

# TIME

## Silvio Berlusconi Convicted of Having Sex With Underage Prostitute. But Will He Go to Jail?

By Alessandro Speciale / June 24, 2013

A lower court in Milan sentenced former Italian Prime Minister Silvio Berlusconi to seven years in jail for paying for sex with a minor and covering it up — but don't expect the media tycoon to go to prison anytime soon.



After a trial that lasted more than two years, the 76-year-old billionaire was found guilty by a panel of three female judges, who also banned him from holding public office. But in Italy's three-tier court system, Monday's sentence will only come into effect if it is upheld by two other courts after a lengthy appeals process.

When the sentence was read out, a small group of protesters started celebrating in front of Milan's tribunal, while politicians from Berlusconi's center-right People of Freedom party immediately dismissed the sentence as the latest installment of what they have described as Berlusconi's "persecution" at the hands of Italy's leftist judiciary.

In his 20 years at the forefront of Italy's politics, the four-time Prime Minister has been through this before. In May, a four-year conviction for tax fraud was confirmed by an appeals court, but this sentence too will have to be reviewed by Italy's highest court. So far scandals and court cases haven't been able to stop his career.

This time, the case revolved around the notorious "Ruby the Heartstealer," a Moroccan nightclub dancer that attended "bunga bunga" sex parties in Berlusconi's luxurious villa outside Milan. According to the conviction, the former Prime Minister paid for sex with her in 2010 when she was still a minor — something both she and Berlusconi denied but that according to prosecutors was confirmed by several witnesses and wiretaps. Over 30 young women — who each received several thousand dollars —

attended Berlusconi's parties, performing stripteases, burlesque dances and allegedly touching his "intimate parts," according to witness statements compiled by prosecutors.

Moreover, Berlusconi was accused of abusing his office power when he secured her release from a Milan jail after she was arrested for theft. He told policemen that she was the niece of Egypt's now deposed strongman Hosni Mubarak. According to the Italian press, the entrepreneur turned politician was hardly surprised by his conviction.

In fact, a guilty sentence by Milan's tribunal plays into the narrative of judicial persecution he has been repeating ever since his court scandals began almost 20 years ago. "Berlusconi's defense is that he has no confidence in Italy's judges. And his voters share this mistrust," says Giovanni Orsina, professor of history at LUISS Guido Carli University in Rome and author of a book on Berlusconi's role in Italian politics. "This is just the latest chapter in a book we have already read," he added, saying in the short term the conviction won't change much for Berlusconi — or for Italy's wider political landscape.

After elections in April failed to produce any clear winner, Berlusconi's People of Freedom party signed up to an uneasy alliance with the center-left Democratic Party. The vote had demonstrated Berlusconi's exceptional political resilience — as well as his capacity to create a strong personal connection with Italian voters, his roguish charm papering over the many scandals that have plagued his years in power. Today, even if he had to relinquish the premiership to the Democratic Party's Enrico Letta, Berlusconi is a key power broker, able to set much of the government's agenda since the votes of his party are key to the government's survival.

In 2012, after his latest government was forced out for its inability to deal with Italy's debt crisis, Berlusconi had apparently retired from public life. He spent several reclusive months away as his party collapsed over internal squabbles and enjoyed a vacation at the Kenyan resort of Flavio Briatore, a friend and debonair businessman.

But he unexpectedly came out of retirement to stage a dramatic political comeback in time for this year's April polls as Italians fumed at the inefficacy of Mario Monti, the technocrat who succeeded Berlusconi. Through the sheer force of his own charisma and energy, Berlusconi managed to almost plug his party's 20% gap behind the Democratic Party ahead of April's vote.

Now, despite the guilty verdict, Letta's tenuous centrist coalition government should remain intact. "Berlusconi is under siege, and he will definitely want more bang for his buck when it comes to the alliance [with the Democratic Party]. But he probably won't want to pull the plug on the government just now," says Orsina.

The former Prime Minister faces a long series of court cases in the coming months. On Thursday, Berlusconi will have to appear in front of a Naples tribunal for allegedly buying a Senator's support ahead of the confidence vote that marked the end of the government of his rival Romano Prodi in 2008.

But the real crunch for him could come in autumn, when Italy's higher court, the Corte di Cassazione, will rule on his conviction by Milan's appeals court for tax fraud. If the sentence is confirmed, it would

finally become effective, with Berlusconi losing his place in Parliament and the possibility of running for office for the next five years. Even in that case, though, Orsina says he wouldn't go to jail. "He is over 70. He could be sent to house arrest or do some community service."

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