their relevance became evident in 1992, when the *Mani Pulite* (Clean Hands) judicial inquiry, which resulted in the *Tangentopoli* scandal, revealed the political corruption permeating the political system. Although Italy is a bicameral system, following previous studies we focus on the Chamber of Deputies (Chang, 2005; Chang, Golden and Hill, 2010; Nannicini et al., 2013; Ceron and Mainenti, 2015). This choice is also particular suitable to test our hypotheses: while the Senate is elected on a regional basis, the Chamber of Deputies is elected through a higher number of districts of smaller size (overall below the regional level). Therefore, we can benefit of more fine-grained data on the electoral strength of parties, which is crucial to evaluate our electoral security hypothesis (see also the discussion below about the strongholds).

In Italy, the judiciary is responsible for investigating members of parliament accused of crimes. MPs, however, are protected from prosecution by parliamentary immunity unless that immunity is revoked. To proceed with the investigation, the public prosecutor needs to send a formal request (RAP) to the Chamber of Deputies. The President of the Chamber forwards the request to a special committee (“*Giunta per le Autorizzazioni a Procedere*”), composed of 21 deputies who evaluate the legitimacy of the request. Based on the committee’s report, the Chamber grants or denies the authorization, and the final decision is communicated to the prosecutor.

We consider requests sent before and after 1993, when a constitutional reform changed the reasons to send a RAP. Before the reform, prosecutors had to present all the judicial documents to the Chamber, together with the request to lift immunity that protected the investigated MP. After the reform, enacted in the aftermath of the *Tangentopoli* scandal, prosecutors do not need to receive authorization from the legislative body for criminal proceedings against deputies. The authorization is still needed for warrant of arrest, personal search or other measures such as wiretapping. Notice that our results are not affected by this reform.³

Figure 1 shows the number of RAPs that are *received* (black bars), and those that are *granted* (light bars) by the Chamber of Deputies in each legislative period, along with the average number of RAPs per year within each legislature (dark dashed line for the RAPs received and light gray dashed line for RAPs granted), starting from the 9th (1983-1987) until the 18th.⁴ There is a drop in the number of RAPs received starting from the

³ The results remain virtually unchanged when including in our model a dummy variable to account for requests sent after 1993.

⁴ Notice that RAPs related to the 18th legislature were gathered until the end of 2019.

12th legislature (1994, i.e., the beginning of the Second Republic), which is a consequence of the 1993 reform that limits the reasons to request such authorizations. Observing fewer RAPs after 1993 does not mean that the number of investigations dropped as well.

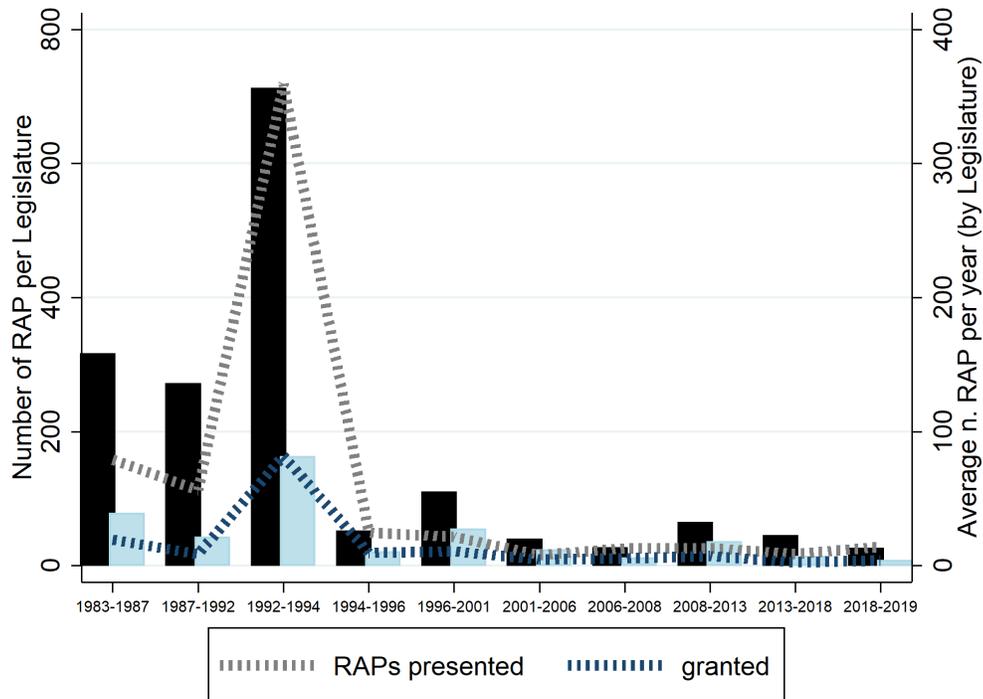


Figure 1: Frequency of RAPs presented (black bars) and granted (light bars) by legislature.

RAPs measure *allegations* of MPs’ wrongdoing, not judicial *convictions*. As such, using RAPs as a measure of MPs’ underlying corruption might present issues of measurement validity. Data on convictions, however, are not relevant in our case because our goal is to provide evidence of the political use of RAPs. In other words, the argument about the strategic use of RAPs to target politicians *does not* depend on the merit of the allegations, since investigations cause an immediate damage regardless of whether this ends or not in a conviction at a later stage (given that a trial can take several years before getting to a final verdict).

We collect data from three sources: 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; the Chamber Committee’s report about the RAP, which summarizes the RAP and grants (or denies) the authorization to proceed with the investigation; the minutes of the Committee meetings, which allow us to retrieve additional information. Information about the leaker or how the investigation initiated was provided in the original request, in the

Committee's final report or in the minutes of the Committee meeting.⁵

4.2. Type of RAP: Corruption and Opinion

Our analysis focuses on the time frame 1983-2019, which was selected to have a balanced dataset covering both Italy's First and Second Republic, which began in 1994 under a new electoral and party system. In both periods, preference voting or single-member districts allowed parties and local politicians to build strongholds, ruling for several years in certain areas and producing a robust system of power, which secured them re-election.⁶

Over the period 1983-2019, public prosecutors submitted 726 RAPs involving 1,655 MPs requesting the removal of the MPs' parliamentary immunity and permission to proceed with a judicial investigation. For each legislative term, our unit of analysis is the MP affected by each RAP. While a RAP could refer to multiple alleged crimes (either of corruption or opinion), each request is related to a single investigation. When a RAP is directed at 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.⁷

In terms of episodes of alleged misbehavior, our data consists of 1125 episodes involving 451 MPs. 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 in 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.

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, the list of crimes of opinions include slander, defamation, insult, contempt and incitement to disobey the law.⁸

Figure 2 shows, for each legislature, the frequency of RAPs for corruption crimes (black bars) versus opinion crimes (light bars), along with the average number of RAPs per year within each legislature (light gray dashed line, for opinion crimes and dark dashed line for corruption). As one might expect, the 11th legislature (1992-1994) includes an exceptionally high number of corruption RAPs corresponding to the Tangentopoli

⁵ We include in the Appendix an original example (in Italian, followed by its translation) of a RAP.

⁶ For details on the Italian electoral and party systems see the Appendix.

⁷ In our analysis we cluster different observations by politician, and the results remain unchanged.

⁸ We coded 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 coded 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)

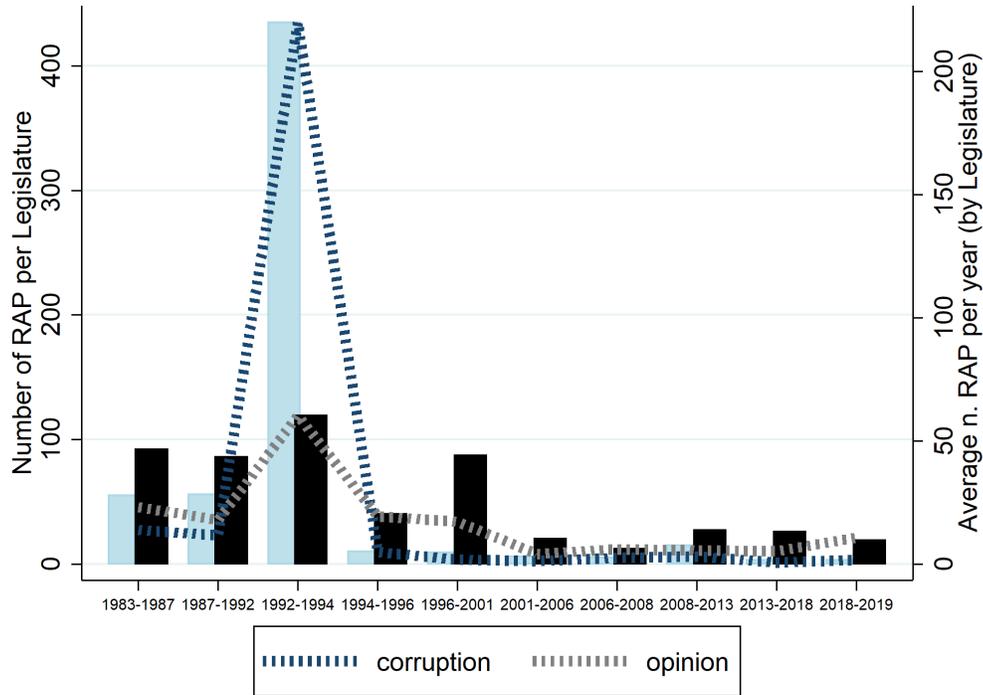


Figure 2: Number of RAPs presented by type of allegation and legislature.

scandal, when 35 percent of MPs were mentioned in corruption-related RAPs.⁹

4.3. Type of Leaker: Political and Non-Political

We gather information on the *leaker* of the investigation, defined as the person whose contribution is relevant to the investigation of the accused MP. The leaker could either be the person who initially blows the whistle, thus initiating the investigation, or a witness for an ongoing investigation who provides crucial information to the prosecutor. Either way, the leaker’s contribution is relevant for the investigation, and indeed it is mentioned in the RAP document.

The leaker can be a *political* or *non-political* actor. Examples of the latter include entrepreneurs, police officers, public administration workers or managers, and private citizens. While some of these non-political leakers can be instigated by political actors, our assessment suggests that this is not the case as those leakers seemed independent. Conversely, whenever we found any sign of political partisanship we considered those actors as political leakers. For instance, in our data we found evidence of (few) private citizens belonging to

⁹ The number of corruption RAPs during the 11th legislature suggests that we should control for the specific peculiarities of each legislature. To do so, we include in our model fixed effects by legislative term. Our results remain virtually unchanged when including a dummy variable to specifically account for requests sent during Tangentopoli (1992-1994).

political associations or (few) entrepreneurs and managers close to (or appointed by) a political party. In these cases we considered them as political leakers accordingly (see below). Overall, we are able to discriminate the situations in which there was a clear political leaker from other instances.

Table 1 summarizes our classification of political leakers. More than half of these observation correspond to local politicians, including elected government officials such as assessors (“*assessori*”) and councilors at the regional and city level, presidents and vice-presidents of the region and province, and mayors and vice-mayors. The variable “local politician” also includes candidates running for office and party officials (e.g., secretaries) at the regional and city level. Of the total number of political leakers, almost half operate in national politics: they are, for example, members of the Chamber of Deputies and Senate, party founders, and party officials at the national level. Finally, in some cases cases (“other”) the document indicates that the leaker is a “political figure” belonging to a certain party or political area, without specifying any particular category of office.

Table 1: Classification of Political Leakers

Political Leaker - Type	Frequency	Percentage
Local Politician (elected and non-elected)	193	49
MP or National Politician	162	40
Political Appointee	3	1
Political Association	8	2
Other	32	8
Total	398	100

For 398 out of 1125 MPs (35.4%) investigated for corruption or opinion crimes, the leaker is a political actor (175 instances represent crimes of corruption, and 223 instances are 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 the case of multiple leakers) is a political actor, and zero when the leaker is not a political actor or when there is no clear leaker indicated in the RAP. The latter is usually the case when the investigation is independently initiated by the police or the judiciary.¹⁰

Figure 3 plots, for each legislature, the frequency of RAPs initiated by a political leaker (black bars) versus a non-political one (light bars).

¹⁰ Our results remain the same when excluding from the analysis some cases in which the investigation is initiated by the police or the judiciary (so that there is no leaker formally).

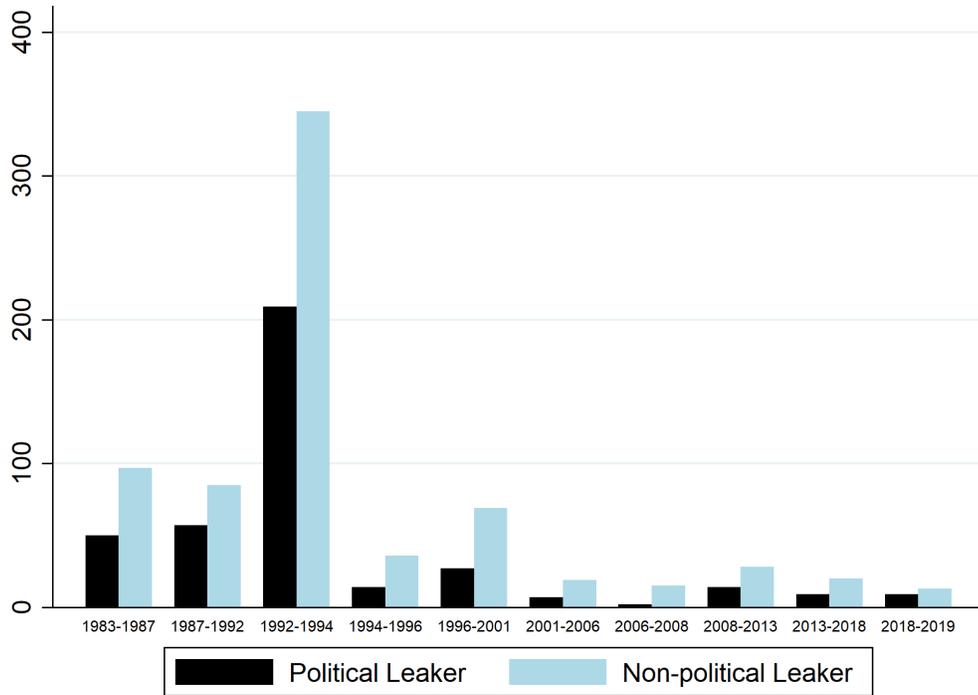


Figure 3: Number of RAPs presented by type of leaker and legislature.

4.4. Electoral Security Measure

Our dataset includes general elections held from 1979 to 2018. We match each MP affected by an investigation to the results of his/her party in the district where the MP was elected; we compare the last two elections before the RAP was sent in order to measure the electoral performance of the party in that district.

We are interested in knowing whether a party's negative performance (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). Why do we consider the electoral performance of the party rather than that of the MP hit by the accusation? In principle, it might be that the MP who is the target of the attack is far from vulnerable, even if the party is weakening at the district level. This would be the case, for example, if the accused MP was at the top of the list of a weakening party.

This measurement choice reflects our underlying assumption that political attacks through RAPs are aimed at *weakening the power of the party* in a given stronghold, rather than the single MP. This assumption is motivated by our descriptive analysis of the characteristics of political leakers. In particular, the majority of political leakers are local administrators and politicians who could not enjoy a direct electoral advantage from the MP's replacement. Furthermore, in most cases (83%) the political leaker comes from a different party

(usually from a different ideological area): this suggests that the aim of the leaker is to weaken the local power of the accused MP’s party (Daniele, Galletta and Geys (2020); Giommoni (2021)), rather than substituting a local leader (the accused MP) with another leader from the same party. Given this assumption and the incentives provided by the Italian electoral institutions,¹¹ it seems plausible that political enemies attack MPs where the attack is more likely to be consequential, i.e., in electoral districts where the accused MPs’ party is weakening electorally.¹²

5. Results

5.1. What Drives the Political use of Judicial Investigations?

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 (with respect to corruption crimes). We test this hypothesis through a logistic regression. The dependent variable is the likelihood that a RAP is initiated by a political leaker.¹³

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 most recent election before the RAP was submitted. Higher (lower) values indicate that the party is losing (gaining) support in the electoral district that elected the MP. Our baseline specification is

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

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

¹¹ 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.

¹² Controlling for the strength of the MP does not alter our results. In particular, we find that experienced MPs (namely, MPs that were repeatedly elected in the same district in past elections) are more likely to being attacked by a political leaker *overall*. However, political leakers tend to target inexperienced MPs in districts in which their party is weakening electorally. This is in line with Hypothesis 1(A): by targeting an inexperienced MP elected in a weakening area, the attacker can hope to give a coup de grâce to the power of that party in that area, because a rookie MP is less likely to have personal resources that can help to preserve the party’s stronghold after a scandal.

¹³ 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).

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 2 summarizes the results. Column 1 shows the most parsimonious specification, which only includes legislatures fixed effects.¹⁴ The likelihood of observing a RAP related to an investigation exploited by a political leaker (rather than a non-political one) is higher when the electoral performance of the MP's party is declining, in line with H1.¹⁵ Remarkably, as discussed in the theoretical section, the significant coefficient of the interaction term suggests that this effect is conditional on the type of crime: the effect holds only when dealing with corruption crimes, while for opinion crimes the effect is not statistically different from zero.

In Column 2, we add as controls (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. In Column 3, we also control for Corruption Saliency, which is based on the hand-coding of legislative speeches, and records the saliency of the corruption issue in parliamentary debates.¹⁶ Across all models, the sign and significance of the interaction term remains unaltered.

Overall, a one standard deviation increase from the mean of Electoral Loss (Table 2, Model 3 in Column 3) increases the likelihood of a RAP on corruption driven by a political leaker by 6.3% (23.4% increase in relative terms), when all the other variables are set at their means; this effect is no longer statistically significant for crimes of opinion.

The fact 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 an MP via 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 (Van Spanje and de Vreese, 2015; Jacobs and Van Spanje, 2020).

Why, then, do politicians initiate more RAPs for crimes of opinion, if not to hurt their political adversaries?

¹⁴ The results are robust to party fixed effects as well (see Table 5 in the Appendix). Results are also robust to district fixed effects (see Table 6 in the Appendix).

¹⁵ 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.

¹⁶ This variable is built following a strategy similar to that of the Comparative Manifesto Project, by applying this approach to speeches delivered by party leaders during the investiture debates (Ceron and Mainenti, 2018), and reports the average percentage of sentences emphasizing the need to eliminate corruption in political life.

Table 2: 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 another politician initiated a request for removal of parliamentary immunity for that member of Parliament. Standard errors are indicated in brackets. *** p<0.01, ** p<0.05, * p<0.1.

As we discuss in Section 6, opinion RAPs are mainly exploited by politicians with the aim of mobilizing their electorate 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).

5.2. Are Political RAPs Released Closer to Elections?

If investigations reflect political motives, then MPs' opponents could leak damaging information (related to corruption crimes) during electoral campaigns, when their damaging effect is arguably stronger (Hypothesis 2). To test Hypothesis 2, we employ an OLS regression. The dependent variable is the number of days elapsed between the date of the RAP and the next election. Our baseline specification is:

$$DaysElection_{ijt} = \alpha_t + \beta POL_{ijt} + \gamma OPC_{ijt} + \delta POL_{ijt} \cdot OPC_{ijt} + \eta \Delta VOT_{ijt} + \epsilon_{ijt}, \quad (2)$$

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 different types of crime to account for their moderating role: 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 7 in the Appendix summarizes the results, showing that RAPs initiated by political leakers do not differ in the timing of the requests; the effect is not statistically significant for either corruption or opinion crimes and this runs against H2. The fact that we do not find evidence in favor of Hypothesis 2 is interesting; 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 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.

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

This section further investigates the political use of judicial investigations. Our data includes the date of the request 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 “dirt-digging” hypothesis, we regress the variable $DaysCrime_{ijt}$ (i.e., the number of days elapsed from the crime to the date of the RAP) on our regressor of interest, the dummy indicating whether the leaker is political:

$$DaysCrime_{ijt} = \alpha_t + \beta POL_{ijt} + \gamma OPC_{ijt} + \delta POL_{ijt} \cdot OPC_{ijt} + \eta \Delta VOT_{ijt} + \epsilon_{ijt}, \quad (3)$$

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 to account for their moderating role: 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, the time elapsed between the corruption crime

and the RAP is significantly longer than for non-politically initiated corruption RAPs, both statistically and substantively at 438.5 days longer (marginal effect from Table 3, Model 1, with all the other variables fixed at their means). Among opinion RAPs, the difference between politically driven and non-politically driven ones is 41.5 days (marginal effect from Table 3, Model 1, with all the other variables fixed at their means), though this value is not statistically different from zero. Summing up, we observe dirt-digging only from political leakers, in case of corruption crimes, whereas for opinion crimes having a political or non-political leaker does not make any difference in terms of dirt-digging. These results support H3 and confirm that this holds only for corruption crimes, as discussed in the theoretical section. The results are robust to the inclusion of the control variables discussed above and to party fixed effects.¹⁷

Table 3: Political Use of 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. *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

Our results supporting the dirt-digging conjecture are further corroborated by qualitative interviews of

¹⁷ See Table 8 in the Appendix.

politicians involved in the Tangentopoli scandal.¹⁸ 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.*” Similarly, when discussing the Tangentopoli investigations, the former Head of State Francesco Cossiga (DC) reports the words of a very famous businessman (name omitted), investigated for corruption along with several politicians, 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.*” According to other interviews (among them the anchorman Enrico Mentana and 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.

5.4. Dirt-Digging Closer to Elections

While we find no evidence that political RAPs affect the timing of the requests with respect to elections, 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. If denunciations are political, leakers might plan the timing of information release to judicial authority such that the resulting RAPs fall closer to election dates. By digging up dirt in the past, political leakers might take advantage of their rivals’ past misbehavior to generate timely investigations against them closer to the election.

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 up dirt in the past between political and non-political leakers is more pronounced closer to election day.*¹⁹ As elections approach, political leakers might not find enough rumors of misconduct by looking at recent events. Conversely, they might exploit their rivals’ past misbehavior to generate timely investigations against them in order to damage their electoral performance in the present.

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 concern crimes that date approximately 680-700 days farther in the past compared to politically-initiated RAP issued earlier during the legislature.²⁰ Conversely, the marginal effects suggest that there are

¹⁸ Cf. Andrea Pamparana (2004) “Mani Pulite,” produced by Giovanni Di Clemente, published by Istituto Luce. The interviews are available at: https://www.youtube.com/watch?v=rPaqLj_x6zY.

¹⁹ See also the marginal effects reported in Figure 2 in the Appendix.

²⁰ See Figure 5 in the Appendix for marginal effects.

Table 4: Time Elapsed from Crime

	(1)	(2)	(3)
Political Leaker	675.451*** [151.454]	708.838*** [145.165]	700.575*** [145.400]
Days to Election	-0.051 [0.146]	-0.044 [0.148]	-0.011 [0.152]
Political Leaker × Days to Election	-0.600** [0.289]	-0.636** [0.277]	-0.624** [0.277]
Opinion Crime	-1,021.163*** [139.831]	-1,116.021*** [153.763]	-1,103.354*** [154.285]
Political Leaker × Opinion Crime	-674.005*** [218.516]	-636.482*** [231.674]	-617.722*** [232.434]
Opinion Crime × Days to Election	0.116 [0.172]	0.113 [0.183]	0.099 [0.183]
Political Leaker × Opinion Crime × Days to Election	0.590* [0.327]	0.604* [0.329]	0.584* [0.329]
Electoral Loss		-4.883 [7.433]	-4.577 [7.439]
Party Size		-2.016 [2.712]	-1.941 [2.713]
Government		26.482 [95.754]	30.142 [95.824]
External Support		413.980* [211.317]	385.003* [213.297]
Corruption Salience			-22.374 [22.388]
Constant	1,719.578*** [90.879]	1,752.027*** [125.721]	1,880.280*** [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. *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

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 far from an election, political leakers are no longer more willing to dig back in time compared to non-political leakers. Even if political leakers do not have full control on the timing of the RAP, we find evidence in favor of the idea that they attempt to affect the process, so that incriminating information is unveiled especially when new elections are approaching.

Time Elapsed from Crime (Predicted values)

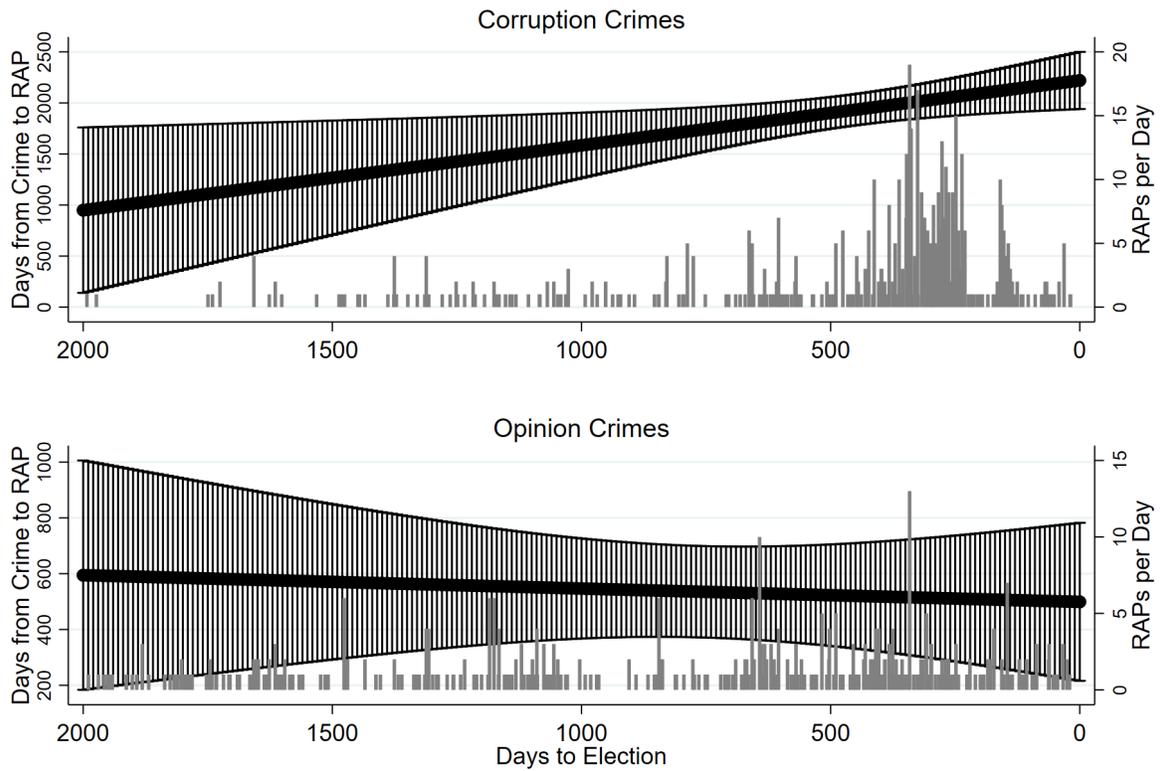


Figure 4: Predicted values of time elapsed from crime in days, for both corruption and opinion crimes.

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 past the statute of limitations. For instance, both corruption and defamation (an opinion crime) have the same length of statute of limitation (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).

6. Discussion

Motives of Political Attacks

Our analysis establishes that investigations initiated by political leaders i) are more likely to happen when the party of the accused MP is weakening and ii) refer to older crimes than investigations initiated by non-political

leakers. We now provide some descriptive evidence of the motives behind the political use of investigations.

One possible driver of the political usage of RAPs is *ideological disagreement*. We were able to code the partisanship identity of political leakers in our dataset, which allows us to have a picture of ideological disagreement by measuring whether they are ideologically close or far from the accused MP. Table 10 in the Appendix shows the political area (left, center or right) of the accused MP and that of the leaker. The majority of the attacks (56%) originates from a different political area from that of the accused MP. For most attacks initiated by political leakers belonging to the same political area as the MP, in most cases the leaker belongs to a different party.

Second, it could be that RAPs are an indication of *intra-party sabotage*. Competition among same-party factions was especially heavy in the DC, where political corruption constituted a “necessary evil” to finance the exorbitant financial needs of electoral campaigns of opposing factions through illegal resources. 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. 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.²¹ In practice though, if we only focus on RAPs initiated by political leakers, only a small fraction of these are same-party attacks (26 cases).

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, in contrast to allegations of corruption, 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 having ties, or even being elected due, to the Mafia.²² These Mafia-related incidents are frequent among opinion RAPs, as politicians often attempted to defend themselves from such

²¹ 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. 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>. 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 its electoral campaign. The case was widely covered by the media. The national newspapers *La Repubblica* followed the case pointing out the weakness of Scotti’s defense: <https://ricerca.repubblica.it/repubblica/archivio/repubblica/1993/04/22/scotti>.

²² For instance, 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, by interceding on his behalf with the prosecutor. Here is the link to original RAP: <http://legislature.camera.it/dati/leg11/lavori/stampati/pdf/38242.pdf>.

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 participating in Mafia organizations does not require authorization to proceed by the Chamber.

Finally, notice that, while political RAPs represent a minority of the observations in our sample, 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 the information themselves, hence providing 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*.²³ 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 investigations is even more pervasive than what our data shows (Ceron and Mainenti, 2015).²⁴

Limitations and Future Directions

This paper shows that corruption RAPs are more likely to be initiated by political actors when the accused MP’s party is weakened electorally: conditional on parties losing vote shares, there are more political leakers, compared to non-political actors, that explicitly accuse an MP through a RAP. Against this backdrop, the reader might conjecture that losing electoral support is a necessary condition for any RAP to be initiated (and not only political ones). Future work could explore whether weakening parties receive more attacks through investigations in absolute terms by augmenting our dataset to include all MPs in a legislative term. This would allow us to answer the question of whether weaker parties are more likely to be subject to any RAP.

One might wonder why strong parties are less targeted by denunciations, compared to weakening parties. We hypothesized that targeting weakening parties helps political leakers to break their opponents’ strongholds. Weaker parties also represent a lower risk for the leaker: as the party power declines, the leaker fears less retaliation (strong politicians and parties may possess assets to damage the leaker, such as the semi-fictional archive of Giulio Andreotti that we mentioned above). Beside this, attacking a strong party in a stronghold may not be a rewarding choice. That party’s strength, in fact, can also be due to clientelism and patronage, two elements that are associated with corruption practices. Attacking that party via corruption trials can be meaningless, if its local strength rests on such practices too. Conversely, if the party is weakening, its ability to

²³ The RAP against Andreotti that was based on the Mafia informant Tommaso Buscetta.

²⁴ 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 monotonic. 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.

rely on clientelism can decline too, opening up new opportunities to break its stronghold.

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 denunciations as a cause of electoral insecurity. Typically, voters are informed of an MP's corruption by media coverage of the judicial inquiry that is initiated by — and does not precede — a RAP. Without this knowledge, this information on corruption cannot influence 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 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 produce scandals? While we do not systematically trace media coverage of each case of investigation, a query in news' archives suggests that they often results in scandals affecting the investigated MP.²⁵ Recently, the former Minister of the Interior Matteo Salvini received a RAP for kidnapping that received massive coverage.²⁶ Over the past few 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 daily media coverage of investigations.

In light of this, future research could further explain the link between political leakers, judicial investigations and media coverage to understand the role that judges and journalists can have in damaging the image of a politician and her party. One promising research avenue is the analysis of the aftermath of denunciations, to test how often each RAPs leads to scandals and what consequences the politician suffers. In particular, to establish whether RAPs weaken the position of the accused, one could measure variation in individual preference votes (when allowed by the electoral system). This evidence would be normatively important to establish whether accountability is effective in the setup we analyze.

²⁵ 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.

²⁶ The RAP was related to the immigration crisis following Salvini's decision to shut ports to a migrant rescue ship.

7. Conclusion

This paper studies political scandals through the strategic use of denunciations, 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 it advantageous to publicly denounce their cronies' corruption for their political gains.

We do not intend to dispute the merit of judicial investigation. Our results simply provide evidence that judicial investigations are exploited by political enemies under certain conditions. Voters are most likely to punish investigated politicians (potentially making errors of inference) when the MPs' parties weaken, penalizing alleged misbehavior that results from political opponents' attacks. This strategic use of investigations scales down the (partially) positive effect of accountability found by the literature, at least when incentives for political attacks are strong.

We focus on Italy because of the richness of the data available. However, 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 Committee on Ethics in 1964, granting it 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 scholars should evaluate whether some of these investigations could be driven by political reasons.

By revealing the underlying corruption of its politicians, major political scandals (e.g., *Mani Pulite*) precede the end of political systems. We propose a refinement to this observation: scandals triggered by major judicial investigations are only possible when it is already too late, i.e., when the political system is already collapsing. Corruption might be present in the background and not emerge until the right circumstances create a window of opportunity. We show that a party's negative electoral performance at the local level opens a window for corruption revelation by political enemies.

More generally, our findings can inform the literature on the stability of political regimes and on government

survival by showing that politicians are more willing to leak when the political system has already weakened, whereas they do not risk to denunciate misbehavior if the system retains a persistent support. As such, our results can be applied to study the potential crisis of ruling parties in dominant-party systems, such as Japan, Mexico or Canada, as well as in Catalonia or Bavaria, at the regional level. Finally, our paper provides an explanation for why corruption scandals did not trigger the collapse of dominant ruling parties, suggesting that the actual level of corruption in such political systems might be underestimated.

While our focus is on the difference between political and non political accusation, we conjecture that this mechanism is more general: a weaker political system can trigger the emergence of corruption revelations (Tangentopoli) that are initiated by both political and non-political actors. The end of the First Republic corroborates this view: major judicial investigations were only possible precisely when parties had already been severely weakened by other factors. Ultimately, the Italian case suggests cautious optimism about the effects of judicial investigations on political accountability.

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A. Italian 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 intra-party competition among candidates (Carey and Shugart, 1995) and encouraged party factionalism (Chang, 2005). Depending on the size of the district, 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 intra-party competition between factions) was blamed as a source of corruption and votes 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. As the results will show, parties' local power is a crucial determinant of the use of judicial investigations by politicians, with political RAPs targeting MPs in weakening district.

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, populist and radical parties. These new parties partially originated in reaction to the "cartelization" that characterized the First Republic. They were also fueled by waves of corruption scandals triggered by judicial investigations that linked politicians to parties' public funding and other abuses of office.

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-member-districts 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 the fundamental change in the party system that defined 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 centrist parties — became polarized between parties on the right and left.²⁷ Furthermore, the single-member-districts allowed local politicians to build strongholds and keep their seat in subsequent elections. A new electoral law (named *Porcellum*, later deemed unconstitutional) overturned this system in 2005 by restoring full (closed-list) propor-

²⁷ The political center was 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.

tional representation, which increased the power of party leaderships in the face of backbenchers. 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. Finally, in 2017 the electoral law changed again. The new law, called *Rosatellum* is based on a mixed system, with 37% of seats allocated in plurality single-member districts and the remaining assigned through closed-list proportional representation.²⁸

B. 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** [0.023]	0.049** [0.023]	0.049** [0.023]
Opinion Crime	0.977*** [0.201]	0.982*** [0.204]	0.980*** [0.204]
Electoral Loss × Opinion Crime	-0.059* [0.033]	-0.069** [0.034]	-0.069** [0.034]
Party Size	0.037	0.038 [0.047]	[0.047]
Government		-0.539 [0.555]	-0.542 [0.556]
External Support		-0.431 [0.549]	-0.410 [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 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.

²⁸ the changes in the political system also coincided with a constitutional reform that changed the reasons to request RAPs, which contributed to diminish the overall recourse to RAPs.

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** [0.026]	0.061** [0.027]	0.060** [0.027]
Opinion Crime	1.291*** [0.232]	1.306*** [0.236]	1.306*** [0.236]
Electoral Loss × Opinion Crime	-0.069* [0.036]	-0.081** [0.037]	-0.082** [0.037]
Party Size	0.046	0.050 [0.049]	[0.049]
Government		-0.598 [0.578]	-0.619 [0.581]
External Support		-0.520 [0.571]	-0.431 [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 Use of 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 Saliency			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.

Table 8: Political Use of Investigations and Time Elapsed from Crime - with Party Fixed Effects

	(1)	(2)	(3)
Political Leaker	435.678*** [84.586]	435.732*** [84.648]	433.441*** [84.634]
Opinion Crime	-1,020.582*** [98.214]	-1,012.189*** [98.894]	-1,012.211*** [98.856]
Political Leaker × Opinion Crime	-375.112*** [129.099]	-372.702*** [129.173]	-364.518*** [129.279]
Electoral Loss	-12.171 [8.301]	-13.124 [8.492]	-12.247 [8.516]
Party Size		2.330 [19.083]	0.582 [19.124]
Government		18.470 [217.498]	37.605 [217.918]
External Support		333.441 [220.054]	272.030 [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 9: Political Use of Investigations and Time Elapsed from Crime, Interacted with Days to Election - with Party Fixed Effects

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

Marginal Effect of Political Leaker on Time Elapsed from Crime to RAP

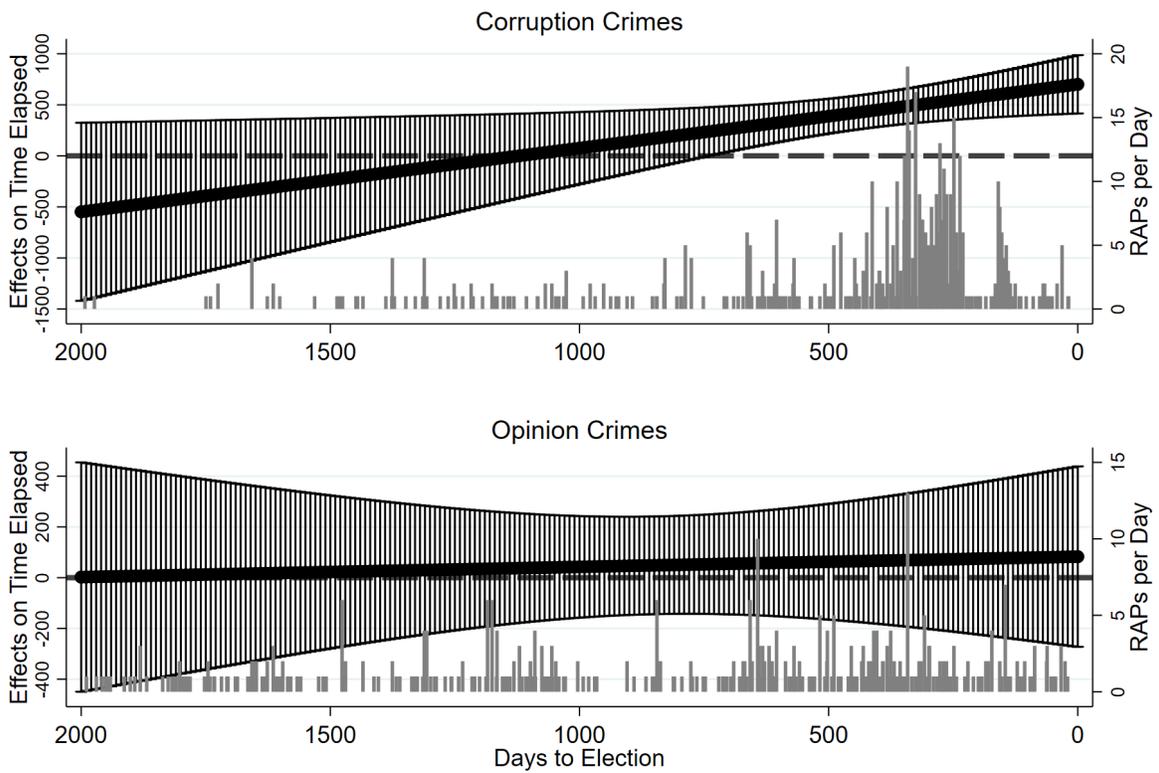


Figure 5: Marginal effects of time elapsed from crime in days, for both corruption and opinion crimes.

Table 10: Political Area (Left, Center or Right) of MPs and Political Leakers

	Political area of leaker			Total Attacks
	Left	Center	Right	
Left MPs	82	36	44	162
Center MPs	54	33	14	101
Right MPs	21	5	23	49
Total	157	74	81	312

Notes: The Center political area includes the following parties: DC, PPI and UDC. The Right political area includes: MSI, PDL, Lega, AN, Forza Italia and PLI. The Left political area includes: PCI, DS, Democrazia Proletaria, IDV, La Rete, PD, PDS, PR, PSDI and PSI.

CAMERA DEI DEPUTATI Doc. IV N. 114

DOMANDA DI AUTORIZZAZIONE A PROCEDERE IN GIUDIZIO

CONTRO IL DEPUTATO

GORIA

PER CONCORSO — AI SENSI DELL'ARTICOLO 110 DEL CODICE PENALE — NEI REATI DI CUI AGLI ARTICOLI 61, NN. 2 E 7, 81, CAPOVERSO, 112, NN. 1 E 2, E 314 DEL CODICE PENALE (PECULATO CONTINUATO E PLURIAGGRAVATO), AGLI ARTICOLI 61, NN. 2 E 7, 81, CAPOVERSO, 112, NN. 1 E 2, DEL CODICE PENALE E 2621 DEL CODICE CIVILE (FALSE COMUNICAZIONI CONTINUEE E PLURIAGGRAVATE) ED AGLI ARTICOLI 61, N. 2, 112, NN. 1 E 2, DEL CODICE PENALE E 216, 219 E 223 DEL REGIO DECRETO 16 MARZO 1942, N. 267 (BANCAROTTA FRAUDOLENTA PLURIAGGRAVATA)

TRASMESSA DAL MINISTRO DI GRAZIA E GIUSTIZIA
(VASSALLI)

il 24 maggio 1989

*All'onorevole Presidente
della Camera dei Deputati*

Roma

Roma, 19 maggio 1989.

Il procuratore della Repubblica presso il tribunale di Milano, per il tramite della procura generale della Repubblica presso la corte d'appello di Milano, mi ha

inviato l'allegata richiesta di autorizzazione a procedere nei confronti dell'onorevole Giovanni Goria per la trasmissione alla Camera dei deputati.

Provvedo, pertanto, a trasmettere tale richiesta con gli atti del procedimento (fascicolo n. 793/85 F R.G.G.I. del tribunale di Milano).

Il Ministro
VASSALLI

*All'onorevole Presidente
della Camera dei Deputati*

Roma

Milano, 13 aprile 1989.

Il giudice istruttore presso il tribunale di Milano, dottor Giorgio Della Lucia, nell'ambito del processo n. 793/85 F G.I. a carico di Alamia Francesco Paolo + altri, pendente presso il suo ufficio, con ordinanza di formalizzazione *ex* articolo 74, terzo comma, del codice di procedura penale del 16 marzo 1989, ha imputato l'onorevole Giovanni Gorla, deputato al Parlamento, di concorso in una serie di reati (peculato aggravato continuato, falso in bilancio e bancarotta fraudolenta aggravata) nella sua qualità di sindaco della Cassa di Risparmio di Asti e in relazione al fallimento della Bresciano s.p.a. (già s.a.s.).

La posizione del predetto parlamentare era già stata oggetto di archiviazione sia da parte del giudice istruttore di Asti (19 febbraio 1984), sia dello stesso giudice istruttore di Milano, su conforme richiesta del pubblico ministero (25 gennaio 1988).

Sui « nuovi elementi » prospettati dal giudice istruttore (memoria Olandini,

contro-memoria Crenna, denuncia Rapisarda e esposto dell'onorevole Staiti di Cuddia), questo ufficio aveva formulato, in data 1° marzo 1989, richiesta di archiviazione.

Su difforme parere del pubblico ministero, il giudice istruttore ha deciso, invece, di procedere con formale istruttoria e di formulare specifici capi di accusa contro l'onorevole Giovanni Gorla nei cui confronti sollecita l'autorizzazione a procedere (v. relazione sui fatti del giudice istruttore in data 16 marzo 1989).

Per dovere di ufficio, dunque, e indipendentemente dalla diversa opinione di questa procura della Repubblica sul merito della prefigurata azione penale, inoltre a codesta onorevole Presidenza la richiesta di autorizzazione a procedere nei confronti dell'onorevole Giovanni Gorla per i reati ravvisati dal giudice istruttore nella sua ordinanza di formalizzazione del 16 marzo 1989.

Si trasmettono gli atti qui inviati dal giudice istruttore con relativi allegati (n. 19).

Il procuratore della Repubblica

FRANCESCO SAVERIO BORRELLI

REQUEST OF AUTHORIZATION TO PROCEED

AGAINST THE DEPUTY

GORIA

FOR THE CRIME 110 OF THE PENAL CODE (CONTINUOUS AND MULTIPLE EMBEZZLEMENT); FOR THE CRIME 2621 OF THE CIVIL CODE (CONTINUOUS AND MULTIPLE FALSE COMMUNICATIONS); FOR THE CRIME 61 OF THE PENAL CODE (FRAUDULENT BANKRUPTCY)

TRANSMITTED BY THE MINISTER OF JUSTICE
(VASSALLI)

MAY 24th, 1989

To the President of the Chamber of Deputies, Rome

The prosecutor Giorgio Della Lucia, investigating the case n. 793/85 in Milan, accused the honorable Giovanni Goria, member of the Parliament, of concurrence in a series of crimes (embezzlement, false accounting and bankruptcy) in his capacity as mayor of Cassa di Risparmio di Asti and in relation to the bankruptcy of the Bresciano holding.

The position of the MP had been archived by the prosecutor of Asti and the prosecutor of Milan (January 25th, 1988). In view of the new elements presented by the prosecutor (Olandini memoir, counter-memoir Crenna, Rapisarda complaint and the complaint by the deputy Staiti di Cuddia) this office asked to archive the request. Despite the different opinion of the public prosecutor, the Milan prosecutor (Della Lucia) decided to proceed with a formal investigation and to formulate specific charges against Goria. Therefore, I forward to the Presidency the request of authorization to proceed with the investigation of the honorable Giovanni Goria for the crimes recognized by the prosecutor.

Attorney of the Republic
FRANCESCO SAVERIO BORRELLI