



# Law enforcement and political participation: Italy, 1861–65<sup>☆</sup>



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## ABSTRACT

Does tougher law enforcement positively affect political participation? This paper addresses this question, which hinges upon the causal impact of formal institutions on informal ones, by using a historical event from 19th century Italy. This event was the Pica Law, which was introduced in 1863 to fight a surge of criminal violence in Southern Italy and to ensure a safer environment for wealthy people, the only ones allowed to vote at that time. Our main finding, obtained using a spatial regression discontinuity technique in a diff-in-diffs framework, is that voter turnout greatly increased in those areas where the Pica Law was applied, compared with bordering and otherwise similar areas. This result is confirmed by a number of robustness checks and placebo exercises and turns out to be persistent over time.

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## 1. Introduction

Formal and informal institutions are often considered important in explaining wide differences in economic development across countries and regions. *Formal* institutions, such as law enforcement and protection of property rights, may favor saving, investment, and innovation rates (Acemoglu et al., 2001, 2005). *Informal* institutions, like cultural values of cooperative behavior and mutual trust, may support economic exchanges and innovation (Guiso et al., 2008; Tabellini, 2008; Knack and Keefer, 1997; Gorodnichenko and Roland, 2011a,b).

This paper studies empirically the interaction between formal and informal institutions, asking in particular whether a tougher law enforcement may strengthen an informal institution like citizens' willingness to vote at general elections. Indeed, turning out on the election day is often considered to be an act of civiness, driven by the genuine desire to contribute to the functioning of the political system. As Tabellini (2008) points out, turning out on election day is the typical situation

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in which “individuals behave contrary to their immediate material self-interest, [...] because they have internalized some norms of good conduct.”<sup>1</sup>

The idea that formal and informal institutions may influence each other is not new in the literature, especially from a theoretical perspective. On the one hand, cultural values are generally seen as a constraint in the political process that shapes formal institutions (Roland, 2004). Putnam et al. (1993) argues that the performance of (formal) Italian regional governments is closely related to the local endowments of trust and cooperation. On the other hand, the ability of a state to protect a single person from violence or exploitation by another individual or group of individuals may be an essential determinant of a his/her willingness to cooperate with others (Tabellini, 2008; Accetturo et al., 2014).

On empirical grounds, the evidence is more scant and definitely weak. When based on cross-country analyses, there are obvious identification issues: as argued by Guiso et al. (2008), “when we observe that Swedes evade tax less than Brazilians, we do not know to what extent this is the effect of Sweden’s higher social capital or superior tax enforcement.”

We solve these identification issues using a historical event of an increase in law enforcement in some areas of Southern Italy in XIX century, and estimate the causal impact on changes in voters’ turnout in general elections.

After Italy’s unification in 1861, an insurgency movement spread out in the interior parts of the continental South (that is *Mezzogiorno*, excluding Sicily and Sardinia islands): although the uprising had political origins, it was, and still is, labeled as “brigandage”. Brigands aimed their acts of violence against rich landowners and petty bourgeois, which were the only affluent individuals in a mostly agricultural world and were considered as turncoats for being responsible for Italy’s unification. Importantly for our purposes, the people subject to violence were also the only ones allowed to vote in parliamentary elections, as the electoral law limited the active electorate to the more affluent and lettered male citizens (2 percent of the total population).

To oppose brigandage, in 1863 the Italian government established the martial rule in some provinces of the South. This was the so-called Pica Law (henceforth, PL), named after its proponent, Giuseppe Pica. For our identification purposes, the Italian situation at that time and PL have two important merits. First, PL was a hasty (and, somehow, clumsy) response to brigandage. The government did not have time to re-draw administrative maps and therefore used ancient provincial boundaries to define the areas of enforcement of PL. This implies that the provinces “treated” by PL comprised core (generally, rugged) areas where the fighting between brigands and the army was more intense, and a sort of periphery, which was not directly touched by brigandage but was used at most as a buffer zone where the army retained the possibility to trail and chase fugitive criminal bands. In these peripheral areas, usually located on the border with provinces that were “non-treated,” police forces were engaged in the prevention of crime to deter the spread of brigandage. In other words, neighboring areas in treated and non-treated provinces were different because only in the former ones crime prevention activity and overall safety increased thanks to PL. This allows us to use a difference-in-differences approach in a spatial regression discontinuity framework (Dell, 2010) for a clean identification of the causal impact of law enforcement on electoral turnout. A second advantage derives from the fact that PL has been introduced in 1863, that is only two years after the establishment of a stable parliamentary system for Southern citizens in centuries. This feature guarantees that habit formation in voting is not an issue for us, contrary to what found by a large literature highlighting the importance of past levels of electoral turnout in predicting current ones (Bendor et al., 2011). This excludes that deep-rooted voting habits may bias our estimates.

We find that PL generated a rise in electoral turnout between 11 and 14 percentage points from 1861 to 1865 in treated areas as compared to non-treated ones. This is a sizable effect in a period in which the percentage of eligible voters showing up at polls averaged around 60 percent. This result is confirmed even when we take into account local geographical or economic characteristics and is not driven by contamination effects or omitted variable biases. We also rule out alternative explanations: since higher turnout did not entail a change in the political balance among parties, we can exclude that PL rose the incentives to be connected to the ruling party as in electoral models with private rent-seeking (see, among others, Fisman, 2001; Diermeier et al., 2005; Ferguson and Voth, 2008; Acemoglu et al., 2010). Lastly, PL had also long-lasting effects: treated municipalities displayed statistically significant larger turnout rates for almost 30 years after the repeal of the law. This is consistent with the idea that historical events can have persistent social and economic consequences which, in turn, may also affect the economic development of an area (Nunn, 2009).

As for all papers based on very specific historical events, one important issue is the external validity of the results. In other terms, how can the estimated effects of a ruthless martial law applied at the end of the XIX century in a just unified and still underdeveloped country be policy-relevant nowadays? To answer this question, we first of all notice that our identification strategy comes to help. We identify the effect using as treated areas border regions where there was no extreme application of the martial law but more simply a safer context not too dissimilar from what nowadays would be implemented through a careful control of the territory by the police. Thus the finding that a police-induced safer environment is a determinant of voter turnout is interesting for those places where the relationship between state capacity and civiness is still an open issue (see Glaeser and Sims, 2015, 2015; Gibbons, 2004, 2004; Glaeser, 2011, 2011).<sup>2</sup> Admittedly, Italy’s unification represents a very specific phase of the evolution of voting preferences – one in which Italians were called to form new political preferences,

<sup>1</sup> Observed levels of turnout rates can be hardly explained by rational choice theory (instrumental voting) (Geys, 2006; Dhillon and Peralta, 2002). Instrumental voting implies that the individual’s expected benefits for contributing to elect the most preferred candidate should be discounted by the probability to be the pivotal voter (which is low even in small electorates) and by the presence of positive costs to go to vote.

<sup>2</sup> In Appendix A, we provide some evidence based on cross-country data about the relation between law enforcement and political participation nowadays.

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