



**CENTRAL EUROPEAN  
POLITICAL SCIENCE  
REVIEW**

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## INTRODUCTION

of the editor-in-chief

Dear Reader is holding the **Vol. 27. No. 103 of the Central European Political Science Review (CEPSR – CEPoliti Review)**. 27 years is a long time in the life of a person, but perhaps even more in the life of a magazine, since only a few quarterly survive the ordeal this age. Today, **CEPoliti Review** is the oldest, and one of the most prestigious, most cited journals in the Central European region. This is also proven by the fact that in Italy the CEPSR it was classified as category “A” in 2023.

Title of issue 103 is **NEW CHALLENGES TO DEMOCRACY**. The authors illuminate this topic from several angles. Josep M. Colomer Analyzing Trump’s impact to the New Fragmented multipartyism in the USA Challenges to Democracy (To Survive Trump and the New Fragmented multipartyism). János I. Tóth considers Population Decline to be the greatest threat to our contemporary democracies. (Fertility Decline, Modernization and the Limits of Family Policy in OECD Countries). Others, such as Zsolt Varga and Corrado Cassani, advocate a more thoughtful adaptation of new technological challenges and methods.

We would like to thank those who helped our work to **Prof. Laurence Whitehead**, who has been the President of the **CEPoliti Review** International Advisor Committee since its foundation.

The aim of **CEPSR** has been and will continue to be to strengthen the spirit of Central European identity, dialogue, and cooperation in the field of scientific and cultural life. We are open to all topics from which the researchers of our region can learn and, if necessary, debate, because we are convinced that instead of one-sidedness and bias, dialogue and debate move scientific thinking forward. (see more: [cepsr.eu](http://cepsr.eu))

**János Simon**

Founding editor-in-chief  
(since 2000)

# NEW CHALLENGES TO DEMOCRACY

*Josep M. Colomer*

## Challenges to Democracy

### To Survive Trump and the New Fragmented multipartyism

#### 1. Ignore social media and much of the daily news

It has now been a year since Donald Trump's second inauguration. I offer a few suggestions to alleviate the anxiety and fear he seems to produce. To understand Trump, you only need to read his little book *The Art of the Deal*: threaten and scare with outrageous demands so that the intimidated parties agree to a more modest deal that is advantageous to him.

What matters are the decisions and actions, not the constant blah blah blah. Thus, NATO partners agreed to increase defence spending, but in ten years, when none of the current leaders will be in office. Trump threatened tariffs of 50% and 30% on Europe and China, but an average of less than 15% is being applied to overall foreign trade. The so-called Department of Government Efficiency achieved only 5% of the reduction in public spending it had announced. Repatriations and deportations of undocumented immigrants during 2025 were fewer than those carried out annually during the last two years of Joe Biden's presidency; what has increased are the voluntary returns of frightened individuals. The U.S. already has a military base in Greenland, from which it will compete with Russia for navigation in the Arctic.

#### 2. Consider the structures

To confirm the strength of the country. For a hundred years, the United States, with less than 5% of the world's population, has generated around 25% of the global economy. Its advantage is especially pronounced in high-tech sectors. It is the leading country in industriousness, productivity, and creativity; since my first stay in this country, I understood that the key to success is that the vast majority of Americans work, they work more hours a day and more

days a year, and when they work, they are more focused and motivated. It's not difficult to compare. The United States also accounts for 37% of global military spending, develops new weapons technologies, and no longer sends soldiers to fight. No empire in history was simultaneously first in both economy and military strength, with the sole exception of ancient Rome, whose decline lasted more than four hundred years.

#### 3. Appreciate the solidity of institutions and civil society

The system is sustained by the independence of the judges, including seven of the nine members of the Supreme Court, who have blocked half of Trump's executive orders on immigration, deployment of the National Guard in large cities, clean energy, electoral rules, childcare, and are pending judgment on another quarter, including tariffs. The vitality of the largest cities, many states, much of the media, and the vast majority of universities is noteworthy.

Trump's rhetoric and threats baffle everyone, but they also make him lose credibility. Republican congressmen rejected Trump's order to approve the budget with fewer than 60 of the 100 senators and have broken the presidential majority on issues of immigration, health insurance, scientific research, and plans for military intervention in Venezuela. Support for Trump has halved among registered independent voters (who make up 45% of the total), Hispanics, and African Americans. It is expected that in the midterm elections this November, the president's party will lose its majority at least in the House of Representatives, as in all elections in the last twenty years; the Democrats could block the presidential agenda and open investigations into his administration; Trump fears a third impeachment attempt. In 2028 he will be 82 years old and will not run for an unconstitutional third term.

#### 4. Study a little of the history of the United States

To see that instability has been a constant. The first period after independence led to one of the cruelest and deadliest civil wars in history, in which the country almost collapsed. This was followed by a period of institution building, economic growth, and massive European immigration. The Great Depression was another downturn. But victory in World War II and the subsequent hegemony

led the United States to its zenith. The 1960s and 70s, with the Vietnam War, the civil rights movements, and the assassination, resignation, and impeachment of presidents, were chaotic. There was a new period of resurgence in the 1980s and 90s with the dissolution of the Soviet Union and renewed global hegemony.

After September 11, 2001, the United States suffered a series of military setbacks and has adopted a semi-withdrawal from international affairs, distancing itself from Europe and focusing on the Western Hemisphere, also known as the Americas. If the country has been able to overcome all of this, it means it is unbreakable.

Our world is like a fluid soup in which fluctuating alliances and rivalries form among multiple empires, or, as Einstein said of the entire universe, like a flexible mollusk that undulates, stretches, folds, and contorts. Changes in the balance of power among the great empires have been the “normal” for most of human history, which is characterized by permanent instability and is unpredictable in the long term.

## 5. Beyond the Stars

When Albert Einstein was teaching at Oxford, one day he gave an exam with exactly the same questions as the previous year. His assistant was surprised, and the genius explained: “The questions are the same, but the answers have changed.”

Well, to some of the basic questions of physics, the answers are changing again. This affects what physicists call the standard model of cosmology, which is composed of three elements: the Big Bang, the expanding Universe, and the accelerating expansion. You may remember Stephen Hawking’s best-selling book about the Big Bang (or the funny TV series). Years ago, there was a debate in which Pope John Paul II supposedly told Hawking something like that science studies the Universe after the Big Bang, and theology would deal with what came before, arguing that there had been a Creator. But Roger Penrose, the oldest living Nobel laureate, resorts to Einstein’s famous formula which energy is a function of mass; if there was no mass, there could not have been energy. The Universe would have been born from nothing. Is the Universe, then, eternal?

The other discussion began recently concerning the other two elements. The 2011 Nobel Prize in Physics was awarded to Adam Riess and two colleagues for “the discovery of the accelerating expansion of the Universe.” However, last May, Riess stated in

an interview with *The Atlantic* magazine that the view of the Universe that earned him the Nobel Prize needs to be revised: “It smelled like something might be wrong with the standard model,” he said. Something unprecedented in the history of the Nobel Prizes!

I have had the pleasure of attending a lecture by Dr. Riess, who is a professor at Johns Hopkins University, and the honor of holding his Nobel Prize gold medal in my hand. What seems unclear is whether the expansion of the Universe is accelerating, and perhaps even whether it is expanding; it might even be contracting. In fact, the initial conjecture was that the expansion was slowing down, which could be explained, according to Einstein, by a supposed “dark matter” (which no one has seen, of course). But after observations using more powerful telescopes, it was conjectured that the Universe is expanding; the acceleration would then be explained by “dark energy” (which, naturally, no one has ever seen either).

The measurements are quite simple: the brighter a star appears in the telescope, the shorter the distance separating us from it is assumed to be. And the greater the distance, the greater the speed at which it is moving was supposed to be. The most recent change is that new telescopes see further, and the tentative formula relating distance to velocity is not being confirmed. It’s no longer even possible to confidently state the age of the Universe or its exact size. It is assumed that there are 100 billion galaxies, but some speculate that what has been observed so far is only 5%.

Start imagining: distance is measured in light-years, which is the distance traveled by light in one year at 300,000 kilometers per second, that is, about ten trillion kilometers (a 1 with thirteen zeros). The Big Bang is supposed to have occurred about 14 billion years ago, so some initial stars would be at a distance in kilometers with more than 20 zeros. When the astrophysicist observes one of these stars through the telescope, the star no longer exists; only a beam of light that it emitted and has continued traveling through space is seen. In the coming years, new telescopes are planned to be inaugurated that will further change the observations and the accumulated answers.

I’ve been interested in physics lately, even for my next book on global geopolitics. What fascinates me most is that astrophysics has achievements, but also many questions with changing answers, as in economics or political science. The mathematics of physicists are much simpler than those of some economists and political scientists who get entangled in equations that are no baroque, but rococo.

The model formulas of physics (starting with Newton's gravity or Einstein's relativity) include only three variables, related by the four elementary rules plus some squares or roots.

It is an old postulate that the social sciences should follow the model of the natural sciences. As early as the late 19<sup>th</sup> century, the English logician William S. Jevons proposed applying physical methods and ideas to economics to construct "physionomics" or a "social physics." The underlying intuition is that the results of human interactions can produce regularities similar to those that physicists observe in the natural world. After all, we human beings are part of nature and participants in the great cosmic chain of being. Thus, cosmology could help explain geopolitics.

But, as the saying goes, science advances one funeral at the time. The Big Bang theory attempted to answer the question of whether the Universe is eternal, as had been suggested from the Genesis to the Apocalypse. The current question, still without a clear answer, is whether it is also infinite.

## **6. Political parties follow a life cycle**

Like all human organisms, political parties follow a life cycle: the initial core grows and develops, reaches a peak, begins to decline, may rebound, though not as high as the previous peak, enters a fatal decline, and disappears (as studied by political scientist Alfred Cuzan).

In countries that have enjoyed democracy since the end of World War II, traditional governing parties have either collapsed or clung to one another to try to stay afloat. Perhaps the most spectacular case is the Italian Christian Democracy: in twelve elections since 1946, it was consistently the largest party, with as much as 49% of the vote, and was in government for 45 years. At their side, the largest Communist Party in a democratic country peaked at 34% of the vote, but after the collapse of the Soviet Union it collapsed as well. Members of both parties eventually formed the Democratic Party, which achieved a brief and modest rebound before the chaos that led to the governments of the Five Star Movement, which wasn't even a party but a social network, and to the current right-wing coalition.

In France, the Rallies of the Republicans and the Socialist Party alternated in the Presidency of the Fifth Republic for 50 years. But in the most recent elections, they have obtained less than 5% and 2% of the vote, respectively.

In Germany, too, there was a lasting two-party system, with the Christian-Democrats leading the way in 36 of the first 50 postwar years, competing with the Social-Democrats, who reached a peak in the 1970s. Yet, after the six most recent elections, four grand coalition governments have been formed; in the penultimate one, for the first time, three parties were needed to form a majority, and in the most recent election, the three parties in government, from the center and the left, lost votes, while the four opposition parties, of center-right, left, and far-right, gained votes.

Democracy in Northern Europe was less affected by the outbreak of World War II, so the Social-Democrats began their hegemony much earlier, with peaks of 57% of the vote in Sweden and Norway. But there have been alternations with right-wing parties for some time now, and in recent elections the Social-Democrats barely reached 25% of the vote.

## **7. The new multipartyism: less coherent and more disappointing coalition governments**

When a party goes into opposition, it loses support, and when its turn comes again, it wins with fewer votes than before, which generates further fragmentation and greater instability. These declines have become more pronounced since the 2008 financial crisis and the growing disconnect between traditional policies and the major technological, economic, social, and cultural changes underway. Global interdependence limits the ability of state governments to fulfill their campaign promises, leading to voter discontent and electoral defeats for governing parties (as we explain in the book *Democracy and Globalization*).

Of course, these trends are filtered through the electoral and institutional system. Britain's current Labour government received 63% of the seats with just 34% of the vote, the lowest percentage of votes for a governing party in 200 years, so it should come as no surprise that its approval ratings are plummeting.

In presidential countries like the United States, the tradition was for each president to be re-elected for a second term, but we've now had two consecutive defeats for the ruling party. In Mexico, the Institutional Revolutionary Party, after more than sixty years of dominance, was defeated by the National Action Party, but the two then allied in what critics called the PRI-AN and barely managed

to garner 28% of the vote. In Argentina, after several decades of Peronists and Radicals dominance, the increased party fragmentation in recent elections has twice led to a second-round runoff and the defeat of the traditional parties.

It is not entirely clear that the trend toward the defeat of traditional governing parties leads inevitably to the victory of the far right, which has already won and lost in Poland, has been sacked from government in Austria, the Netherlands, and Romania, and will likely lose soon in Hungary and Argentina.

A new fragmented multipartyism generates less coherent, more disappointing, and briefer coalition governments. Rotation and instability will continue.

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## **Fertility Decline, Modernization and the Limits of Family Policy in OECD Countries**

### **1. Introduction**

In the majority of OECD countries, the total fertility rate has remained persistently below the replacement level, which in many cases leads to natural population decline and accelerated population ageing. The issue is not merely demographic in nature but also a matter of public policy and strategy: are modern welfare states capable of achieving a meaningful and sustained fertility turnaround through family policy instruments? The aim of this study is to examine to what extent family policy systems in OECD countries influence fertility processes and whether structural limits constrain family policy interventions.

The Organisation for Economic Co-operation and Development (OECD) was founded in Paris in 1961. Today it comprises 38 member states with advanced market economies and a strong commitment to democratic principles. The OECD currently includes 26 European, six American, four Asian and two Oceanian countries. As OECD countries are at the forefront of economic and social development, the analysis of their demographic processes is important not only in itself but also for understanding broader trends.

The study first reviews global population trends and highlights the simultaneous decline in fertility and increase in migration. It then discusses the theoretical background of fertility decline, with particular reference to the first and second demographic transitions. Next, it focuses on regional differences in fertility within OECD countries, followed by an examination of the economic aspects of childbearing. Finally, the study reviews the family support systems of OECD countries and concludes with the important finding that, to date, no OECD country has succeeded in significantly and sustainably increasing fertility. The paper closes with a discussion. The study relies on various international databases. Although minor discrepancies may exist between data sources, these do not affect the underlying trends or the main conclusions of the analysis. The appendix at the end of the paper contains the names, short names,

and 2022 fertility rates of the 38 OECD countries. The average calculations presented in the study are also based on these data.

### **2. Global Demographic Trends: Fertility and Migration**

The aim of demography is to describe populations in quantitative terms, in contrast to disciplines such as ethnography, which also focus on cultural characteristics. Demographic change is often compared to a basin with two inflows—births and immigration—and two outflows—deaths and emigration. Immigration and emigration are sometimes combined under the term “migration.” This analogy provides a quantitative description of population change but does not account for ethnic and cultural differences. From a quantitative perspective, population change is determined by the four (or three) factors mentioned above. However, the capacity of each “pipe” is indirectly influenced by many additional variables—for example, mortality by life expectancy and fertility by the total fertility rate.

In line with modernization, life expectancy at birth has been steadily increasing, while infant and child mortality have declined globally, which—*ceteris paribus*—reduces overall mortality. This is one of the primary objectives and achievements of modernization and progress.

At the same time, the total fertility rate (TFR) has been declining worldwide. This is evidenced by fertility rates measured in 1950 and projected for 2025: the global TFR was 4.86 and 2.24, respectively; in Africa, 6.58 and 3.95; in Asia, 5.7 and 1.87; and in Europe, 2.69 and 1.41 (UNdata 2025). The downward trend in fertility is broadly universal. I therefore hypothesize the existence of a universal anti-natalist effect, although fertility is also influenced by numerous regional differences. This effect may stem from universal processes of modernization and development; however, modernization and development are not intended to reduce fertility—they operate rather as indirect and unintended side effects. The anti-natalist consequences of progress are difficult to recognize precisely because they are not deliberate.

Although fertility is declining everywhere, a significant distinction must be made between countries with fertility rates above and below replacement level. The former correspond to high-fertility regions (Africa and West Asia), while the latter include low-fertility regions (Europe, East Asia, and North America). Currently, two-thirds

of humanity live in countries where the fertility rate is below 2.1 children per woman (United Nations 2023 Summary of Results).

In high-fertility regions, birth rates are still rising, albeit at a slowing pace, whereas in low-fertility regions, birth rates are declining at an accelerating rate. According to projections, the global population will peak in the 2080s at 10.4 billion, after which a prolonged period of global population decline is expected (United Nations 2023 Summary of Results). Parallel to this development, demand for migrants is likely to increase, while their supply will gradually diminish. As a consequence, only the wealthiest Western countries may be able to rely on migration to maintain their population levels, whereas poorer low-fertility countries will be compelled to pursue fertility reversals.

The fertility rates of OECD countries range between 2.9 and 0.7 children per woman, with an average of 1.5. Based on TFR levels, OECD countries can be classified into four groups: high fertility (TFR > 2), moderate fertility (TFR 1.5–2), low fertility (TFR 1.3–1.49), and very low fertility (TFR < 1.29). Only one OECD country belongs to the high-fertility group: Israel, with a TFR of 2.9. Israel's fertility rate has fluctuated around 3 for decades. Although Israel is a special case in many respects, this example demonstrates that, in principle, even a wealthy and highly Westernized country can maintain high fertility. The moderate-fertility group includes 20 countries with an average TFR of 1.6, while the low-fertility group consists of 11 countries with an average of 1.35. Three very low-fertility countries—Italy, South Korea, and Spain—have an average fertility rate of 1.0 child per woman.

The average TFR in OECD countries has steadily declined over the past six decades, from 3.3 children per woman in 1960 to 1.5 in 2022 (OECD 2024 Summary). If this trend continues and the TFR halves again over the next sixty years, it will fall to 0.75 by 2080. With such low fertility, the next generation would be 30–65 percent smaller than the previous one.

The third major demographic trend of our time is the rise in migration. Since the 1970s, migration has increased due to labour market demands in high-income countries, particularly in low-fertility Western Europe. The European migration crisis that began in 2015 was triggered by the arrival of more than one million migrants and asylum seekers, many fleeing war and persecution in Syria, Afghanistan, and Iraq. In Germany, for example, the number

of immigrants that year (1.1 million) exceeded the number of births (0.7 million) (Politico 2016). At that time, the natural population decrease was 0.19 million, meaning that Germany admitted nearly six times as many people as would have been required for simple population replacement (Demography of Germany). Migration peaked again in 2022, when 6.1 million new permanent migrants arrived in the Western Hemisphere, representing a 26 percent increase compared to 2021. Mass immigration takes different forms: in Israel, it primarily consists of legally arriving Jews (aliyah); in Australia and New Zealand, of legally admitted workers; while in Western Europe, a significant proportion of immigrants arrive as asylum seekers.

Developed countries are divided into the issue of migration. At one end of the spectrum are Western countries, which are either immigrant nations (e.g. the United States, Canada, Australia) or former colonial powers (e.g. the United Kingdom, France, Belgium) and are generally open to large-scale immigration. At the other end are Japan and South Korea, whose primary objective is to preserve social homogeneity. Japan considers itself a homogeneous nation-state defined by one race, one ethnicity, and one language (AP 2024). The poorer countries of Eastern Europe are not primary destinations for migrants, and the majority of their populations oppose migration, especially in its illegal and unregulated forms. From the perspective of migration, a sharp contrast exists between the West and the East.

In the West, where low fertility is compensated by large-scale immigration, depopulation is not perceived as an immediate problem, and in some cases population growth continues. Western countries offset low fertility by increasing female employment, raising the retirement age, and admitting immigrants. As a result, they focus less on pro-natalist policies and more on the integration of migrants (OECD 2024, p. 22). In contrast, the East faces accelerating demographic decline, including population loss, labour shortages, and rural depopulation. For Eastern countries, the primary demographic objective is to increase fertility. The success of this effort is a matter of survival for these nations.

### **3. The Theoretical Background of Fertility Decline**

One direct cause of declining fertility is the postponement of child-bearing, a phenomenon observed in many OECD countries. The average age of mothers at the birth of their first child increased from 26 years

in 2000 to 29 years in 2022 (OECD 2024, p. 20). In countries such as Korea and Spain, the average has risen above 32 years. Delayed childbearing inevitably leads to smaller family sizes and a rise in childlessness. The proportion of childless women more than doubled between the 1935 and 1975 cohorts in several countries, including Japan, Canada, and France (OECD 2024, Figure 1.3).

The decline in total fertility rates across OECD countries is consistent with demographic transition theory. This theory was first developed by Warren Thompson in 1929 and later elaborated by Frank Notestein in 1945. According to the theory, traditional societies are characterized by an equilibrium of high birth and death rates, referred to as stage one of the demographic transition (in French terminology, the pre-transition state). In this stage, fertility is high but life expectancy is low. As countries modernize, industrialize, and improve public health, mortality declines first, while fertility and birth rates remain high, resulting in population growth during stage two. As modernization progresses further, fertility rates—and subsequently birth rates—begin to decline, marking stage three of the demographic transition. This situation characterizes parts of Africa and West Asia, where a more rapid decline in high fertility would be desirable.

The original demographic transition model predicted that in stage four (the post-transition state in French terminology), low birth and death rates would stabilize at a low equilibrium. However, in OECD countries—leaders in modernization—such stabilization did not occur. By 1985, the average fertility rate in OECD countries had fallen to 2.1 children per woman and continued to decline thereafter. Over time, birth rates also began to decrease further. Van de Kaa (1987) introduced the concept of the second demographic transition to describe this development. According to this theory, factors such as cohabitation, delayed marriage, and a shift toward individualism and self-realization contribute to ever-lower fertility rates in post-industrial societies. Education, career advancement, and personal autonomy increasingly take precedence, leading individuals to postpone childbearing or to have fewer children. This results in a general decline in the number of children per woman. Van de Kaa's theory therefore anticipates a long-term decline in total fertility rates.

In the United Kingdom, the demographic transition followed the standard model and unfolded over 150–200 years. In France, the decline in birth and death rates occurred simultaneously, thereby

avoiding a population explosion. In many OECD countries, such as Italy, Hungary, and Japan, modernization began much later, and the demographic transition consequently took place more rapidly. South Korea provides a particularly striking example: in the 1960s, fertility stood at six children per woman, but within six decades it declined by nearly ninety percent. One consequence of this late but rapid modernization is that the first demographic transition was immediately followed by the second demographic transition, and the total fertility rate has continued to fall steadily.

On the basis of these observations, the downward trend in fertility rates and the logic of demographic transition theory suggest that the total fertility rate is likely to continue declining spontaneously. In principle, it is not impossible for one or more low-fertility OECD countries to achieve and sustain a stable rate of 2.1 children per woman through a demographic turnaround. However, such a reversal would require a profound transformation of society, particularly within the reproductive regime.

#### **4. Regional Differences in Fertility**

There are significant differences in fertility rates across OECD countries and regions that merit brief consideration. East Asian countries have the lowest fertility rates in the world. South Korea's TFR stands at 0.7 children per woman, while Japan's is approximately 1.3 (OECD 2024, Figure 1.2, p. 17). Fertility rates are also very low in non-OECD countries in the region: China's TFR is 1.2, while Taiwan and Singapore both record rates around 1.0 (Jones 2019).

In these countries, childrearing is costly, especially in urban areas where housing and education expenses are high. Long working hours and demanding jobs leave limited time for family life and parenting. Many individuals prioritize education and career advancement, postponing marriage and family formation. In these societies, only a small proportion of children (2–3%) are born outside marriage, compared to over 40% in the European Union (Lutz 2019). Thus, while East Asian societies are sufficiently modern to delay marriage, they remain relatively traditional regarding childbearing outside marriage. This combination is particularly detrimental to fertility levels and can also be observed in Southern European countries.

For a long time, the Japanese government hoped that fertility would remain above 1.6 children per woman, but this expectation was

not fulfilled. The “1.57 shock” of 1990 marked a turning point, and despite various government programs (1994, 1999, 2000), as well as consultations with international organizations in 2009, no substantial improvement was achieved. In 2023, Japan, with a population of 124 million, had a TFR of 1.2; 770,000 babies were born, and the population declined by 600,000. The natural decrease rate was  $-6.9\%$ .

Despite these challenges, Japan and South Korea do not have the worst demographic indicators. Japan’s population began to decline only in 2011, while South Korea’s has only recently started to shrink. This delay is largely due to the previously high proportion of women of childbearing age, steadily increasing life expectancy, and limited emigration. However, both countries face severe ageing problems: Japan’s median age is 48, the share of young people is low, and the proportion of dependents is high. When a young woman leaves the labour market to have a child, she moves from being a breadwinner to a dependent, a shift that societies with ageing populations can increasingly ill afford.

In Southern European countries, the average fertility rate is approximately 1.3 children per woman. Italy has experienced natural population decline since 1993, and its total population began to decrease in 2015. In Spain, natural population decline started in 2015, although the total population has not yet begun to shrink (Demography of Italy and Spain).

These countries are characterized by relatively weak family support systems, high youth unemployment, and cultural norms that continue to favour traditional gender roles within a modern economic context. Many young adults, particularly those in their thirties, live with their parents due to economic constraints such as high housing costs and limited employment opportunities. This delays marriage and childbearing, contributing to persistently low fertility. However, the demographic situation in Southern Europe is not as severe as the low fertility rate alone might suggest. As in Japan and South Korea, the positive effects of increasing life expectancy and a previously high proportion of women of childbearing age have delayed overall population decline, and rising immigration partly or fully offsets natural decrease.

Post-communist countries display similar demographic patterns. Communist modernization in Eastern Europe reduced fertility at a pace comparable to capitalist modernization in Western Europe. Benjamin Wattenberg famously stated that “capitalism is the best contraceptive.”

However, the data suggest that communism and post-communism may have been even more effective in lowering fertility.

The economic and social crises following the collapse of communism led to a sharp decline in fertility, which was corrected only a decade later. These countries face additional demographic challenges due to relatively low life expectancy and large-scale emigration. Mass immigration is not typical in this region, as migrants tend to move toward wealthier Western European countries. Moreover, Eastern European societies and nation-states generally exhibit scepticism toward large-scale immigration.

In 1963, Hungary’s birth rate fell to 13.1 per thousand, the lowest in the world at that time (Bor 1963). During this period, experts and policymakers displayed what could be described as “official optimism,” frequently emphasizing that low birth rates and fertility were temporary deviations that, according to the “inherent laws of demography,” would soon correct themselves. This did not occur. Birth rates continued to decline, and in 1981 Hungary became one of the first countries to experience sustained population decrease. The country’s fertility rate has halved approximately every fifty years: 5.32 in 1900, 2.52 in 1950, and 1.32 in 2000 (KSH 2023). If this trend continues, the TFR could fall to 0.66 by 2050. This downward trajectory persists despite long-standing comprehensive family policy measures. Hungary’s population, once 10 million, is now 9.5 million; the annual population decrease is 42,000, the natural decrease rate is  $-4.4\%$ , and the TFR stands at 1.5 children per woman (Demography of Hungary 2023).

Among OECD countries, post-communist states face some of the most unfavourable demographic prospects. With the exception of the Czech Republic, nearly all post-communist OECD countries are experiencing population decline due to a combination of relatively low life expectancy, rising emigration, and minimal immigration. Currently, 21 countries are undergoing population decline, including 11 OECD members: six post-communist countries (HUN, LVA, LTU, EST, SVK, POL), three Southern European countries (GRC, ITA, PRT), and two East Asian countries (JPN, KOR).

The Baltic states are experiencing the fastest rates of population decline, and their small population size increases their vulnerability. For example, Latvia’s population decreased from 2.6 million in 1990 to 1.8 million in 2023, with a natural decrease rate of  $-7.2\%$  in that year (Demography of Latvia 2023). Among OECD countries,

Hungary's rate of population decline is the second fastest after the Baltic states.

Although the five Nordic countries (DNK, FIN, ISL, NOR, and SWE) have long been renowned for their comprehensive and progressive family support systems, their average TFR had fallen to 1.5 by 2022, matching the OECD average. Moreover, this average is significantly influenced by migration. With generous parental leave, paternity leave, and extensive childcare systems, these countries have long been regarded as models of work–life balance. Nevertheless, fertility rates have been declining since the 2010s and currently range between 1.3 (Finland) and 1.6 (Denmark) (World Bank 2022; Campisi 2023). The costly and liberal family policies of the Nordic countries thus illustrate that progressive family policy has not succeeded in reversing the decline in fertility.

The six Anglo-Saxon countries have an average fertility rate of 1.6 children per woman. In these countries, family policy is not particularly extensive; yet the single-earner family model, in which one parent (typically the mother) remains at home to care for young children, continues to be influential, especially in families with small children. In addition, the relatively higher fertility rates of immigrant populations contribute to raising national averages.

Thirty years ago, France was often cited as an example of how public family support could maintain fertility close to replacement level even in highly developed societies. This situation, however, appears to be changing. Since 2010, France's total fertility rate has been declining, falling to 1.68 by 2023 (Silbert 2024). In response, the French president announced plans for improved maternity leave as part of a campaign described as “demographic rearmament” (Cordier 2024).

Israel's fertility rate has long fluctuated around three children per woman, an exceptional figure among developed economies. This comparatively high fertility can be attributed to several key factors. Jewish society is characterized by a strong ethnic identity, and religious values play a significant role in family decisions, with Jewish traditions encouraging larger families.

Concerns about demographic balance, particularly with regard to the Arab population, have reinforced a national focus on maintaining Jewish population growth. This orientation is reflected in policies and cultural attitudes that prioritize family formation and higher fertility rates (Cohen and Malach 2021). The ultra-Orthodox

(Haredi) community, which constitutes approximately 12 percent of the population, makes a substantial contribution to Israel's overall fertility rate. Haredi families have an average of 6.9 children, and the religious, social, and political significance of this community amplifies Israel's fertility figures (Cohen 2018).

## 5. The Economic Aspects of Childbearing

According to Nobel Prize–winning economist Gary Becker (1960), childrearing can be understood as an investment in human capital. Parents make decisions about having and raising children based on the costs and expected returns of childrearing, similarly to other forms of investment. The returns to childbearing are not only economic but may also be emotional and social. In high-income countries, where the costs of education, healthcare, and housing are high, the financial costs of raising children are also considerable. Moreover, as women gain greater access to the labour market and higher earnings, the opportunity cost of childbearing increases. Opportunity cost refers to the income and career opportunities that women forgo when they leave their jobs to have and raise children. As the financial and personal costs of raising children rise, the perceived benefits of having multiple children decrease, leading families to choose smaller family sizes. Urban areas provide a clear example of this relationship: higher costs of childrearing are associated with lower fertility rates.

Becker also emphasized the quantity–quality trade-off, according to which parents choose to have fewer children but invest more in their children's education, health, and well-being. This results in fewer children per family as parents concentrate their resources on improving the life chances of a smaller number of offspring. This substitution effect characterizes many OECD countries. It can also be observed that fertility rates among the middle class are generally lower than among both the lower and the upper classes. Since the middle class faces higher real and opportunity costs of childrearing than the lower class, they tend to have fewer children. At the same time, although the costs of raising children are highest for the upper class, they can generally afford to have as many children as they wish.

According to the demographic-economic paradox introduced by Herwig Birg (2000), there is an inverse relationship between a country's level of economic development and its fertility rate: wealthier nations tend to have lower fertility. For example, in 2021 Japan had a GDP

per capita of approximately 40,000 dollars but a total fertility rate of only 1.34. In contrast, Ethiopia, where GDP per capita was about 925 dollars, had a TFR of 4.01 (World Bank 2005). This macro-economic relationship can also be derived from Becker's theory.

The demographic-economic paradox can also be observed within countries. For example, the wealthier western and north-western provinces of Turkey (Kütahya 1.16, Karabük 1.14, Bartın 1.13) have much lower fertility rates than the poorer southeastern provinces (Şanlıurfa 3.27, Şırnak 2.72, and Mardin 2.40) (Turkey Minute 2024). A similar pattern can be observed in Hungary: the wealthier capital, Budapest, has a fertility rate of around 1.0, while in the poorer region of Northern Hungary the rate is about 1.8 children per woman (KSH 2024).

A demographic bonus, or demographic dividend, can occur during the middle stage (stage three) of a country's demographic transition, when the working-age population increases significantly relative to the dependent population (both younger and older age groups). This creates an opportunity for economic growth, provided that other conditions for growth are also present. Several East Asian countries, such as South Korea and China, have successfully utilized the demographic dividend through strategic investments, whereas other countries, including Mexico and many in Eastern Europe, have failed to take advantage of this opportunity. In Eastern Europe, the demographic dividend coincided with the end of communism and the transition to market economies. However, the combination of economic shocks, unemployment, and political instability following the regime change meant that the demographic dividend in Eastern Europe largely became a missed opportunity. The available labour force, which could have stimulated economic growth, instead faced high unemployment, and the region rapidly shifted to confronting the challenges of population ageing. The expression "from red to grey" aptly describes the situation in Eastern Europe, where the unrealized promise of a demographic dividend was replaced by population ageing and economic stagnation.

The demographic dividend is a temporary phenomenon, and as fertility rates continue to decline, countries begin to experience a demographic burden (also referred to as demographic malaise). This refers to the economic pressure caused by population ageing, in which a shrinking workforce must support an increasing number of retirees. This has become a growing concern in many OECD

countries, including Japan, Italy, and several Eastern European states, where a shortage of young people combined with increasing life expectancy places pressure on social security systems. The long-term economic consequences of the demographic burden include population ageing, a shrinking labour force, higher dependency ratios, pension reforms, and labour shortages.

Unfortunately, the dynamics of demographic dividend and demographic burden can trap societies. During the period of demographic dividend, it would be relatively easy to address declining birth rates because a large number of women are still of childbearing age. However, societies often experience economic prosperity during this phase and tend to dismiss negative demographic projections. By the time the demographic burden phase is reached, the problem becomes widely recognized, but effective responses are much harder to implement. This is partly because the number of women of childbearing age has already declined, and societies increasingly depend on these women as participants in the labour market. These developments illustrate that demographic processes are often invisible or only slowly perceived by individuals, economies, and political systems, even though they require sustained attention.

## 6. Family Support Systems in OECD Countries

According to data from 2019, OECD countries spend on average 2.3% of their GDP on family benefits. However, significant differences exist among countries in this respect. Twelve European countries (FRA, SWE, LUX, POL, EST, ISL, DNK, NOR, DEU, BEL, HUN, GBR) provide a high level of family support (above 3% of GDP). These countries offer a comprehensive combination of cash benefits, services, and tax advantages. The average fertility rate in these countries is 1.5 children per woman.

A medium level of family support (between 1.5% and 3% of GDP) characterizes 23 countries (FIN, NZL, AUT, ISR, LTU, AUS, LVA, CHE, SVK, CZE, JPN, ITA, NLD, CAN, SVN, GRC, CHL, COL, IRL, PRT, KOR, ESP, TUR). These countries mainly provide cash benefits and services, while relying moderately on tax benefits. The average fertility rate in this group is also 1.5 children per woman. If we focus only on the fourteen European countries within this category, the average fertility rate falls to 1.43 children per woman.

Low levels of family support (below 1.5% of GDP) are found in three American countries: the United States, Costa Rica, and Mexico, where the average fertility rate is 1.66. In these countries, support for families relies primarily on tax policy (OECD 2024, pp. 22–33).

At first glance, the level of family support does not appear to have a significant impact on fertility rates in 2022, except for the fact that European countries with higher family support tend to have slightly higher fertility levels. More rigorous statistical analyses show that public investment in parental leave and early childhood education and care plays an important role in increasing fertility rates. In addition, high housing costs have been shown to have a negative effect on fertility, and therefore reducing housing costs may also contribute to higher total fertility rates (OECD 2024, pp. 30–32).

Public support for families can generally be divided into three categories: cash benefits, services, and tax benefits. Cash benefits and services account for the majority of family support (exceeding 1% of GDP), while tax benefits represent a smaller share (below 0.5% of GDP). There are also significant regional differences in the distribution of these benefits. The Nordic countries primarily rely on cash benefits and services and provide only limited tax advantages. In contrast, countries such as Colombia, South Korea, and the United States place greater emphasis on services and tax incentives.

Eight countries (LUX, POL, BEL, GBR, CZE, CAN, SVN, GRC) rely particularly heavily on cash benefits, and their average fertility rate is 1.45 children per woman. In contrast, six countries (SWE, ISL, FIN, JPN, COL, CHL) focus primarily on services, with an average fertility rate of 1.48. These figures suggest that there is no significant difference in fertility outcomes between countries that emphasize cash benefits and those that prioritize services (OECD 2024, pp. 22–33).

The data indicate that none of the family policy measures currently implemented in OECD countries has restored fertility to the replacement level of 2.1 children per woman. For Eastern countries, this implies that existing family policies have not achieved their primary demographic objective. Western countries, however, tend to interpret the situation differently. For them, family policy measures are considered successful because they serve broader progressive goals such as reducing child poverty, improving the

well-being of families, or increasing women’s participation in the labour market. Since Western countries do not primarily aim to raise fertility, the absence of a fertility increase is not necessarily regarded as a policy failure. As noted earlier, this difference logically follows from the demographic contrast between the West and the East. The demographic differences between the West and the East are naturally reflected in family policy approaches, as emphasized in various documents: “The prevailing balance of these family policy objectives varies across countries, and while pro-natalist notions fuelled by low fertility rates may be an important driver of policy development in, for example, Japan, Hungary and Korea, they play no discernible role in, for example, British or Dutch policy development, notwithstanding concerns about demographic trends” (OECD 2024, p. 36).

Since Eastern Europe—and particularly Hungary—faces some of the most serious demographic challenges within the OECD, it is essential for these countries to take the lead in developing strong pro-natalist population policies. They cannot afford to wait for solutions from Western countries, where family policy is not primarily oriented toward increasing fertility. Nor can Eastern European countries rely on the example of East Asia, as the cultural and social differences between the two regions make it unlikely that East Asian policy solutions could be effectively transferred to Eastern Europe. A region-specific approach is therefore required, one that reflects the distinctive cultural, economic, and demographic conditions of Eastern Europe.

## 7. Conclusion

In most OECD countries, the total fertility rate remains persistently below the replacement level and continues to decline. This phenomenon can be described as a fertility crisis. Behind this universal development lies a structural factor: the unintended fertility-reducing effect of modernization and progress. This process contributes to population ageing and natural population decline, which in the long term weaken the economic and social structures of advanced societies.

In examining the economic causes of fertility decline, the study refers to Becker’s approach, according to which childrearing can be interpreted as an investment in human capital. As modernization

advances, both the direct and opportunity costs of childbearing increase significantly, leading to smaller family sizes. At the macro level, this relationship is reflected in the demographic–economic paradox: higher levels of prosperity are typically associated with lower fertility. During the period of demographic dividend, a fertility turnaround would still be feasible; however, at that stage societies and political systems usually do not yet perceive the restoration of replacement-level fertility as an urgent issue. By the time the phase of demographic burden emerges, the extent of population ageing has already substantially limited the scope for effective intervention.

OECD countries spend on average 2.3% of their GDP on family benefits, which take the form of cash transfers, services, and tax advantages. Higher levels of GDP-proportionate spending do not, by themselves, correspond to substantially higher fertility levels: even countries that devote more than 3% of GDP to family support have average TFR levels that do not significantly exceed the OECD average. This suggests that the scope of family policy instruments is structurally limited. Moreover, in most Western OECD countries, family policy does not primarily aim to restore replacement-level fertility but rather pursues other social policy priorities, such as reducing child poverty.

Western and Eastern developed countries interpret the fertility crisis in fundamentally different ways. Many Western countries compensate for natural population decline through significant levels of immigration, and therefore the demographic challenge appears primarily as an issue of migrant integration. However, replacement migration may also lead in the long term to changes in the social structure and cultural continuity of societies. In contrast, in the OECD countries of Central and Eastern Europe, as well as in Japan and South Korea, large-scale immigration does not function as a major corrective mechanism. In these states, the fertility crisis is interpreted as a demographic threat directly associated with population ageing, depopulation, and labour shortages.

The findings of this study indicate that the structural anti-natalist effects of modernization cannot be counterbalanced by family policy instruments alone. A fertility turnaround is therefore not merely a matter of policy intervention, since it is linked to deeper features of the social and economic order. One of the most serious consequences of the fertility crisis is population decline, which in smaller Central and Eastern European countries can more rapidly lead to shrinking labour

reserves, weakening economic performance, and reduced societal self-sustainability. For this reason, these countries have a particularly strong interest in finding solutions to the fertility crisis.

For these reasons, waiting for solutions from Western countries is not a realistic strategy for Eastern European OECD countries, where family policy typically does not treat the restoration of replacement-level fertility as a primary priority. The experiences of East Asian OECD countries also do not offer a direct model, partly because of cultural differences and partly because family policy in that region has been even less successful in halting fertility decline. Consequently, Eastern European OECD countries must assume a more proactive role in addressing the fertility crisis.

**Table 1: Names, ISO codes and TFRs of the 38 OECD countries in 2022 (Source: OECD 2024, World Bank 2022).**

OECD country	ISO codes	Children/woman	OECD country	ISO codes	Children/woman
Australia	AUS	1.6	Japan	JPN	1.3
Austria	AUT	1.4	South Korea	KOR	0.8
Belgium	BEL	1.5	Latvia	LVA	1.5
Canada	CAN	1.3	Lithuania	LTU	1.3
Chile	CHL	1.5	Luxembourg	LUX	1.3
Colombia	COL	1.7	Mexico	MEX	1.8
Czech Republic	CZE	1.6	Netherlands	NLD	1.5
Costa Rica	CRI	1.5	N.Zealand	NZL	1.7
Denmark	DNK	1.6	Norway	NOR	1.4
Estonia	EST	1.4	Poland	POL	1.3
Finland	FIN	1.3	Portugal	PRT	1.4
France	FRA	1.8	Slovakia	SVK	1.6
Germany	DEU	1.5	Slovenia	SVN	1.6
Greece	GRC	1.4	Spain	ESP	1.2
Hungary	HUN	1.5	Sweden	SWE	1.5
Iceland	ISL	1.6	Switzerland	CHE	1.4
Ireland	IRL	1,7	Turkey	TUR	1.9
Israel	ISR	2.9	United Kingdom	GBR	1.6
Italy	ITA	1.2	U. States	USA	1.7

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## Marketing Strategies Behind Trump, Netanyahu and AfD in Early 2020s

### Introduction

In recent years, several political campaigns have clearly demonstrated that the way a campaign designs its marketing strategy and communication approach is a decisive factor in achieving electoral success. This is particularly evident in those campaigns that have skillfully combined new digital tools with messages directed toward broad segments of society, often characterized by an anti-elitist tone and a strong emotional appeal.

This study examines three internationally significant campaigns from the early 2020s, Donald Trump's 2024 presidential campaign in the United States, Benjamin Netanyahu's 2022 parliamentary campaign in Israel, and the rapid rise of *Alternative für Deutschland* (AfD) in Germany. Each of these cases exemplifies how modern political marketing techniques can be applied successfully to mobilize supporters and shape public opinion.

The paper explores the key elements of these campaigns' marketing strategies, including the construction of messages and narratives, audience segmentation and targeting, as well as the application of digital marketing tools such as social media, online advertising, and data-driven decision-making. It also compares these strategies with both earlier campaigns and with each other to identify the common factors behind their success and the key differences among them.

The analysis highlights how the digital sphere and rhetoric appealing to large audiences have become defining arenas of contemporary political campaigning, and what lessons can be drawn for future "how to run a successful campaign" frameworks.

### Donald Trump 2024: Digital Media and Mass-Oriented Messaging in the United States

Donald Trump's 2024 presidential campaign illustrates how a modern political effort can be built around a *digital-first* strategy. While Trump had already emphasized direct communication in his previous campaigns, in 2024 he relied even more heavily on online platforms,

intentionally bypassing traditional media channels (Chakraborty, 2024). The campaign explicitly followed a *digital-first* approach, signaling a clear departure from traditional campaign tactics (Chakraborty, 2024). Trump's team recognized that a significant portion of voters—especially among younger generations—had grown distrustful of mainstream media and preferred to obtain information from social networks or alternative online sources. Accordingly, the campaign activated communication channels that enabled a direct, unfiltered connection between Trump and the electorate, effectively circumventing the press (Varga, 2025).

One of the innovations of Trump's 2024 campaign was the extensive use of podcasts and online talk shows. Trump appeared in numerous high-profile podcast series and internet programs—such as *The Joe Rogan Experience* and the *NELK Boys' Full Send Podcast*—to reach a young, mostly male audience that had turned away from traditional news sources (Chakraborty, 2024). Simultaneously, Trump returned to social media platforms after his accounts were reinstated on X (formerly Twitter) under Elon Musk's ownership, and he also resumed posting on Facebook while remaining active on his own platform, Truth Social.

This strategy allowed Trump to deliver his messages directly to his followers through live broadcasts, video messages, and meme-based communication. It enabled him to bypass the critical national press and shape his supporters' narrative directly. The campaign's real-time online presence also allowed rapid reactions to breaking events and control over the topics dominating public discourse (Tech for Campaigns, 2025). The central message and narrative of Trump's 2024 campaign continued to rely on rhetoric directed at large social groups, though with slightly updated content. In the spirit of the well-known slogan "*Make America Great Again*," Trump positioned himself once again as the "savior of America." His messages emphasized that the nation was in decline, threatened by "weak Democrats," a "corrupt elite," and "radical leftists," and that only a strong, outsider leader could restore order and prosperity. Within this narrative, Trump maintained the idea of the alleged 2020 election fraud, keeping his supporters in a permanent state of mobilization and turning the campaign into a quasi-movement. His rhetoric of confrontation and fear—emphasizing issues such as crime, immigration, or the dangers of "socialist" policies—followed a classic *us versus them* structure, portraying "the real American

people” as those he represented, while casting opponents and the political establishment as the adversarial “them.”

This emotionally charged framework fostered strong loyalty within his base. Research indicates that Trump’s communication strategy was particularly effective among young male voters disillusioned with mainstream news outlets. His appearances on podcasts significantly increased his popularity among younger, independent voters who appreciated his “unfiltered” and informal conversational style (Varga, 2025).

### Targeting and Data-Driven Campaigning

The identification and activation of Trump’s target audiences in 2024 relied heavily on data analytics, continuing the Republican Party’s long-standing tradition of micro-targeting. In both 2016 and 2020, the campaign had already used large voter databases and social-media analytics to deliver personalized messages to distinct voter segments. By 2024, these methods had become even more sophisticated.

The campaign team applied predictive models to locate potential reserves of support across different social groups and to determine which issues would most effectively mobilize them. Based on these insights, they designed online advertisements and tailored messages for specific segments such as suburban mothers, veterans, Latino small-business owners, or young working-class men — always addressing the emotions, hopes, and fears that resonated within each group. Trump’s campaign ran extensive advertising on Facebook and Google’s network, adjusting the creative content — text, visuals, and video — to each audience’s preferences and to the overall narrative. Although the Democratic opponent outspent Trump in advertising, his team exploited the fact that political communication had become an “*always-on*” process. For years they had been maintaining a strong digital presence and follower base, rather than relying solely on the campaign season for visibility (Varga, 2025).

A report by *Tech for Campaigns* (2025) noted that Democrats traditionally concentrated their resources during the final campaign phase, whereas Trump’s circles had been shaping the online discourse continuously since the beginning of the electoral cycle. This long-term engagement gave the campaign a strategic advantage, by the time the race officially began, Trump’s narrative was already familiar and widely amplified.

### Digital Tools and Influencer Collaboration

Trump’s campaign used a wide range of digital marketing tools. While large rallies remained a key feature, they were reimaged as online spectacles — streamed live on YouTube, Facebook, and even Twitch to reach younger audiences. As a result, millions followed the events in real time, extending the campaign’s visibility far beyond those physically present.

The team also cooperated with right-leaning influencers and alternative media outlets. Trump gave interviews to popular internet personalities such as Logan Paul, and appeared in content produced by other online celebrities (ADWEEK, 2024). These collaborations aimed to reach audiences that were disengaged from traditional political media but receptive to influencer communication. In addition, the campaign relied heavily on SMS and email marketing. Trump’s fundraising messages — known for their emotional tone and urgency — maintained constant contact with supporters and encouraged them to share campaign content with friends. This generated a viral effect in which enthusiastic followers became informal campaign agents, spreading memes, videos, and slogans across social networks (Varga, 2025). Overall, the 2024 campaign exemplified how a political brand can be strengthened through modern marketing techniques. Trump’s team deliberately built upon his personal brand, the *MAGA* (Make America Great Again) symbols — the red baseball cap, flags, and slogans — created a sense of product identity that supporters proudly displayed.

The combination of digital presence and mass-oriented rhetoric successfully re-energized Trump’s base and attracted new supporters, particularly among younger male voters who had previously been politically passive. Analyses showed that appearances on podcasts and alternative media increased his popularity within the under-30 demographic (Varga, 2025).

At the same time, the campaign’s success also raised ethical concerns. Strategies that deliberately polarized society and intensified emotional divisions challenge the boundaries of responsible political communication (Varga, 2025; Tech for Campaigns, 2025). Nevertheless, from a marketing perspective, Trump’s 2024 campaign set new standards in American political communication and reaffirmed the dominance of the digital sphere in shaping electoral outcomes.

## **Benjamin Netanyahu 2022: Targeted Campaigning and Social-Media Mobilization in Israel**

Benjamin Netanyahu's 2022 parliamentary campaign, which marked his return as Israel's prime minister for the fifth time, demonstrated how precisely targeted messages and the efficient use of social-media networks can be decisive in a fragmented political environment. Between 2019 and 2022, Israel held five consecutive elections, creating unprecedented political instability (Reuters, 2022). Within this context, Netanyahu and the Likud party built a deliberate strategy focused on mobilizing their own base while discouraging and dividing the opposition vote.

A central pillar of this strategy was Netanyahu's long-standing mastery of social media (Katz, 2018). Often referred to as "the great survivor" of Israeli politics, Netanyahu had been using digital platforms, particularly Facebook, since the early 2010s as an alternative media system to bypass traditional journalistic filters (Katz, 2018). By 2022, this practice had grown into what some analysts described as an "*online media empire*" (Keren, 2022).

Netanyahu operated multiple channels simultaneously — a personal Facebook page, an official Prime Minister's account, Likud's party pages, and numerous unofficial fan groups — all amplifying his content and reinforcing a unified message. Already by 2019, his online reach had been estimated at around six million users, an exceptionally high ratio given Israel's population (Keren, 2022). In the 2022 campaign, this enormous audience was fully mobilized to spread Likud's messaging and to shape the broader narrative environment.

### **Framing and Campaign Narrative**

The main message of the 2022 campaign centered on restoring stability and national security. After the ideologically diverse Bennett–Lapid coalition — which, for the first time in Israeli history, relied on the external support of an Arab-Islamist party — Netanyahu framed the government as a "weak and dangerous mix" that put Israel's security at risk (Reuters, 2022).

Throughout the campaign, Netanyahu insisted that only a strong right-wing government could guarantee stability and preserve the Jewish character of the state. To that end, he sought to delegitimize his

opponents, particularly acting Prime Minister Yair Lapid, accusing him of relying on "leftists and Arabs" who allegedly endangered the nation. Likud's rhetoric frequently invoked ethnic and security concerns, warning supporters that "Arabs are heading to the polls in droves" — a line Netanyahu had already used during a previous campaign in 2015 to spark fear and mobilize turnout (Keren, 2022).

This combination of ethnic polarization and security anxiety became central to Likud's mass-oriented rhetoric. Netanyahu portrayed the election as a struggle to defend Israel's national identity against a "dangerous left–Arab alliance." Another key element was his handling of personal corruption charges. Netanyahu dismissed the allegations as politically motivated "witch hunts" orchestrated by a liberal elite, reinforcing his image as a victim of the establishment — a narrative that strengthened his legitimacy among loyal supporters (Keren, 2022).

The negative tone of the campaign was sharp and unrelenting. Netanyahu and his allies openly mocked and attacked rivals; a well-known example was the "stuttering Gantz" video, in which Likud-affiliated Facebook pages edited a clip of former rival Benny Gantz stumbling over his words, framing it with captions like "What's wrong with Gantz?" (Marom & The Seventh Eye, 2020). Originating on social media, this smear content quickly spread into mainstream news coverage, demonstrating how online narratives can shape public discourse (972 Magazine, 2020).

The overall communication strategy effectively blended fear, personal attacks, and conspiracy-like storylines — for example, that "the media and the elites are conspiring against us." In Israel's polarized environment, such messaging proved to be a highly effective mobilization tool.

### **Data-Driven Mobilization: The Elector App**

A distinctive feature of Likud's campaign was its use of advanced data-driven tools. The party developed an election-management smartphone app called *Elector*, which functioned as the central voter database (Marom & The Seventh Eye, 2020). Activists uploaded the details of nearly all eligible voters, adding field information such as political preferences and support status (972 Magazine, 2020). Through this app, the campaign team could track mobilization in real time. On election day, volunteers marked which Likud supporters

had already voted, allowing the system to target the remaining ones with personalized reminder messages. The app also supported micro-level communication; Netanyahu himself appeared in customized Facebook videos addressing individual voters directly — “Hello, this is Benjamin Netanyahu, and I’m asking for your trust...”

Although the app faced significant criticism for serious data-privacy violations after millions of voter records were leaked, Likud continued to use it, arguing that it was indispensable for competitive campaigning (Marom & The Seventh Eye, 2020). Despite the controversy, *Elector* remained active in the 2022 elections because legal proceedings were delayed, and the Central Election Committee could not ban it in time (972 Magazine, 2020).

This gave Likud a substantial technological advantage in micro-targeting and turnout tracking. The campaign knew precisely where its weak spots were — for example, districts with low turnout among supporters — and where new votes could be gained by persuading undecided right-leaning voters. Social-media advertising was aligned with this data, younger first-time voters received short, dynamic TikTok videos, while older Russian-speaking Israelis were targeted through Russian-language Facebook posts.

### **Networked Communication Ecosystem**

Beyond Facebook, Likud built a wide digital ecosystem. The party was extremely active on WhatsApp, where numerous Likud-affiliated groups — sometimes including actual politicians — shared and amplified campaign narratives (Marom & The Seventh Eye, 2020). Strong, meme-like content was often first circulated in these private channels before being reposted to semi-official Facebook pages and eventually reaching mainstream news.

The campaign also employed a chatbot system known as the “Bibi-bot,” which operated via Netanyahu’s Facebook page to answer user questions and distribute campaign material (Marom & The Seventh Eye, 2020). Although the bot occasionally violated Facebook’s community standards and electoral regulations, enforcement was slow, allowing Likud to maintain a continuous automated presence online.

In addition, the campaign invested heavily in high-quality video production. Netanyahu regularly released short, sharp video messages highlighting specific topics or ridiculing opponents. Supporters shared

these clips en masse, generating organic reach. Thus, the Likud campaign combined centralized message control (Netanyahu’s official content) with bottom-up online participation (fan pages, chat groups, and bots), producing a self-reinforcing cycle of visibility and engagement.

### **Outcome and Implications**

The strategy proved effective. In 2022, Netanyahu successfully remobilized right-wing voters and returned to power. The Likud party dominated the election narrative, bringing national-security concerns and governmental instability to the forefront — precisely the issues that benefited Netanyahu most.

Analysts pointed out that Netanyahu’s deliberate polarization strategy also fragmented the opposition. The separate campaigning of Arab parties and the failure of the left-wing Meretz party to pass the threshold were partly attributed to Likud’s negative messaging. On the right, however, Netanyahu managed to unite previously divided factions, including the far-right Religious Zionism bloc (Middle East Institute, 2022). Together, Likud and its allies secured 65 out of 120 Knesset seats, forming a stable majority (Reuters, 2022). The campaign’s marketing tactics clearly paid off, Netanyahu’s “digital warfare” and targeted outreach mobilized voters in large numbers, with a turnout of 71% — exceptionally high by Israeli standards.

Yet, this success came at a price. The campaign deepened social divisions and normalized extremist rhetoric in Israeli public discourse (Keren, 2022). Still, the 2022 Likud campaign stands as a textbook case demonstrating how modern marketing tools — data-driven targeting and social-network mobilization — combined with mass-oriented communication can deliver electoral victory.

### **The Rise of the AfD: Algorithmic Political Marketing and Digital Ecosystems**

In the past few years, Germany’s right-wing party *Alternative für Deutschland* (AfD) has achieved remarkable growth, winning first place in several regional elections and becoming a central player in national politics. Much of this success can be explained by its communication and marketing strategy (Tonino, 2025).

Originally a marginal, euro-skeptical movement in the early 2010s, the AfD systematically developed a communication infrastructure that integrated conventional political marketing with an aggressive focus on digital dominance (Medina Serrano et al., 2019; Beauduin, 2025). The party’s strategists realized that its messages — often critical of the establishment and unwelcome in mainstream media — could reach far broader audiences online, where the traditional “gatekeepers” of journalism held less influence.

For this reason, the AfD was the first major German party to fully embrace online platforms, long before its competitors dared to do so. Already by 2017, during the federal election campaign, the AfD was generating far more interaction on Facebook, Twitter, and YouTube than any of its rivals, even though its actual voter support at the time was only around 13% (Medina Serrano et al., 2019).

This *digital over-performance* has remained a defining feature ever since. The AfD’s posts regularly outperform those of mainstream parties in likes, shares, and comments (Medina Serrano et al., 2019). During the 2021 federal election campaign, its advertising on Facebook and Instagram focused primarily on issues such as immigration, pandemic restrictions, and criticism of EU policies — all topics that resonated strongly with emotionally driven audiences. In this way, the party compensated for its underrepresentation in mainstream news by creating a *parallel public sphere* online (Beauduin, 2025).

### **Narrative and Messaging Framework**

The AfD’s communication follows a consistent rhetorical structure centered on the opposition between “*we, the ordinary people*” and “*they, the corrupt elite*.” Rather than engaging in complex policy debates, the party relies on simple, emotionally charged messages framed as common-sense truths (Medina Serrano et al., 2019).

Its content often highlights themes such as crime allegedly caused by immigration, the erosion of cultural identity, bureaucratic overreach by the EU, opposition to “gender ideology” and environmental “madness,” or skepticism toward COVID-19 measures and sanctions on Russia. This simplified, emotive communication aims to generate identification and outrage rather than deliberation. The party’s strategists also understood how platform

algorithms reward engagement. Controversial and provocative posts trigger emotional reactions — including outrage from opponents — which further increase visibility. As a result, the AfD deliberately posts statements likely to spark conflict, knowing that even negative engagement amplifies its reach. For instance, inflammatory remarks by AfD politicians often go viral not in spite of, but because of, public backlash (Huszár et al., 2021). Party members design parliamentary speeches with short, confrontational clips in mind, easily adaptable for TikTok distribution — meaning that even their parliamentary behavior is optimized for social-media virality (Meyer et al., 2024).

The AfD’s communication also draws upon conspiracy narratives when useful, such as denying climate change or promoting vaccine misinformation, all framed as resistance against an “oppressive establishment.” At the same time, the party constantly accuses mainstream media of concealing “the truth” and serving government interests (Tonino, 2025). This *pre-emptive delegitimization* of journalism shields its followers from external criticism, ensuring message consistency across platforms.

### **Expanding the Target Audience**

While the AfD’s early base consisted mainly of older, lower-income voters from eastern Germany, the party has since deliberately expanded toward younger demographics. The results have been striking. In the 2024 European Parliament elections, 16% of voters aged 18–24 chose the AfD, and surveys in 2025 showed its youth support had tripled within a few years — from 7% to 21% (Lavizzari & Pasic, 2025; Tonino, 2025).

This dramatic growth is closely linked to the AfD’s dominance on social-media platforms popular among young users, especially TikTok. Whereas traditional parties remained hesitant to appear there, the AfD began posting early and frequently, mastering the short-video format with informal, direct messages delivered in influencer style. By October 2023, four of the five most-followed German politicians on TikTok were from the AfD — including party leader Alice Weidel and regional figure Ulrich Siegmund. The AfD’s young activists and supporters filmed short, vlog-style videos on their phones, speaking directly to viewers and projecting an image of authenticity and approachability. These

videos used bold captions, fast cuts, and attention-grabbing sounds that matched the TikTok aesthetic (Classen et al., 2024). The party learned that the platform’s algorithm rewards volume over production quality, so it focused on flooding the feed rather than polishing content. Members and sympathizers were encouraged to create and repost material continuously, building what researchers have called a “*shadow army*” of pro-AfD accounts — around sixty of which looked like official profiles and together generated about six million likes.

Although impersonation violates TikTok’s terms of service, the platform’s enforcement remained limited. As a result, a new user showing interest in German political content could see up to 78% AfD-related posts in their feed — a clear case of algorithmic amplification (Classen et al., 2024).

### **Controlled Media Ecosystem and Internal Coordination**

Another crucial component of the AfD’s strategy was building its own media ecosystem that bypassed mainstream oversight. Early on, the party launched its own YouTube channel, *AfD TV*, complete with a professional studio located inside the Bundestag. With more than 330,000 subscribers, the channel offered both long-form “analysis” videos featuring AfD politicians and short, emotional campaign clips easily shareable across social media (Petzinger, 2022). In parallel, the AfD became highly active on Telegram, a platform favored for its minimal moderation. The party and its broader far-right network operated numerous public and private Telegram channels that distributed campaign material and coordinated online actions (Heinze & Weisskircher, 2021).

One such coordination hub was a Telegram group called “*TikTok-Guerilla*”, managed by the party’s youth organization. It provided detailed instructions on how to produce viral TikTok content, even sharing ready-made videos for activists to repost under their own profiles. To motivate participation, the group introduced a reward system — offering T-shirts, merchandise, and even iPhone giveaways for the most active creators.

This *grassroots-style content production* multiplied the AfD’s online presence. Even when TikTok occasionally removed extremist videos, duplicates quickly reappeared via other users, making the party’s messaging virtually impossible to censor (Beauduin, 2025).

### **The “Vorfeld” Network and AI-Generated Propaganda**

The AfD’s digital strategy extended beyond the party’s formal structures into a broader ecosystem known as the “*Vorfeld*” — a loosely connected network of sympathetic actors, including radical civil groups, alternative media outlets, online influencers, and subcultural communities such as the far-right music scene.

The party interacts with this environment fluidly, often without formal acknowledgment but with clear strategic alignment. Senior AfD politicians regularly appear on ostensibly “independent” YouTube channels such as *Eingoellan* or *Weichreite*, which present themselves as neutral talk shows but consistently reinforce AfD narratives.

Supporters also manage Instagram pages like *afd.memes*, which present the party’s key messages through humor and youth culture references. More recently, AfD-affiliated networks have begun using artificial intelligence to create content, including synthetic images, videos, and even songs. A notorious example was an AI-generated “Deportation Song” promoting the repatriation of migrants — played at AfD rallies and shared as a pseudo-anthem online (Beauduin, 2025). Through such tactics, the AfD ensures its omnipresence in the digital sphere, transforming political communication into an emotionally immersive experience for its followers.

### **Results and Broader Implications**

By 2024, the AfD had not only solidified its position in the Bundestag but also achieved 15.9% of the national vote in the European Parliament elections, securing 15 seats — meaning that one in six German voters supported the party (European Election Results, 2024; Tonino, 2025). In several eastern states, such as Saxony, Thuringia, and Brandenburg, the AfD surpassed 30%, becoming the leading regional force.

These achievements largely stemmed from the party’s ability to identify and mobilize neglected voter groups, young digital natives on TikTok, rural populations through Facebook and Telegram, and disillusioned citizens in online discussion spaces. While traditional parties relied on legacy media and campaign periods, the AfD maintained a constant, attention-driven online presence. The party’s

success illustrates how mass-oriented digital communication can normalize radical views by wrapping them in visually appealing, emotion-based narratives. From a marketing perspective, the AfD's model aligns perfectly with the logic of the digital era — constant engagement, personalized outreach, and algorithmic optimization.

However, this effectiveness also raises serious ethical and societal concerns. Emotionally manipulative communication and perpetual outrage cycles contribute to polarization and erode fact-based public debate (Medina Serrano et al., 2019). Still, from a purely marketing standpoint, the AfD's strategy demonstrates a masterful adaptation to the dynamics of digital communication and stands as a case study in how a once marginal actor can become a dominant political force through algorithm-driven campaigning.

### **Conclusions: Key Lessons and Strategic Insights for Future Campaigns**

The three case studies presented in this paper reveal a clear and consistent pattern, in contemporary political communication, the center of gravity has shifted decisively toward the digital sphere. The conscious and innovative use of online media played a crucial role in all three campaigns — Trump's 2024 presidential bid, Netanyahu's 2022 parliamentary race, and the AfD's ongoing expansion in Germany. This shift marks a definitive break from the traditional campaign models of previous decades.

The “*always-online*” nature of political communication, coupled with the proliferation of new platforms — from social media to podcasts and closed-messaging networks — has made digital presence an essential condition for electoral competitiveness. Candidates and parties that adapt quickly and creatively to these dynamics gain a substantial advantage in shaping public attention and controlling the narrative environment. Across all three cases, one recurring feature stands out, the dominance of a “*people versus elite*” framing and the centrality of a strong, personalized brand. Each campaign constructed a narrative in which the candidate or party embodied the voice of “ordinary citizens” standing against a corrupt or out-of-touch establishment.

Trump's strategy revolved around his personal brand and the emotional symbolism of “*Make America Great Again*”; Netanyahu emphasized leadership experience and national security; the AfD

positioned itself as the authentic representative of the “people's will.” In each case, the communication created emotional identification and community belonging that translated into high levels of voter engagement and loyalty.

A second shared feature is the increasing reliance on data-driven, targeted communication. The campaigns proved that understanding voter segments and tailoring messages to their specific needs and emotions are key to mobilization. Trump's team used advanced voter modeling and AI-supported micro-targeting; Likud's *Elector* app enabled real-time turnout management; and the AfD, lacking similar advertising infrastructure, instead “hacked” platform algorithms by optimizing for virality and high engagement. Despite their methodological differences, all three campaigns demonstrated a commitment to continuous monitoring, testing, and strategic adjustment — effectively transforming political marketing into a form of real-time behavioral engineering. This approach, while efficient, also introduces ethical challenges concerning privacy, transparency, and manipulation.

Another common characteristic is the deliberate bypassing of traditional media channels. To maintain control over their narratives, each actor established direct communication routes with supporters — through live broadcasts, newsletters, closed groups, and alternative platforms. Trump, Netanyahu, and the AfD all worked to discredit critical mainstream outlets, labeling them as biased or dishonest (“fake news”, “Lügenpresse”), and instead cultivated their own controlled media ecosystems.

This strategy increased their influence over the flow of information but also contributed to the fragmentation of the public sphere and the escalation of polarization. Their rhetoric frequently employed negative framing and emotional antagonism, prioritizing loyalty and mobilization over persuasion. External criticism was systematically reframed as unjust attacks, thereby reinforcing internal cohesion and identity among supporters. Taking together, these developments illustrate that democratic competition is increasingly governed by marketing logic. Politics is being treated as a brand-driven marketplace — where continuous visibility, segmented communication, and narrative control define success more than policy content or ideological debate. Campaign seasons are no longer distinct phases but part of a permanent mobilization cycle that demands constant audience engagement.

In such an environment, maintaining voter attention between elections becomes as crucial as winning their votes. However, the growing dominance of personalized and emotionally charged communication raises serious questions about the sustainability of informed democratic deliberation. The key lesson for future campaigns is clear, traditional techniques alone are no longer sufficient. Success will depend on the ability to combine advanced digital marketing tools with ethical and transparent communication practices. Those political actors who learn from the cases of Trump, Netanyahu, and the AfD — either as models to emulate or as cautionary tales — will shape the future of political marketing in the digital age.

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## Law as a Subject of Theoretical and Historical Inquiry

“Is there order in things themselves or in our own spirit? In the beginning of all things, undoubtedly in God, the creator of the world. And from then on in the world—only *through* the world, in our souls.”

(Villey, 1995, 424)

The seemingly tautological questioning in the title points to the many-sided manifestations of law, drawn from the entire social vertical to law that resists any definition according to the scepticism of Kant. Moreover, it can also specify the disciplines dealing with law, since each can only approach its subject matter within its own scope and methodology.

As to those disciplines' subject, there is an old truth saying that “All sciences are concerned with events, which »can be empirically known in two ways only: by direct observation while they are in progress; and indirectly, by the study of the traces which they leave behind them.«” (Langlois & Seignobos, 1908, quoted by Tholfsen, 1967, 219)

The avenues of theoretical and historical approach are open to theoretical jurisprudence, even if historical research can only look at the traces. But the question of what can be actually known may raise questions that are almost unanswerable even for theoretical jurisprudence. Today, it is not only the century-old emphasis on *living law* (Ehrlich) and the distinction between *law in books* and *law in action* (Pound) that differentiates the subject, but above all its ontological and hermeneutical reconstruction. For it is clear from the former that, in existential terms, the ”juridical worldview”, i.e. the way of approaching and processing law as accepted in a given culture (Varga, 2012)—which Legrand (1999, 34) has been reformulating since the last decades as *mentalité juridique*—, is an integral part of what we might call law; the latter has made it clear that law, whatever its status as a given, is part of social existence, because it can only become an object of social commerce in its particular conception, in its human sense, and that this as a whole is not only culture-dependent, but can also vary even from one individual to another. In sum, the law of the given place and time is the mix of official sources of law and unofficial expectations, in the development of which the entire *ontologicum* and *hermeneuticum* thus conceived is involved.

We have already evoked a complex that is in itself almost inexplicably complex. How can legal history cope with this complexity?

Law as a subject of knowledge is usually assumed to be identical to itself because it is thought to be objectified as an objectification. It is some thing from which both the theorist and the practitioner can start; and at the same time it is something that the historian can recall or examine its contents as memory. In reality, however, this is far from the case. After all, for its first circle of addressees, this is the present, an irreplaceably unique era, which is a given for all members of the profession at that time and place in its current ontology and hermeneutics. The historian, as a possible second circle, can only conclude the same as for a past era—at most from further objectifications that can still be found as traces.

The tone of 19th century positivism is evoked as the ethos of historical science in a timeless *bon mot* from a classic of journalism (Scott, 1921), uttered exactly a century ago: “comment is free, but facts are sacred”. By then, thanks to Nietzsche’s late remark, everyone could have known that facts do not exist in themselves, but only in their interpretations.<sup>1</sup> Many decades have passed since then, but my former fatherly friend, who went from being a legal historian specializing in Roman law to a legal philosopher (Villey, 1995, 333), still burst out like this in Paris: “The historical method [...] prides itself on being scientific—that is, it reduces being to *facts*, and therefore sets itself the task of establishing (through the critique of evidence and testimonies) the *facts*. [...] (This science of facts should only be auxiliary and instrumental.)”

So let’s clarify: what could possibly be factual here? The sources of law, undoubtedly, but their interpretation cannot. „If the texts that constitute today’s legal authority were written by people who used words differently from the way we use them today, who thought differently than the way we think today, [...] the past no longer speaks with an authoritative voice. It can no longer serve as a safe harbour.” (Banner, 1988, 37) However, in the ontology of law, the text itself—even if we

<sup>1</sup> “Against this positivism, which stops before phenomena and says, »There are only facts,« I should say: no, it is precisely facts that do not exist, only interpretations [...]. Insofar as the word »cognition« has any sense at all, the world is knowable: but it is interpretable in a different way, it has no sense behind it, but innumerable senses...” (Nietzsche, 1967, 323) or “Against positivism which halts at the phenomenon »There are only facts« I would say: no, precisely facts do not exist, only interpretations. [...] [T]he world is knowable: but it is variously interpretable; it has no meaning behind it, but countless meanings.” (Nietzsche, 2002, 139)

must consider it normative according to the internal rules of law because it is valid and effective—can be nothing more than a dead sign in itself: it can only acquire social existence, i.e., exert influence, if people have already understood and interpreted it in one way or another. In other words, objectification has been replaced by mental processing.<sup>2</sup>

So what kind of “comprehensive view of law” (Dubber, 2005, 2) can legal history strive for when it comes to law? The editor of the *American Journal of Legal History* sees his discipline as the science of social organization (Brophy, 2016). This, together with the law behind it, is inherently evolutionary, progressing in an uninterrupted process despite any intervention or randomness.<sup>3</sup> It is a conscious development of social engineering, and therefore a relatively late development, that this should be accompanied by the creation of law for “instrumental” purposes (Horwitz, 1977) so that now a scholarly reconstructionist can say: “American law [is] [...] a mirror of society. It takes nothing as historical accident, nothing as autonomous, everything as relative and moulded by economy and society” (Friedman, 1973, 14) And since there is no point of contact between the extra-legal and infra-legal spheres in real life, it is precisely here that humans act as creators and actors. This is how it makes sense that “Legal development depends on the lawyers’ culture [...] and social, economic, and political factors impinge on legal development only through their consciousness.” (Watson, 1985, 119)

This realization seems to place the reconstructor at a crossroads once again, since according to this view, the past can be nothing other than either fact or—to use philosopher Lukács’s former phrase—*gelebtes Denken* [lived thought], i.e., human problem-solving, which naturally provides more opportunities for self-improvement the more developed a society is. This is why our French legal scholar quoted above could say that “Law transcends history, [...] because [...] there is no legal history, only opinions on law with regard to the things in which [thus expressed] values are embodied.” (Villey, 1975, 11)

Well, the history of ideas, the recollection of past human responses to varying situations, the reconstruction of former musings,

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2 Just as the basic unit of communication theory is not a message from anywhere, but its feedback, i.e. the manifestation that it has been received, understood.

3 “[I]t is only in its historical evolution that English law comes to its full right.” (Vinogradoff, 1922, 693) Adding to this particular approach, Sugarman (2010, 510) adds that British legal historiography until the 1970s was “preoccupied with the origins of legal doctrines and institutions, emphasizing continuity and de-emphasizing change and contingency.”

and the mapping of the evolution of mentalities are not, in principle, beyond the reach of the discipline of legal history, but the results are uncertain because there are few relevant clues, and these can be interpreted in many ways and, even when taken together, do not necessarily form a unified whole that points in only one direction. One striking example is that the idealized reconstruction of the conceptual system of Roman law has now been supplemented by the Anglo-Saxon approach of processing the same source material as a competing body of case law, while the nature and values of the whole story are still debated today (Whitman 2003). Continuing with the example, a methodological dilemma arises when we have to create a concept for a function that can be applied equally to historical formations that are no longer comparable with each other (Heutink, 1955; e.g. ‘codification’, Varga, 2011, or ‘appeal’, Shapiro, 1980),<sup>4</sup> or when time, changes in conditions, or even some kind of social degeneration (in some cases occurring repeatedly in succession) forces a change in function, which the nominal expression of the concept no longer follows, or even reflects (e.g. human rights and rule of law, Varga, 2024 and Varga, 2021).

Therefore, the way the law develops—whether it follows the challenges of the outside world, proves resilient, or stubbornly maintains its immutability despite the calls of the outside world—is due to its human drivers and thought processes. And the way any pattern is used and applied is also due to its human actors, their understanding and their will. This is the living, ever-changing human being, whose most personal product, in every direct and indirect sense, is the law. Well, in an attempt to unravel the complexity arising from all this, a nineteen-year-old law student in Berlin wrote to his father nearly two centuries ago that, in contrast to abstract systems of thought with “mathematical dogmatism”, such as the one he referred to as “the metaphysics of law” in his powerful disillusionment with his legal studies, in the concrete expressions of the living world of ideas, such as law, the state, nature, or philosophy as a whole, “Here, the object itself must be observed in its development.” (Marx, 1973) In other words, whatever this object may be, whether it is a part of reality that came into being independently of us or our own projection,

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4 The appeal is derived as a legal institution from the Ottoman Empire as a filtering programme to ensure legal unity, and presumably such is the origin of the prosecutor’s role as the tsar’s special emissary as a once law enforcement officer.

it, its environment, and consequently its system of relationships are also constantly evolving, and thus we must reconstruct it not as a purely metaphysical system, as a set of speculatively created abstract categorizations, but rather, based on its own historical development, we must determine the unique characteristics inherent in it.

What, then, remains of the subject of legal history research if its driving force—the problem-solving struggles of living, active people, the development of their thinking, and the mentality, sensitivity, skill, and bravura evident in all of this—slips out of the historian’s grasp? Perhaps we should return to our Greco-Roman antecedents, according to which the desired goal, the *dikaion* lies in the nature of the thing to be judged, and that what happened to play the role of guidance as law was only enough for the judge to jump from there as if from a trampoline to search for, find, and reveal it—which, of course, can only succeed if he not only trusts in the search, but also proves to be tireless? (Varga, 2012, section 2.1.2.1) When, then, the *regula* that can be presented by the historian as textual objectification is only a primitive expression of the fact that there is a legal system that lives and functions because human agents constantly move it with daily professional serenity, by walking the paths and accepting arguments? (Varga, 2007 and Stein, 1966)

Well, in our part of the world, in most of continental Europe, it seems that legal history focuses on institutions (Villey, 1955, 391), i.e. on objectified law and, at most, on their systematic structure, i.e. on facts that can be grasped in the above sense. There is no doubt that the study of history requires corpora, and these must first be built up (pl. Mályusz, 1942). Well, in my view, these seem to be more like reference books, registers, and background materials for such corpora. This contrasts with what I consider to be the English approach, which is more of a history of thinking: problem solving, in which law is only a starting point, so that by considering the case, one arrives at its own case law. This shows the same duality that we saw in the presentation of Roman law today: systematics as a doctrinal conceptual framework awaiting further abstraction here, and a reflection of a living culture built on case-by-case solutions there. While humans can only learn from other humans, and nothing else, only examples, in which the real thing to be discovered and worth knowing is nothing other than the thinking human being themselves, struggling to respond to the challenge, weighing up whether to attempt it at all, when and how to help, and so on.

A theoretical, generalized summary observation in all this is that man’s “enormous power” (Maitland, 1896) to create law is nevertheless random in its entirety, because it is free from any inevitability or predetermination, but creates a formation that exhibits relative independence (Phillips, 2010, 295), and in this process, it is ultimately always the self-interest, or survival, and not internal coherence, that dictates the logic of pure consequence.<sup>5</sup> The formulation of this interest is embedded in tradition in our human cultures. The Scottish civil law historian who became American, who in every piece of his enormous oeuvre sought to come closer to explaining the nature of legal development, presents the convincing picture that the only justification for a lawyer’s actions is the authority on which he relies and the model he finds in that authority. However, in his selection of these, he will ultimately find a model and an authority that he can incorporate into his own tradition. And once he has found it, he will make it his own through legal borrowing.<sup>6</sup> It is understood, of course, that tradition is not a straitjacket, but an environment that provides familiarity, a repository of channels that can serve both preservation and renewal (Varga, 2012).

This is why historians often emphasize that, symbolically, the past and the present correspond to each other in their work and its use. This is a thought experiment, of course, moreover, it holds infinite possibilities for dialogue (Carr, 1961, 35).<sup>7</sup> Thus, Savigny (1915, 3) may be right in saying that this is not “the rule of the past”, although it embodies an “inextricable connection with the entire past” without, however, “to nail the present upon the cross of the past.” (Hook 1950, 142)

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5 As to Rudolf von Jhering, “This desire for logic that turns jurisprudence into legal mathematics is an error and arises from misunderstanding law. Life does not exist for the sake of concepts but concepts for the sake of life. It is not logic that is entitled to exist but what is claimed by life, by social relations, by the sense of justice — and logical necessity, or logical impossibility, is immaterial. One could have considered the Romans mad, if they had ever thought otherwise, if they had sacrificed the interest of life to the dialectics of the schools.” And as to Oliver Wendell Holmes, “The law [...] cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics.” (Howe, 1963, 152 & 155)

6 Or, “Law evolves from the legal tradition.” (Watson, 1985, 119) Moreover, “The life of the law is not logic, nor is it experience. It is borrowing.” (Watson, 1998, 4)

7 “All law is a compromise between the past and the present, between tradition and convenience.” (Bryce, 1901, 617)

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## Reconstructing Eisenstadt's Typology of Pre-industrial Political Formations

### Introduction

The Israeli sociologist Shmuel Noah Eisenstadt is best known in this country for his reflections on multiple modernities<sup>1</sup> and axial age<sup>2</sup>. However, his early period<sup>3</sup>, when, under the influence of structural functionalism<sup>4</sup>, he devoted himself to comparative political sociology, is virtually unknown in contemporary sociology. Many of Eisenstadt's writings (Eisenstadt, 1963/1969) and other authors (Giddens, 1985) work with his typology of pre-industrial political formations, while the intellectual history of the genesis of this classification is, however, not clear to the contemporary reader. Yet the nature of this classification is crucial to understanding other more familiar aspects of Eisenstadt's work: his theory of social change, his theory of revolutions, and especially his concept of multiple modernities. The ambition of this essay is to attempt to reconstruct the intellectual genesis of this taxonomy, in particular the role of Eisenstadt's specific readings of Max Weber and Edward Shils. The paper is methodologically based on an analysis of a corpus of older Eisenstadt texts now available from the jstor database.

The ambition is to let Eisenstadt himself speak and to neglect secondary interpretive sources. Conversely, where Eisenstadt uses overly general formulations we attempt to illustrate Eisenstadt's concepts with references to contemporary archaeological and historical literature (Yoffee, 2003) (Cline, 2019) (Arnason, 2009) (Finkelstein & Silberman, 2010) (Kradin, 2003) (Pipes, 2004) .

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1 English *multiple modernities*

2 For example: (Arnason, 2009, pp. 25-35) (Arnason, 2010, pp. 152-194) (Německý, 2007) (Německý & Šubrt, 2010)

3 By the early period we mean here the period before the rise of interest in civilizational analysis and multiple modernity until about the mid-1980s (Preyer, 2011) Eisenstadt (Eisenstadt, 1998, p. 48 + note 30.) lists 1986 as the beginning of research on the axial epoch.

4 Although Eisenstadt emerged from functionalism and neo-evolutionism, he soon took a critical distance from it. See for example: (Eisenstadt, 1964b) (1982)(1993/2010)(1998)

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## The nature of Eisenstadt's research project

In an autobiographical article, he defined his main research interest as: “*the problem of human creativity and its limitations, especially as it relates to*”: a) „*the social arena*”; b) “*the construction of diverse social formations-from so-called micro-situations to more formalized institutional and macro-institutional formations*”; c) “*the problem of charisma and its objectification.*” (Eisenstadt, 1998, p. 39) In other words, he is interested in the limits that social arenas, institutions, and charismatic centers place on human creativity. This problem has resurfaced in later times as the dilemma of human agency versus social structure. Eisenstadt's interest in the limits of human creativity was influenced by Martin Buber. In his comparative interest, he was influenced both by Shils's interpretation of Max Weber and by the comparative institutional analysis developed by the British School of Social Anthropology<sup>5</sup>. His early work focused on historical sociological and comparative studies as well as studies of modernization and development. Then, in the 1980s, these two early streams of his work merged into an interest in civilizational analysis (Eisenstadt, 1998, p. 39) .

## Shils and charisma centers

Whereas Max Weber spoke of charismatic domination and thus related the concept of charisma primarily to persons, Shils was concerned with a much broader conception of charismatic objects. He sought to apply the concept of charisma to institutions and cultural objects as well (Shils, 1965, p. 199) . He draws on Weber's distinction between the extraordinary and the routine. According to Shils's (1965, pp. 199–200) interpretation of Weber, charisma is associated with contact with the ultimate values of a given social system, which in Weber's view is at odds with the everyday functioning of the institutions of the social system. Shils, on the other hand, argues that charisma (in the sense of contact with ultimate values) is also found in the everyday functioning of institutions, citing the institution of the church as an example.

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<sup>5</sup> (Eisenstadt, 1998, p. 39) lists in particular Raymond Firth, Evans-Pritchard, M. Fortes, Edmund Leach and Max Gluckman. In addition to social anthropologists, he was influenced by Morris Ginsberg and T.H. Marshall, whom he met at the LSE in 1947-48.

Shils therefore redefines the concept of charisma. Charisma thus refers to phenomena that are somehow connected to the central questions of human existence, the cosmic and ultimately the social order. People respond to them with a sacred awe. The notion of charisma is thus closely tied to the notion of centrality:

“Centrality is constituted by its formative power, by initiating, creating, controlling, transforming, sustaining or destroying that which is vital in human life. This central power has often, in the course of human existence, been understood as God, the ruler and creator of the universe, or some divine or otherwise transcendent power controlling or appreciably affecting human life or the cosmos within which humans exist.” (Shils, 1965, p. 201)

But the concept of charisma does not only refer to religious matters and institutions; Shils also includes scientific and artistic discoveries, political and organizational authority, and de facto all forms of genius.

Charisma, according to Shils (Shils, 1965, p. 204) is associated with order-giving power, hence most rulers have charismatic qualities. However, even in a bureaucratic-legal system, certain roles and institutions have charismatic qualities. Consider the role of the president in the Czech Republic, or the institution of the constitutional court. These are the roles and institutions that are somehow original and establish the social order.

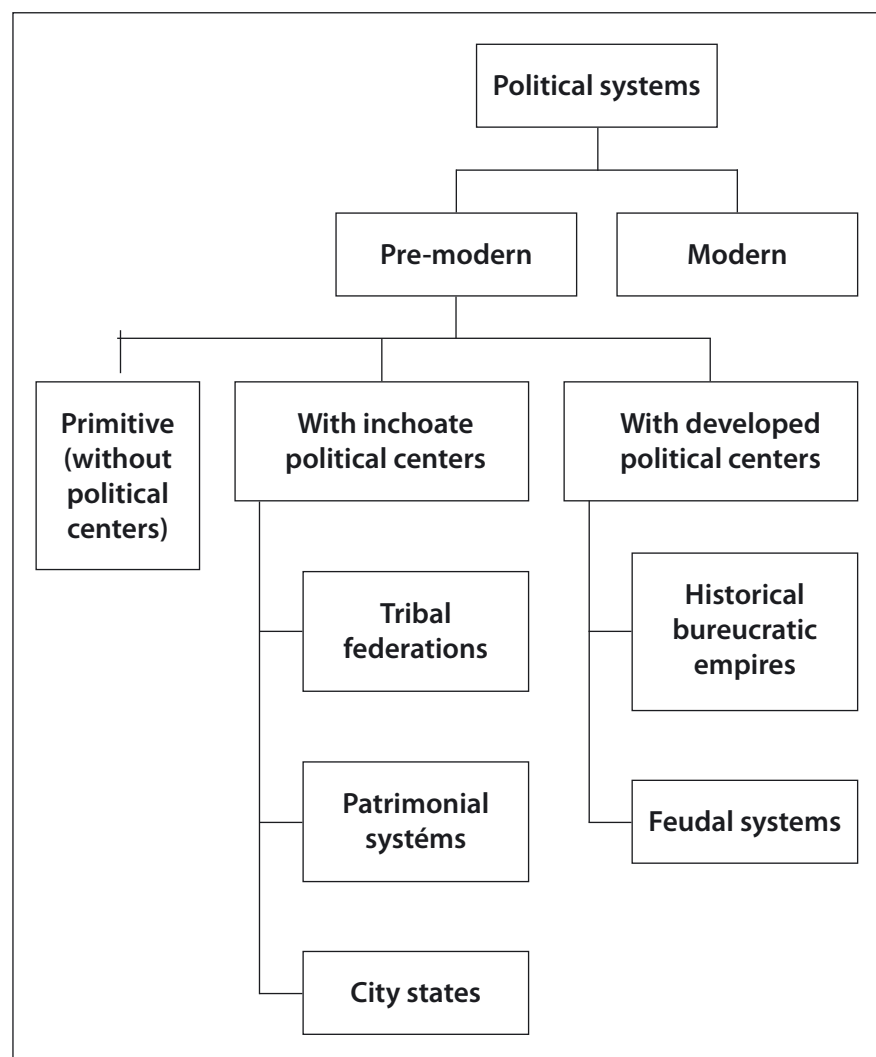
## Typology of pre-modern and pre-industrial political formation

Eisenstadt in *Political Systems of Empires* (Eisenstadt, 1963/1969, p. 10) distinguished the following main types of political systems in the history of mankind:

1. Primitive political systems,
2. Patrimonial Empire
3. Nomadic Empire,
4. City States,
5. Feudal systems,
6. Centralized historical-bureaucratic empires,
7. Modern societies of diverse types

By contrast, in *Political Sociology*, Eisenstadt (Eisenstadt, 1971/1989f, pp. ix-x) presents us with a slightly different typology. Based on Shils' reformulation of Weberian charisma theory (Shils, 1965), he classifies premodern systems into three groups, according to the degree of development of political centers: 1. primitive; 2. systems with embryonic political centers (tribal federations, patrimonial systems and city states); and 3. systems with developed political centers (feudal formations and bureaucratic empires).

**Figure 1. Classification of political formations; compiled from (Eisenstadt, 1971/1989f)**



### Primitive political systems

Eisenstadt uses Shils' reinterpretation of the concept of charisma to construct not only a typological but also a developmental scheme. A key criterion is the degree of differentiation of the political system from lineage and kinship relations and the degree of crystallization of the political center. On the one hand, primitive societies do not have a political center, on the other hand, the de facto whole community constitutes the charismatic center because political functions are articulated in kinship and religious language (Eisenstadt, 1971/1989h, p. 80).

This thesis can, in our opinion, be explained on the example of clan system. Each clan has its totem, however, clan totems do not only fulfil religious and kinship functions. The clan system becomes the basis for the construction of an internal and external de facto political order. If the Nuer face an attack, the entire tribe (the maximum clan aggregate) will oppose it. At the same time, each clan and clan has a sacred center, or centrality is spread over the whole community.

Eisenstadt divides primitive political systems into decentralized tribes (segmented in Durkheim's sense<sup>6</sup>) and centralized chiefdoms based on the degree of articulation of the central political system. In this he essentially follows Fortes and Evans-Pritchard. (Fortes & Evans-Pritchard, 1940, p. 5) distinguish African political systems into Type A, which has centralized authority, and Type B, which are systems without centralized authority. Eisenstadt's innovation is a further differentiation of this typology.

### Tribal federations

Eisenstadt's interpretation of the term tribal federation is not entirely clear, while in *Political Systems of Empires* (1963/1969, p. 10) he speaks of nomadic empires, in *Political Sociology* (Eisenstadt, 1971/1989b, pp. 121–125) he uses the term tribal federation. Since the other types in his classification are virtually identical, this suggests a certain degree of identity between the two concepts. However, he

<sup>6</sup> In fact, it is necessary to distinguish between Durkheim's broader concept of segmented society and Pritchard's narrower concept of linear gender segmentation, which we find, for example, in the Nuer. Therefore, unlike Eisenstadt, I do not use the term segmented tribes in a broader sense, but use the terms: tribes or decentralized tribes.

makes virtually no mention of nomadic empires in *Political Systems*, nor does the term appear in the index. In *Political Sociology*, the interpretation of the term is strongly tied to the context of ancient Palestine. For example, the organization of Asian nomads is, from my perspective, somewhat illogically discussed in the section devoted to patrimonial regimes, which can be both sedentary and nomadic.

Tribal federations arise because of processes of tribal amalgamation that lead to the creation of new types of centers. Tribal federations are aggregates of “distinct tribal units based primarily on kinship and territorial units similar to some larger primitive societies.” These tribal and territorial units, often because of external, mostly geopolitical pressures, are forced to converge into larger units without, at least initially, their structural characteristics having changed in any fundamental way from their primitive stage of development. (Eisenstadt, 1971/1989b, p. 121). However, because of aggregation, supra-tribal centers slowly emerge. Eisenstadt draws heavily on the history of ancient Palestine, particularly his analysis of the processes of the emergence of the Israelite “state” in the 10<sup>th</sup> and 9<sup>th</sup> centuries BC.

Eisenstadt states that the intertribal centers contributed “to the development of certain components of center formation: the development and centralization of new symbols of shared collective and sociocultural identity, the regulation of external power, and, to a lesser extent, the regulation of intergroup relations.” (Eisenstadt, 1971/1989b, p. 122) Note, then, that he names the symbols of a common sociocultural identity first, foreign policy second, and internal politics only last and to a limited extent.

The centers in the tribal federations thus tended to form enclaves, anticipating more advanced stages of development, “nuclei of new, more differentiated social and cultural orientations and organizations” (Eisenstadt, 1971/1989b, p. 122). These centers did not have the potential to transform the organization of the tribal confederation or federation as a whole. Within the centers, some groups (traders, priests) broke out of the tribal social structure, but the majority of the population still lived within its framework.

In terms of power, it is relevant that important social strata emerge in these centers, which have emancipated themselves from the framework of tribal society. The first of these is the king, or rather the royal family. The administrative and military staff, mainly made up of mercenaries, is linked to him. The role of the aristocracy

is key, as although it is tribal in origin, it acquires a new playing field within the political center to advance its interests. Finally, we have the priests and prophets, who also emancipated themselves within the ritual center from tribal loyalties (Eisenstadt, 1971/1989b, p. 122).

### **Patrimonial States – Weberian origin of the term patriotism**

The concept of patrimonialism was introduced into political sociology by Max Weber. According to Sell, Weber took this concept from the work of the Swiss jurist Karl Ludwig von Haller (1768–1854) *Restauration der Staats-Wissenschaft*<sup>7</sup>. Von Haller distinguished three forms of the state: patriarchal, military and spiritual. In this scheme, then, patrimonialism is the result of a further evolution of the patriarchal state. The whole scheme is based on the concept of *pater familias* – father of the great family. The patrimonial state here represents only a higher evolutionary stage of the patriarchal state and is not fundamentally qualitatively different from it (Sell, 2017, p. 321).

Weber himself understands patrimonialism as an example of traditional domination. The genesis of the notion of patrimonialism is based on the concepts of gerontocracy and patriarchalism (Weber, 1921/1978, p. 231). Pure patriarchalism is understood by Weber as the rule of the father over a wider clan or kinship unit. Patriarchal rule is based only on traditional authority since the clan father has no governmental or military apparatus. A good example would probably be the patriarchs described in the Old Testament. When Joseph’s brothers sell him to Egypt, they fear their father Jacob, even though his power is based solely on his traditional authority and is not backed by a coercive apparatus.

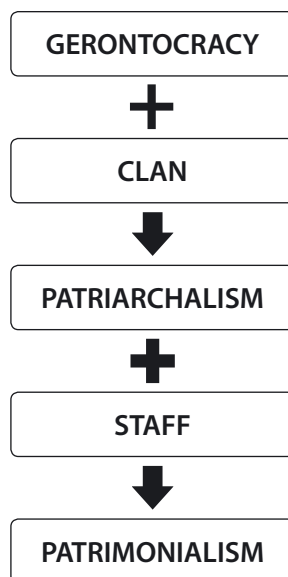
Pure patrimonialism arises from the further expansion of the originally patriarchal government, when the patriarch of the clan becomes the lord and ruler and the administration of the expanding territory requires the creation of an administrative and military apparatus. Despite the existence of a bureaucratic and military apparatus, the newly formed state formation still has the constitutional character of a kind of large household of the monarch.

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<sup>7</sup> *Restauration der Staats-Wissenschaft oder Theorie des natürlich-geselligen Zustands der Chimäre des künstlich-bürgerlichen entgegengesetzt.* from 1816.

Weber's introduction of the concept of patrimonialism can be considered one of his most important contributions to the sociology of politics. This concept has been widely reciprocated not only by sociologists, historians but also by comparative political scientists (Chehabi & Linz, 1998). The problem with Weber's notion of patrimonialism is that it is used to describe a very diverse set of political regimes. To take just a few: Weber gives as examples of pure patrimonialism Ancient Egypt, the Persian Achaemenid Empire and the Merovingian Empire (Weber, 1921/1978, pp. 1044–1047;1051–1055); Fukuyama, among others, Louis XIV's France or the Spanish colonies in Latin America (Fukuyama, 2012, p. 336;355); Sell describes the application of the concept to contemporary political regimes in Latin America (Sell, 2017, pp. 315;332); Richard Pipes to Tsarist Russia (Pipes, 2004) and Mikhail Maslowski to Putin's Russia<sup>8</sup>. In the light of this diversity, Eisenstadt's contribution of narrowing down the concept stands out all the more.

**Figure 2. The genesis of Weber's concept of patrimonialism**



<sup>8</sup> Mikhail Maslowski: The Soviet model of modernity and the political transformations in post-communist Russia, lecture delivered on 18 April 2012 as part of the Historical Sociological Confrontations series at the Department of Historical Sociology, FHS UK, Prague.

### **Eisenstadt's redefinition of the concept of patrimonialism**

While Weber understood the notion of patrimonial domination by means of an ideal-typical opposition to bureaucratic domination, Eisenstadt attempted to narrow the notion of patrimonialism. According to Eisenstadt (1971/1989a, p. 138) Weber "did not fully distinguish between patrimonial and imperial regimes". Weber further understood feudal regimes as extreme cases of patrimonial regimes. Eisenstadt, on the other hand, understood patrimonial regimes as the precursors of feudal and imperial regimes. They are a kind of embryos of the more advanced feudal and patrimonial regimes (ibid.)

Eisenstadt gives the following examples of patrimonial political formations:

1. The early empires of the Ancient Near East: Egypt under the Old Kingdom, the Empire of Sargon of Akkad, the Assyrian and Babylonian empires;
2. Nomadic Empire: Hittites, Hyksos, Mongols;
3. Germanic and Slavic tribal empires and states;
4. Indian and South Asian empires: Cambodia, Burma;
5. Central American pre-Columbian empires: Maya;
6. Early medieval Slavic states in the Balkans;
7. Polynesian States (probably Hawaii, in embryonic form).  
(Eisenstadt, 1971/1989a, p. 138)

These patrimonial political formations can take both sedentary and nomadic forms. Patrimonial regimes arise either by progressive development from tribal confederations; by the expansion of city-states (Mesopotamia under Sargon of Akkad); by the domination of settled populations by nomadic raiders (Hyksos, Mitanni, Hittites, Mongols); or, conversely, by the collapse of feudal or imperial formations (Franks, Ostrogoths, Visigoths, Vandals) (Eisenstadt, 1971/1989a, p. 38).

Eisenstadt (1971/1989a, p. 139), in contrast to Weber and following Shils, emphasizes the relationship between center and periphery in analyzing the dynamics of patrimonial empires, with the center having charismatic attributes. The differentiation of center and periphery has: 1. a structural, 2. a symbolic and 3. an ecological dimension. For example, if we imagine Angkor Vat as the center

of the 12<sup>th</sup> century Khmer empire in Cambodia, then this temple complex was structurally distinct from the village population cultivating the rice fields. Indeed, it housed the court of the ruler, which offered opportunities for upward social mobility and thus created a different social structure that was no longer based solely on clan and kinship principles. For example, courtiers or priests were recruited according to different criteria. The symbolic difference of the center was expressed, for example, by the tower-like character of the temples, which referred to the mythical Mount Meru, which represented the center of the world and the seat of the gods. There was thus an intermingling of cosmological and political centers, since the temple complex was also the seat of the ruler. The ecological distinctiveness is demonstrated here by the fact that the temple complex represented a different environment from villages surrounded by rice paddies and located in the middle of a tropical forest (Coe, 1971) (Heine-Geldern, 1971).

Unlike bureaucratic empires, however, the development of political centers in patrimonial empires was still limited. The political center was not always the capital; it could be caravan cities, temple centers, or city-states even outside the territory of the patrimonial polity (ibid.). Therefore, patrimonial states do not develop a specific urban identity within the political center, typical of bureaucratic imperial regimes. Angkor Vat, or Maya temple complexes do not generate an urban political culture typical of Rome or Constantinople (Eisenstadt, 1971/1989a, p. 139).

### **City States**

City states represent the oldest form of state political organization. According to Eisenstadt, it is “the first, archaic stage of the breakthrough from primitive political order” to more advanced orders (Eisenstadt, 1971/1989g, p. 178). City states have a diverse trajectory of their own genesis. Primitive city states emerged from both tribal confederations and patrimonial regimes. Of particular interest is the genesis of the city state from tribal confederation, where the city state emerges around a temple or important ceremonial center. What is interesting about this observation of Eisenstadt’s is that it problematizes the currently fashionable critique of neo-evolutionism and functionalism, which faults these movements for their unilinear model of development and holistic conception of social change.

Yoffee (2003), for example, attributes this notion to Elman Service in particular, using the emergence of Mesopotamian city states as an argument for the invalidity of the unilinear developmental thesis that the emergence of the state was preceded by a stage of chiefdom. Indeed, he argues that the so-called chiefdoms represent a secondary developmental branch rather than an actual precursor to the emergence of city-states. In any case, it turns out that this objection cannot be convincingly applied to Eisenstadt.

However, Eisenstadt’s rejection of the unilinear conception of development does not mean that he rejects the key functionalist concept of differentiation. Eisenstadt lists three basic conditions whose convergence set in motion the breakthrough process of transformation from tribal confederation to city-state: 1. social differentiation of tribal groups, 2. differentiation of settlement, 3. involvement of the newly formed organism in “international” relations (Eisenstadt, 1971/1989g, p. 178). In Mill’s terms, international organization represented a necessary condition for the emergence of city-states, while internal differentiation represented the starting developmental impulse. Thus, the primary city-states actually represent a subset of the then existing political formations that were heavily involved in long-distance trade and inter-group/international relations. The nature of the broader international system also represents a key condition for the survival of city states.

### **Feudal and feudal-imperial states**

According to Eisenstadt, feudalism represents a more advanced form of political integration than patrimonial regimes or early city states. It is a decentralized form of political organization where the existence of a central political corporate structure is replaced by personal relations between the seigneur and the vassal. As a result, feudalism is characterized by a multiplicity of political centers at diverse levels of the feudal hierarchy. As with other forms of political organization, it is based on Max Weber’s conceptualization of feudalism. For Weber, feudalism is an extreme case of patrimonialism. The key here is the contractual relationship between seigneur and vassal, coupled with the possession of a fief. Weber then distinguishes the fief from the prebend or beneficium, which is not hereditary and is linked to the office rather than the person of the holder. In short, we can thus say that Weber distinguishes between

prebendal patrimonialism (typical of oriental countries) and fief feudalism (typical of the West).

Eisenstadt essentially adopts Weber's conception and critically defines himself against the Marxist tradition, which understood feudalism not as a form of decentralized political organization but as a mode of production or socio-economic formation. As a result of their unilinear conception of development, they then viewed feudalism as a developmental stage occurring in all societies. Eisenstadt, on the other hand, adheres to the position of Weber, European historians of the Middle Ages and Andreski, according to whom we can speak of feudalism in its pure form only in Western Europe and to a limited extent in Japan (Weber, 1921/1978) (Andreski, 1964, pp. 149–162).

However, in addition to pure feudalism, Eisenstadt also speaks of societies in which we can identify partially developed feudal institutions (Eisenstadt, 1971/1989d, p. 222). In this context he mentions the late Byzantine Empire, many Muslim and Indian states. These cases were the result of the disintegration of large empires, with local officials renting the right to collect taxes. Indeed, Max Weber mentions similar cases. Another type of partial feudalism is found in politically decentralized oriental societies, where local patrimonial administrations had greater powers than the central government. Here Eisenstadt speaks of China under the Shang and Zhou dynasties, the Kassites in Mesopotamia, the Mitanni in Syria and the Parthian Empire in Persia (Eisenstadt, 1971/1989d, p. 222). In none of these examples, however, there was a fully developed relationship between seigneur and vassals, as there was in Western Europe.

### **Historical-Bureaucratic Empires**

Historical-bureaucratic empires or centralized traditional states represent the most developed form of pre-industrial and pre-modern political organization (Eisenstadt, 1971/1989e). The term roughly corresponds to what Michael Mann called a territorial empire as opposed to an empire based on dominance (Mann, 1986, p. 250). Bureaucratic organization helped to integrate the empire into a single state unit and provided the periphery with access to the center. The emergence of historical-bureaucratic empires is associated with the rise of new elites of a non-aristocratic type (merchants, officials, etc.), which support the processes of the political system breaking

free from the bonds of traditional loyalties and structures. Thus, the existence of a developed social structure is a necessary condition for the emergence of a bureaucratic empire. The second condition is a new type of political leadership, a conscious aspiration of the ruler to create a new type of empire (Alexander of Macedon, Caesar).

Traditional bureaucratic empires or historical-bureaucratic empires, unlike patrimonial empires, show a much higher degree of differentiation between the political center on the one hand and the periphery on the other. On the other hand, however, we also observe a higher degree of integration. The periphery has both bureaucratic and cultural access to the political center. In the cultural sphere, we often find religion of the axial type. The developmental limits of historical-bureaucratic empires, which distinguish them from modern states, are mainly since traditional forms of legitimizing political power still persist.

Eisenstadt follows Mosca and Weber in his description of the problems of historical bureaucratic empires (Eisenstadt, 1958a, p. 15). What distinguishes bureaucratic empires from patrimonial regimes is that with the emergence of bureaucracy a new autonomous field for political activities independent of kinship or ascriptive criteria is created. Eisenstadt elaborates this criterion further and gives the following variables that express the degree of difference between historical bureaucratic empires and patrimonial regimes:

- a. “the extent to which political hierarchies are distinct from social and economic hierarchies;
- b. the extent to which there are specific administrative and political organizations that are not embodied in other specific groups (such as villages, estates, etc.);
- c. the extent of differentiation within the political apparatus;
- d. the extent to which the political apparatus is regulated by its own criteria, distinct from other groups or social classes, in terms of personnel, recruitment and functioning;
- e. The extent to which the rewards of political office are secured by way of salary and not by way of spoils from the area administered.” (Eisenstadt, 1958a, p. 18)

Historical-bureaucratic empires thus represent a qualitatively new form of political integration and are a precursor to the emergence of modern political formations. The issue of historical-bureaucratic

empires is only briefly introduced here because the topic has already been treated in Czech (Německý, 2007).

### Social change in pre-modern societies

The following typology of pre-industrial and pre-modern political regimes has important implications for the theory of social change in traditional societies. Eisenstadt problematizes the evolutionist conception of social change that was implicit in the classics of Western sociology. Classical evolutionists drew on the metaphor of the organism and imagined that all segments of society change together at the same rate. They were inspired by the development of political modernization in Western Europe. Eisenstadt points out, however, that the Western European model of modernizing social change based on the metaphor of the organism, where changes in individual sectors of society occur in a coalescent fashion, is rather an exception in human history. According to the degree of coalescence of changes in individual sectors, he then divided societies into those with (1) a non-coalescent, non-associated pattern of social change; (2) a partially coalescent pattern, where changes in individual sectors are coalesced in the short term but the result does not translate into permanent institutionalization, generally because of the small scale of the political community (the city state); and (3) a coalescent, i.e., associated model of social change. This pooled model is found in its purest form in the feudal absolutist societies of Western Europe. (Eisenstadt, 1982, pp. 126–183), (Eisenstadt 1990)

However, the degree of clustering of change in different sectors of society represents only one measure, one dimension of the degree of coalescence of social change in a given society. The other dimension is the extent to which rebellions, religious heterodoxies, central political conflict, and institutional transformations are coalescing (Eisenstadt, 1990, p. 244). In other words, it is not at all self-evident, as it was in late medieval Europe, that religious rebellions correlate with political conflict and that the result of this process is a transformation of the dominant institutions in society. This was not the case in most oriental patrimonial regimes; even in ancient Near Eastern societies, a change of dynasty often led to the dissolution of the existing society and the emergence of a society with a new collective identity. In the city states of ancient Greece, temporary associational or coalescent changes did occur, but given

the instability of the state due to its small size, the process of permanently institutionalizing these changes was not successful.

Thus, a necessary condition for achieving a coalescent course of social change is a higher degree of differentiation between center and periphery, which, according to Eisenstadt, is found in feudal and historically bureaucratic regimes. However, the structural factor alone is not enough. In order for a coalescent pattern of change to occur the correct nature of the cultural factor i.e. religious orientation is needed. Inner-secular religions such as Confucianism do not create the right conditions for the coalescence of religious heterodoxies and political conflict. Nor are otherworldly religions that preach escape from the world, such as Buddhism or Hinduism, ideal in this respect. Ideal are otherworldly religions that seek to transform this world and promote an inward-looking asceticism, such as Protestantism or Judaism.

In principle, we can imagine that the nature of social change depends on two factors:

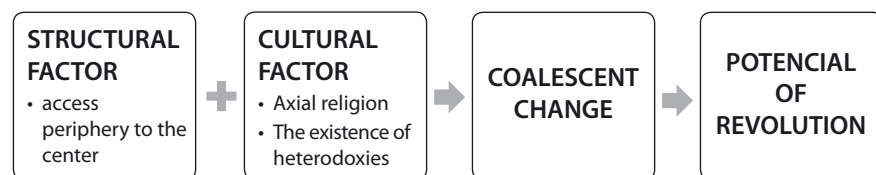
1. Structural factor – the nature of the regime (tribal federation, patrimonial, city state versus feudal or imperial system),
2. cultural factor – the nature of religion ( intra-worldly versus other-worldly orientation)

**Figure 3. The nature of social change in traditional societies. Own analysis based on (Eisenstadt, 1982, pp. 126–183) (Eisenstadt, 1990)**

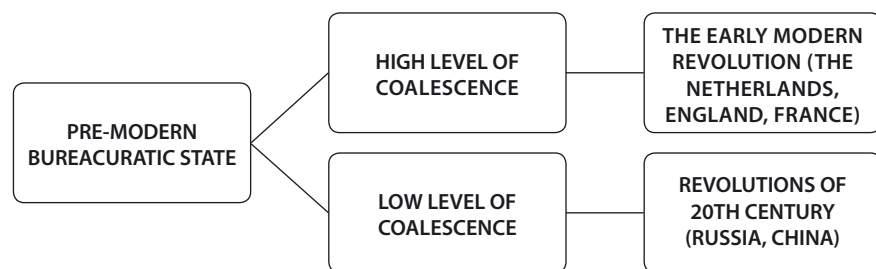
Structural factor/ character of the regime	Cultural factor/ religious orientation	Type of social change	Examples
Tribal, patrimonial	Intra-wordly or non-axial	Non-coalescing, non-associated	Ancient Near Eastern societies
City States	Intra-wordly or non-axial	Partially coalescing	Ancient Greek city states
Bureaucratic empires	Intra-wordly or non-axial	Lower degree of coalescence	Ancient China
Bureaucratic empires	Other-wordly, axial	Higher degree of coalescence	Byzantium
Feudal	Other-wordly	Higher degree of coalescence	West

The combination of structural and cultural factors in traditional societies then has major implications for the shape of modernization in that traditional society. Where high levels of structural differentiation and religious heterodoxy combine to transform this world, early modern (bourgeois) revolutions have taken place. Conversely, in societies such as China or Russia where there was a high degree of structural differentiation combined with little association between religious heterodoxies and political conflict early modern revolutions did not take place. These traditional societies, while stable, were nonetheless rigid. The accumulated tensions then led to late modern revolutions in the 20<sup>th</sup> century (Russia, China).

**Figure 4. Conditions of revolution according to S.N. Eisenstadt**



*Figure 8 The influence of the degree of coalescence of change on the nature of the modern revolution*



### Overall evaluation

The aim of this article was to present the process of the genesis of Eisenstadt's typology of traditional political formations and to show its importance in the totality of the author's thinking about the nature of social change. The nature of the traditional political regime then determines the specific path to modernity, which for Eisenstadt is a kind of second axial age.

Nevertheless, there is no denying that, from today's perspective, this approach has certain limits. The first limitation is that Eisenstadt's conception reflects the functionalist tradition of understanding social change as a progressive differentiation from simple societies to complex societies. He thus follows Talcott Parsons and Neil Smelser, or Stein Rokkan. This approach describes the process of increasing differentiation, but lacks a detailed analysis of the specific causal mechanisms that stimulate differentiation. In Eisenstadt, similar mechanisms are suggested and described at too high a level of generality. This would need to be supplemented by specific case studies that use, for example, the procedures of analytical sociology.

The second limitation is that Eisenstadt is too dependent on Parsons' strategy of building grand sociological theory through taxonomies, which has been criticized by Jonathan Turner (2010). In contrast, Jonathan Turner attempts to build a macrosocial theory by identifying a few basic generative principles of social reality. The advantage of this approach is that the resulting theory then better fits the Ockham's Razor criterion and does not face the problem of an unbearably increasing complexity of the theory due to the addition of new and new taxonomies, as Parsons did, according to Turner. Eisenstadt attempts to counter this problem in a somewhat dogmatic way by labeling certain dichotomies and classifications as fundamental, but this exposes his theories to easy criticism from critics.

Eisenstadt's grand theory would therefore need to be complemented by more detailed analyses of the mechanisms of social change at the macro and meso levels. In the work of Jonathan Turner (2010) we find a number of new conceptual tools for this, such as the notion of evolutionary selection (Durkheimian, Spencerian) (Turner 2010: 28)

Incorporating these conceptual innovations into Eisenstadt's theory would go beyond the scope of this article and would indeed require research of an interdisciplinary nature. However, a prerequisite for interest in such a research project would be that the early phase of Eisenstadt's work would cease to be forgotten and become a topic of discussion in the social sciences once again. Perhaps this study will contribute in a small way to that end.

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*Máté Szabó*

## **The Tisza Party on the Banks of the Tisza River – A New Era of Movement Parties in Hungary and Elsewhere?**

### **Introduction**

Movement parties are not (or not only) “movement-based” because they originate from political movements, but because their mode of operation closely resembles that of political movements: loose organizational structures, flexible networks, significant protest activity, provocative styles, strong campaign-based mobilization strategies, and effective mobilizing discourses both within the movement and in society at large. A movement can become a party, and a party can in turn become a movement—this is largely a matter of style. Naturally, there are criteria for speaking of a political party, such as participation in elections under the rules of parliamentary democracy. Winning a majority is not mandatory, but some tangible results must be demonstrated in electoral politics in order to meet the criteria of partyhood.

Otherwise, outside parliament and other representative forums—which are numerous, including local and community governments, regional authorities, national parliamentary representation, referenda, and the European Parliament—the organization becomes a debating, protesting, or otherwise functional group, potentially a kind of political sect (as in the USA), or a business built around party subsidies (as has become common in Hungary).

### **The Parties in Hungary**

Transitions between parties and movements took place in Hungary and elsewhere during the period of regime change (1989–1992), when, for example, the MDF and the SZDSZ, as well as Fidesz, transformed from opposition movements into political parties. These movement-based organizations very quickly became stable elements of the party system after passing through the “cleansing fire” of the 1990 elections. Fidesz later returned to a mobilizational profile as a strategic choice after 2002, when it established the Civic Circles movement. It again resorted to this strategy more forcefully in 2025, in opposition to the TISZA Party, with a stronger online profile.

The second movement-to-party period in Hungary began in 2010, when the previously established dual-structured party system fractured. This period saw the emergence of the long-awaited Hungarian green party, *Politics Can Be Different* (LMP), as well as a new radical right-wing party, Jobbik, which took over the political terrain previously occupied by MIÉP and the Magyar Út Circles. Initially, Jobbik could claim a very strong extra-parliamentary presence through protests, broad civil-society building, and movement-based mobilization. Today, however, neither of these parties is truly part of mainstream party politics. Shortly thereafter, these new parties entered into crisis, became marginalized within the dominant one-party system, and were absorbed into the framework of “opposition cooperation.” During the 2022 campaign and elections, this opposition alliance attempted to consolidate itself, unsuccessfully. A new radical party, *Our Homeland* (Mi Hazánk), replaced Jobbik, while LMP now exists only in trace elements.

Nevertheless, the Hungarian party system remained stable in the longer term and rested on Fidesz’s dominance after 2010. At the same time, a new type of campaign-mobilizing party shaped by populist leaders emerged in this period in the Czech Republic, Slovakia, Poland, and in certain Western European countries as well.

What were the external and internal political opportunity structures underlying these developments?

- The delegitimation and crisis—or “fracture”—of the existing party system is a key external condition; without this, no “breakthrough” is possible.
- This process is both a result of and a starting point for voters’ large-scale withdrawal from traditional parties.
- New parties are often associated with leaders who possess economic success and prestige, as in the Czech and Slovak cases. More generally, a central personality is required—someone with a certain aura or quasi-charisma, or at least someone who can be effectively managed and marketed in the media.
- In political discourse, the moralizing movement party typically rejects traditional political ideologies, promises radical renewal of politics—and even of morality, society, and the economy—and attempts to make this promise credible (e.g. by pledging to eliminate corruption, clientelism,

nepotism, and opaque, non-transparent decision-making, and to establish a “clean” public life). As a result, it usually positions itself on a populist platform. It claims to be the party of citizens rather than politicians, invoking a return to 1989 and to Rousseau. The promise of a new political community—civic and political, national and European—beyond left and right, is another common populist element.

- In terms of appearance, these parties are characterized by a combination of spectacular mass actions, professional political management, and new forms of media use that are broadly transparent and capable of reaching voters efficiently.

In Hungary, several attempts were made—largely unsuccessful due to Fidesz’s dominance—to introduce a sweeping, new, previously unused political actor and party leadership during and after the 2022 campaign. One such example was the now-defunct initiative *Solution* (*Megoldás*), led by György Gattyán. This initiative sought to emulate the new-type party successes seen in the Czech Republic and Slovakia. Gattyán, like Babiš, is a “successful” large-scale entrepreneur and could afford to found a party, even appointing its leadership from his privately owned university. However, the conditions prevailing in other V4 countries—at least on the right-wing populist-conservative side—were not present in Hungary, and Fidesz successfully integrated an overwhelming two-thirds-plus majority of voters in the 2022 elections.

In Hungary, there is no need for a new political leader; Viktor Orbán, the prime minister and the seemingly inexhaustible charismatic leader of Fidesz, is already available. He remains highly popular and possesses European and even global visibility—both positive and negative. He is admired and recognized as “one of their own” in states governed by authoritarian populist leaders, while systems and parties committed to liberal democracy, human rights, and parliamentary governance regard him as an enemy or a threat, as the leader of an authoritarian or hybrid regime—not only on the left, but also within certain centre-right political currents and even ostensibly non-partisan international organizations such as the EU.

As a consequence, the absence of favorable external conditions, combined with the internal unsuitability of the political leader, led

to failure. The attempt to introduce György Gattyán to the political market as an incorruptible leader representing a new moral order—based on his outstanding economic and financial success as the operator of the popular “adult” video-streaming site LiveJasmin within the Docler Holding—and the strong profile of Fidesz together blocked the success of a new-type movement party in Hungary. In the 2022 parliamentary elections, they managed to reach only 1 percent.

Overall, it can be stated that within the V4, a “recipe” has emerged for a new party image centered on a “purely civic and unblemished leader.” However, this innovation did not succeed in Hungary in 2022 and will not do so as long as the popular populist mass party Fidesz and its demonstrably effective populist leader, Viktor Orbán, continue to achieve landslide victories in elections and crisis management, as in 2022. According to several analysts, Gattyán’s new party was either a weak copy of Fidesz or even a “decoy.” He was not the right person in the right place, and thus Hungary did not follow the V4 trend of new movement–mobilizing parties. In 2022, the dominant party once again remained Fidesz, with Orbán as its political leader.

In the Czech case of ANO and Babiš—and similarly in Gattyán’s *Solution* experiment—the direct convertibility of economic prestige into political power takes center stage, replacing the traditional mechanisms of political leadership selection. The opposing mobilizing, movement-based party and alliance in the Czech Republic positions itself precisely against this logic and seeks to resolve political renewal from within society itself, as in 1989. The conflict between economic-based legitimacy and the civil moral order that rejects it contributed to the collapse of Babiš’s premiership and ANO’s defeat in 2021. Within the new five-party coalition, the Czech opposition-movement *Milion chviliek* (*Million Moments*) gained prominence. In Slovakia, meanwhile, Robert Fico—severely weakened by accusations of mafia connections and contract killings—was replaced in February 2020 by the *Ordinary People and Independent Personalities* (OLaNO) party.

In both the Czech and Slovak cases, the unexpected victories of democratic-populist parties were facilitated by the embarrassing dead-end failures of the previous right-wing populist governing parties, which had become entangled in networks of economic and personal abuse, and by the emergence of serious accusations against their leaders within a crisis discourse grounded in moral terms. This created

opportunities for new movement parties to enter government. The fact that a renewed Fico later returned to power may be explained by factors such as the comparatively weaker liberal-democratic tradition in Slovak political culture (relative to the Czech case), the earlier popularity of the charismatic populist-nationalist Mečiar, and the alliance with a much stronger Slovak Catholicism—historically linked to Tiso’s fascist dictatorship. In Poland, the position of the Church is even stronger, reinforcing religious nationalist populism even within the opposition, drawing on the rich legacy of Piłsudski and others. (In Hungary, the later “pedophilia scandal” demonstrated that there is political division within the churches as well, though it was not Catholicism but rather the Calvinist Church that came under scrutiny. Hungarian Catholicism entered the international Catholic discourse primarily because of pedophilia tendencies within the Church itself. The legacy of populist and nationalist authoritarianism, drawing on the model of the Horthy regime, has supported similar post-1989 political ambitions and has provided—and continues to provide—an inexhaustible reservoir of symbols and rituals, which the Fidesz regime has institutionalized at the level of the nation-state.)

Across Europe, small “pirate,” single-issue, alternative radical parties—primarily opposing corruption and nepotism within the political class—first emerged in Western Europe and later appeared in Central Europe as well. Unlike their Western counterparts, they are less rooted in the left and instead draw on the legacy of civil-political movements surrounding the regime change of 1989 or seek to legitimize themselves as their heirs. They are likewise characterized by moralizing political discourses. Even as episodic actors, they may initiate certain political reforms and processes of purification aimed at curbing the excesses of entrenched Eastern mafia states, by foregrounding the issue of “state capture” and criticizing state and political corruption. Similar patterns can be observed in Serbian political discourse.

In Hungary, a relatively successful avant-garde “pirate” party is the Two-Tailed Dog Party, founded by visual artists from Szeged. It was able, for example, to elect a mayor in Budapest’s 12<sup>th</sup> district, has built a long-term, stable alternative protest culture, and occupies a relatively stable role, albeit primarily in extra-parliamentary politics. It is a fine example of the interaction between cultural, artistic, and political movements. Since 2017, the Momentum Movement—originating in the reactive, rejection-based *NOLimpia* campaign against

hosting the Olympic Games in Budapest—has gained national parliamentary representation, seats in the European Parliament, and local government roles. Today, however, Momentum’s internal crisis, combined with its radicalism both inside and outside parliament and the resulting legal sanctions, may condemn it to political extinction, particularly in light of TISZA’s recent successes.

### **Is the TISZA Rising Again in Hungary, as in Petőfi’s Poem?**

In 2024, the development of movement parties in Hungary entered a new phase when—similarly to the major Fidesz and far-right mobilizations of 2006—a media scandal and a series of “leaks” triggered a wave of mobilization that, over the past year and a half, led to the emergence of the TISZA Party led by Péter Magyar. This party/political movement was tested in the June 2024 European Parliament elections and, relative to its very short history, achieved a stormy success. It finished behind Fidesz, securing 33 percent of Hungary’s 21 mandates—seven seats—while Fidesz won 52 percent, or eleven mandates. Another movement-born party, Momentum, obtained around 10 percent and two seats. In the local government elections held simultaneously with the European Parliament elections, the TISZA Party achieved the second-best result in the capital, Budapest, allowing it to form an independent faction in the city assembly.

This story represents a textbook case of success: rapid political mobilization combined with significant political outcomes in terms of mandates, institutional access, and the conquest of media discourse. Such a phenomenon has occurred in Hungary only once before, in 1989, when the parties that became the core actors of the post-1990 party system—Fidesz, MDF, and SZDSZ, lacking a direct interwar tradition—emerged seemingly “out of nothing,” alongside the legal successor of the state party (MSZP), marginalizing both the Social Democrats and the so-called nostalgia parties (FKGP, KDNP). The immediate positive feedback generated by early success opened the possibility for the further diffusion of political mobilization. By short-circuiting organizational-leadership issues as well as identity and cultural dilemmas (enemy images, traditions, international alliance partners, relations with the EU), the convergence of external and internal conditions offered a hopeful perspective for the 2026 parliamentary elections. During 2024–2025, a breakthrough was

achieved vis-à-vis the dominant party and the marginalized opposition forces alike, opening up a dual strategic pathway toward viable campaign objectives and strategies for those willing to tread it.

The “triggering event” initiating the moral discourse occurred in its early phase. Within Hungarian political life—and among pollsters and political scientists alike—TISZA suddenly gained prominence as a potential alternative and challenger to Fidesz in the 2026 parliamentary elections. Its charismatic leader, Péter Magyar, emerged as an alternative political figure in the context of the so-called “pedophilia scandal,” which led to the downfall of both the President of the Republic and the Minister of Justice, the latter being his former wife. The presidential pardon granted to a suspect in a pedophilia case involving child protection institutions—preceded by a formally negative opinion from the Ministry of Justice—sparked a nationwide moral and political discourse and mass mobilizations. In parallel with the delegitimation of the Fidesz government, Magyar, by releasing a secretly recorded conversation with his former wife containing alleged revelations about senior government figures, launched a political movement as an effective media actor. He initiated the *Talpra Magyar!* (“Rise, Hungarians!”) movement and organized an active network of small local communities known as “TISZA Islands.”

The *Respect and Freedom Party* (TISZA) was established by taking over an already legally registered but inactive party, originally founded on 23 October 2020 and led by former Fidesz member Attila Szabó. Rapid political mobilization and electoral success produced a genuine opposition alternative that pushed other opposition micro-parties—both left- and right-wing—to the margins. In the European Parliament, TISZA sits with the European People’s Party, a group of which Fidesz was previously a member before leaving and joining a far-right parliamentary faction.

The dissolution of Magyar’s marriage, accompanied by the exposure of his former wife and her political elite milieu through the publication of secret telephone recordings, evokes the causes of the Trojan War and the story of the Trojan Horse. This resonates with Sigmund Freud’s tradition of tracing European culture back to adultery—hardly a “joke,” as Freud himself incorporated such themes into his psychoanalytic analyses. Anyone familiar with *Totem and Taboo* may recognize this wiretapping scandal between spouses as a classic, albeit postmodern, act of taboo-breaking.

In media discourse, this taboo-breaking—by exposing the amorality and authoritarian character of the political elite—can similarly be traced along Freudian lines to the childlike revelation that “the king is naked,” this time at the level of the public sphere and the political community, stepping out of the realm of fairy tales.

The initial media narrative focused on the protection of vulnerable children, but it gradually led to a demand for the removal of the authoritarian and corrupt elite that had enabled such abuses and thereby forfeited all moral legitimacy. Fidesz is naked; Orbán is naked—“I, Péter Magyar, put on my jersey, offer a new pattern; I am just like you, I walk with you and trample the path before you, which leads into the future,” according to the neo-populist credo. The conflict became a genuine crusade for children—but without the Cross, which the far right and Fidesz had largely appropriated. In this narrative, Magyar Péter appears alongside a veteran soldier, whose uniform-like attire evokes the image of a leader of warfare. The forces of evil, meanwhile, seek to smear him, twisting his body and home under the venomous tongues of propagandists. Yet “we will clear away the ruins and build a new house and homeland in their place—one that will again become an organic part of the European House, from which some once pushed us out like a mobile trailer, while we stood by. Now we will push it back in.” What emerges is a dynamic political mobilization rooted in moral discourse against corrupt and authoritarian monopolistic rule, combining the profiles of political movement and party under a charismatic leader.

The hot breath of charisma burns away the incidental elements of the context of origin: the initial injustice, indiscreet treatment, and the previous ties to the NER system. What remains is the fire-hardened messiah and hero cult, the post-communist myth of *Ludas Matyi* and *Döbrögi*. In the folk forge, steel is tempered, the hero is shaped for the people, and superfluous embellishments are stripped away. Kövesdi and Metz (2025, pp. 262–263) speak of the dynamics of the “spiral of admiration,” a kind of carousel that shaped Péter Magyar’s image for media and politics alike:

“The events gradually turned into a kind of ‘identity festival’... where participants could experience their shared belonging and hopes in an informal manner within a highly polarized society. Collective singing, chanting of slogans, and holding hands create moments of liturgical power, while flags, the cockade, and historical locations acquire new meanings: they become symbols not appropriated by the

government, but reclaimed and jointly owned... National symbols belong to the central elements of identity formation. Accordingly, the national tricolor, historical heroes, and solidarity with Hungarians beyond the borders all play a defining role in the visual and symbolic universe of the events.” (Kövesdi–Metz, pp. 262–263). “Regardless of how one relates to him... Magyar is not merely a politician, but the embodiment and shaper of collective hope and a new community identity—an ‘identity entrepreneur’ who enables his followers to feel like active agents of history.”

R. Metz characterized charismatic political leaders even before Péter Magyar’s emergence as follows: “Leader democracy explicitly identifies democratic politics with charismatic leadership. This vertical relationship, built on emotional commitment, gives the political process its top-down character. Through the leader’s proclamation, a new order is created, the old one is destroyed, and the leader’s outstanding, monopolistic position and proactive role are secured. Although followers are confined to a reactive role, loyalty and obedience cannot be enforced through violence or discipline, as the leader must provide protection to the community ‘as a family patriarch’.” (Metz, p. 244).

Confronted with the “Péter Magyar phenomenon” (Metz–Kövesdi et al. 2025), the “traps” of the Hungarian situation come into view, as this is no longer an ideal type set against others, but a flesh-and-blood political movement and party that will challenge Fidesz in elections. Metz and B. Plesz enumerate the dilemmas of Magyar-style mobilization and electoral participation:

- “Political enthusiasm may gradually turn into the antechamber of a personality cult. Breaking the ‘spiral of silence’ and initiating a ‘spiral of voice’ may lead to a ‘spiral of admiration’ and ultimately to a personality cult.” (Metz–Kövesdi–Plesz, pp. 37–38)
- “In a personality cult, the politician becomes a symbolic, even sacral figure. The leader turns into a moral role model and compass, the ultimate measure of ‘good’ and ‘evil.’ Admiration thus takes on religious overtones, involving a moral and spiritual identification that elevates the leader to the status of ‘bearer of a national mission.’” (Metz–Kövesdi, pp. 248–249)
- According to the authors, “charismatic contagion” is not inherently anti-democratic, but strategically the opposition

to the Orbán regime may fear that “any potential failure could lead to renewed apathy and restoration.” It is even possible that “the system could survive without Orbán, and charismatic leadership might ultimately serve the reorganization of the NER.” (Metz–Kövesdi, p. 38)

- “The trap of leader cult lies in the fact that while the leader’s persona may strengthen unity, the fading of charismatic appeal may lead to failure, and excessive leader-centered politics may replicate the very logic of the NER.” (Metz–Kövesdi, p. 38)

At present, in February 2026, as I complete this manuscript, it is still only possible to speculate about how the TISZA Party and its leader, Péter Magyar, will fare against Fidesz and Viktor Orbán in the elections. What is certain, however, is that both its development to date and its future trajectory raise questions for Hungarian and European political science—as well as for other social sciences—that promise rich avenues for research. Below, I list a number of these questions, which I personally consider particularly important and intriguing.

### **Further Research Questions Concerning the TISZA Party**

- **Discourses and media communication:**  
The role of discursive practices, media strategies, and intellectual backgrounds in *framing*—that is, in the construction of interpretive frameworks that function as the backdrop to loosely articulated programmatic points.
- **Leadership and charisma:**  
The operation of leadership, charismatic rituals, symbols, traditions, and moral discourses, as well as patterns of acceptance and rejection of these elements among the various actors involved in the conflict.
- **Organization and networks:**  
The relationship between online and offline community networks (the “TISZA Islands”), the role of protest actions and spectacular public events, and their positioning and representation within the media environment.

- **Parliamentary activity and institutional embeddedness:**  
The character of parliamentary work both in the Budapest municipal assembly and in the European Parliament, including inter-party relations and broader international networks.
- **Enemy construction and counter-strategies:**  
The Tisza Party as an “enemy image” in Fidesz discourse; the replacement of Gyurcsány by Péter Magyar as the primary antagonist; and the repertoire of counter-strategies, including the “Warriors’ networks,” national consultations, and the Peace March.
- **Comparative positioning:**  
The placement of the Tisza Party among movement parties within Western and Eastern party systems, emerging trends, and the possibilities for systematic comparative analysis.

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## Digital Constitutionalism and Artificial Intelligence: The Italian Case

### 1. Introduction: The use of AI to support parliamentary work

The paper pursues three goals. First, it provides a constitutional reading of parliamentary AI, identifying the conditions under which it remains compatible with representative democracy. Second, it develops an analytical framework to distinguish supportive uses from those that may alter deliberative autonomy and generate epistocratic risks. Third, it applies this framework to the Italian case, using the Chamber of Deputies' recent prototypes as a concrete testbed.

This article examines whether the use of artificial intelligence in parliamentary proceedings is compatible with the constitutional requirements of representative democracy. More specifically, it asks under what conditions AI may function merely as an auxiliary instrument in legislative activity, and when, by contrast, its use may affect the autonomy of parliamentary deliberation and generate epistocratic risks. It argues that the constitutional legitimacy of parliamentary AI depends on its verifiability, contestability, and subordination to human responsibility. The democratic Parliament, because of its role as transmission belt between society and the state, is traditionally considered like an 'institution-colonnade' (Manzella, 1977), now faces unprecedented challenges, in some ways existential (Lupo, 2021), which the new digital era poses both theoretically and practically. Until recently, legislative assemblies, by their very nature linked to established traditions and conventions, have maintained a predominantly cautious and conservative approach to new technologies (Leston & Bandeira, 2007).

In recent years, however, studies and empirical research have highlighted a growing interest on the part of these representative institutions in the potential offered by digital innovation (*Inter-parliamentary Union, World e-Parliament Report 2024*, October 2024; Drahmman & Meuwese, 2022). The transformative effects of the digital transition on the way parliamentary functions are carried out are, naturally, characterized by a high degree of complexity. These effects manifest themselves in many ways and, in many respects, are still largely unpredictable, as they are closely linked not only to the

form of government, understood in a broad sense, i.e., including the faction system (Elia, 1970), but also to the traditions and political culture of the country. This makes it somewhat difficult to address the phenomenon systematically and comprehensively. Some data: a 2021 document from the Inter-Parliamentary Union states that in 2020, ten percent of parliaments made use of artificial intelligence technologies. However, only 6 percent used AI-related features for legislative drafting (the Brazilian and US House of Representatives). Other limited applications were used in data and information management for parliamentarians (Austrian Parliament); for relations with citizens to and from parliaments (Brazilian Chamber of Deputies); to improve the quality and accuracy of both written and video reports (Estonian Parliament and Japanese Diet); and for research and documentation activities in the broad sense (Austrian Parliament). One-third of parliaments expressed interest in using AI in drafting; two out of five to improve the flow of information to parliamentarians; and another two out of five to facilitate citizen engagement.

A particularly relevant case study is the Italian Chamber of Deputies, which has recently implemented various AI software programs, entrusting them with typical parliamentary tasks, such as organizing amendments or creating files containing proposed amendments. The use of these systems aims to streamline legislative processes and ensure a human-centered approach to technology. A significant development in the effectiveness and efficiency of activities is expected, with the possibility of creating an "*augmented parliament*" capable of using AI as an ally of legislative quality. This situation has a significant impact on the constitutional and organizational structure as we know it today and requires profound legal and ethical reflection on the categories that have become established to date and which risk being profoundly disrupted.

### 2. AI and public authorities: towards an augmented democracy or an epistocracy?

Beyond extreme scenarios that envisage forms of total political determinism, clearly incompatible with the theory of representative democracy developed within constitutionalism as a philosophical-political doctrine (Barbera, 1997), numerical indicators are already an integral part of government processes in constitutional states, and

it is realistic to expect that AI will soon be too (Bresciani, 2025). For many, the use of AI by public decision-makers may increase the risk of *epistocratic* distortion to a much lesser extent than is commonly thought and, indeed, could be a tool for reversing this trend and strengthening democracy. AI becomes constitutionally problematic when it generates technical outputs that are not meaningfully contestable within parliamentary debate.

The problem, primarily technological, of explainable AI (Sovrano & al., 2021), that is the development of techniques to make the processes through which technologies based (primarily) on machine learning achieve certain results less opaque. Moreover, from a more general moral philosophy perspective, explainability is already considered a precondition for the ethical use of AI, precisely because it serves to guarantee, among other things, a certain degree of user autonomy and responsibility. (Floridi, 2023). Thus, even from a more specific constitutional perspective, the issue of explainability is ultimately linked to the need to respect the principles of autonomy of parliaments and parliamentarians – but also of citizens – which, moreover, must be guaranteed even in cases where AI produces publicly questionable results. These guarantees range from the minimum requirement not to delegate (formally or substantially) parliamentary functions to AI systems (Cardone, 2021), to the need to ensure forms of parliamentary control over the development and updating of the technologies to be used, to the opportunity to provide parliamentarians with adequate digital training (also to avoid fideistic approaches such as automation bias). Overall, the use of AI in the parliamentary context does not seem to significantly aggravate the epistocratic risk that constitutional states already run in relation to other forms of participation, such as those of human experts, from whom it is also constitutionally necessary for parliament to maintain a degree of autonomy. Quite the opposite, the critical approach developed in relation to the use of AI seems to provide some considerations for a broader reflection aimed at strengthening the autonomy of parliaments and, therefore, of political decision-making, against all tendencies to objectify democratic processes in relation to technical contributions (Algotino, 2021).

Finally, the question remains whether the development and use of AI by parliaments can represent, not only in theory but also in practice, a tool to stem these tendencies. In the literature, some arguments in favor of this perspective have already been presented

by those who have argued, for example, that AI could rebalance the relationship between parliament and government, reducing the first's dependence on the second for certain activities involving the collection of factual data necessary to regulate complex matters (Cardone, 2022). A similar emancipatory potential could abstractly be realized, even more generally, about experts. If AI leads to a democratization of access to specialist knowledge by people who are demographically different from community experts (elected representatives, but potentially also readers), this could ultimately enhance the capacity of parliaments to engage in political debate, even on highly technical issues. However, this scenario depends heavily on the actual developments of AI technologies soon in terms of accessibility and functionality, which makes it difficult to predict their real potential for democratizing technical debates today.

Drawing an analogy between technical reports on democratic processes produced by human intelligence and artificial intelligence is not a new idea. In the context of legal-philosophical reflection on the use of AI by public authorities, some authors have argued that the structural use of artificial intelligence could alter the normal functioning of democratic institutions, pushing democracies towards forms of legitimization by results, like what the participation of technicians in public decision-making processes can do (Copp & al., 1993; Cardone, 2021; Citino, 2022; Rangone, 2023; Bresciani & Palmirani, 2024). In response to this argument, in an initial study on the constitutional risks and opportunities of using AI in the legislative process conducted by Monica Palmirani, President of the International Association of Artificial Intelligence and Law (IAAIL), and despite the epistocratic risk, it emerges that constitutional states have not in fact excluded experts from democratic processes. On the contrary, constitutional courts, including in Italy, go so far as to require legislators, in certain cases, to consider scientific data. Therefore, to the extent that it is based on already commonly accepted systemic risks, a principled objection to the use of AI by parliaments is not particularly convincing (Bresciani, 2025). In other words, if it is true that the constitutional state allows, and indeed often requires, the participation of technical experts in decision-making processes, the fundamental question becomes whether there is any substantial difference, from a constitutional perspective, between technical contributions produced by human intelligence and those produced by artificial intelligence. In practice, many of the tasks for

which AI can realistically be used in a parliamentary context are already commonly performed by experts or, in any case, technicians without electoral legitimacy. The recording of proceedings, support in drafting or reconstructing the current legislative framework, for example, are tasks generally already performed by parliamentary administrations. From a constitutional point of view, since these activities do not influence the exercise of parliamentary discretion, it might appear that the situation would not be very different if this type of support were, in the future, provided to parliamentarians (also) by artificial assistants or by human administrative staff supported by AI. But the same could also apply to more substantial forms of support for parliamentarians' activities, which could have a more significant and incisive influence on the exercise of their functions, such as data analysis and the acquisition of material to learn about the subject matter to be regulated. To perform these tasks, parliaments already tend to resort to hearing experts from outside Parliament or, in any case, obtain qualified information from academics or professionals in the field to be regulated. This second type of support activity for parliamentary work undoubtedly takes on greater importance from a constitutional perspective.

However, to argue that, in relation to these uses, AI carries a greater risk of epistocratic distortion (that it is not a constitutionally neutral technology), it would be necessary to clarify in what respects its use differs from the use of human experts. In this regard, the two main criticisms generally levelled at the use of AI in public decision-making processes are related to the problems of opacity and bias. First, it does not seem that parliamentarians can easily see through this opacity, even when confronted with human experts or their scientific products. In fact, parliamentarians generally do not have the information and expertise necessary to fully understand or question the reasons behind the experts' opinions. Nevertheless, parliaments frequently rely on experts when passing laws or making decisions and, in some cases, are even constitutionally required to do so. Therefore, there does not seem to be an excessive gap between the use of AI and consultation with teams of human experts. The same can also be said of the second common objection, relating to the possible bias of the machine. Even if it is not technically possible to eliminate all biases inherent in the dataset or data processing and thus avoid their replication, a similar problem also exists with human experts. In the philosophical-political field, a similar

objection has been developed to defend the thesis of the preferability of democracy over epistocracy. In particular, David Estlund has argued that a good argument against the idea of entrusting political decisions to the most expert individuals in a given field (rather than to representatives elected by universal suffrage) is the possibility that the most expert portion of the population may exhibit, to a statistically disproportionate extent compared to the general population, epistemically harmful characteristics that can offset the epistemic benefits of greater knowledge (Estlund, 2003). In other words, high levels of disciplinary training could be limited to certain groups (in terms of race, gender, religion, or other demographically relevant characteristics) or, in any case, be connected to certain characteristics in a way that is not empirically verifiable or unknown and, therefore, influence, even if only unconsciously, the *technical judgment* of experts in choosing the best solution to a given practical problem (Collins, 2022; Feyerabend, 1987). This is, in essence, an objection entirely analogous to that raised against possible biases that are unknowable but potentially inherent in the functioning of AI. For these reasons, in general terms and assuming that AI technologies are functional, robust, and accurate, we can conclude that their use by parliaments to support political decision-making cannot in itself significantly influence the relationship between politics and technology in the context of parliamentary proceedings, given that, concerning this issue, they pose problems not dissimilar to those already posed by human experts (who habitually participate in them).

A significant difference could exist, however, if AI were used to perform tasks that exceed human capabilities, such as extracting patterns from very large amounts of data. In this case, the situation is no longer comparable to that of relying on the opinion of a human expert. Even if members of parliament may not have the necessary expertise to understand or question an expert's opinion, the latter can still be subject to discussion by other experts in the field. Even in such circumstances, parliamentary debate remains possible. If, on the other hand, parliamentarians were to rely on knowledge generated by technologies that exceed human capabilities – and, therefore, base their decisions on AI results that are not only unverifiable by other experts, but whose process of obtaining them is unknown or unknowable – they would find themselves in a situation where they would have to accept or reject these results without any real possibility of discussing them. Only in cases such as these, i.e. cases in which

the use of AI can effectively impede the freedom of parliamentary debate, can it be said that AI presents epistocratic risks that exceed those normally posed by the participation of experts in democratic decision-making processes.

### 3. Some methodological notes

This article adopts exploration and desk study research design. The study combines (i) a structured review of constitutional and legal-theoretical scholarship on digital constitutionalism, parliamentary autonomy, and AI-related risks, with (ii) qualitative analysis of primary institutional materials on parliamentary digital innovation. It relies on official parliamentary documentation and policy reports on AI in legislative work, as well as comparative evidence drawn from international parliamentary surveys and research outputs.

The Italian Chamber of Deputies is treated as a case study to test, against these sources, the constitutional conditions under which AI remains ancillary to deliberation and accountable to human responsibility.

### 4. The first three prototypes of artificial intelligence for Parliament. Challenges and opportunities.

The adoption of AI technologies in the Chamber of Deputies began in the 1990s, continuing along a path that considered innovations in the scientific and commercial fields. The first step in the application was the automatic and massive classification of parliamentary acts, with particular attention to acts of parliamentary control and policy. To this end, a model was trained, the results of which were subject to human supervision to confirm the classification elements. Over time, this process became fully automated, feeding into the specialist databases available on the Chamber's website. An important turning point came with the introduction of automatic speech recognition (ASR) systems for the production of parliamentary reports. As highlighted in the Report of the Supervisory Committee on the Documentation Activities of the Chamber of Deputies, "*Using artificial intelligence to support parliamentary work*", the ASR technology, acquired from third parties, was trained and customized (and continues to be fine-tuned periodically) and was incorporated into a process that leads from transcription to the creation of the master copy of the

traditional printed version of parliamentary work, which can be accessed in various formats directly from the parliamentary website. The adoption of generative artificial intelligence systems in the Italian Parliament was formalized by the Chamber of Deputies with an expression of interest launched in February 2024, which attracted 28 proposals from 15 universities and research centers.

The three winning projects were:

- 1) "*Legislab*", developed by the Politecnico di Milano and the Einaudi Institute. Intended for the offices of the Chamber, it is a platform for analyzing Italian legislation and supporting the monitoring of laws. It acts as an advanced virtual assistant for the analysis of legislative output. Its task is to intelligently explore the life cycle of laws and act as a "legal radar" to promptly identify systemic connections between regulations, improving the consistency of the legislative text before it is discussed in the Assembly.
- 2) "*GenAI4Lex*", intended for parliamentarians, was developed by a consortium of universities (Alma Mater, Luiss, CNR, University of Turin) and is intended to support the drafting of legislative texts, the analysis of amendments and regulatory references, and the compliance of the text with the existing regulatory framework. It provides tools to better understand regulatory forms, simplify and summarize amendments, and measure the adherence of bills to the policies to be pursued. Using linguistic models, it can suggest consistent textual changes, detect potential regulatory conflicts, and suggest more effective alternative formulations.
- 3) "*DepuChat*", developed by Roma 3 University and the University of Florence, is designed for citizens. It is a chatbot that uses generative intelligence to scan data and information stored on the Chamber of Deputies' websites to provide users with answers to questions about the activities of their representatives in Parliament.

The initiative aimed to use AI as a cross-cutting tool to increase legislative efficiency, institutional transparency, and civic participation. Significantly, this experiment comes at a time of

European and international debate on the use of AI in public decision-making processes. Italy is among the first countries internationally to experiment with generative AI solutions within a parliamentary body, complying with the criteria of security, ethics, and transparency also promoted by the European AI Regulation. The use of artificial intelligence in institutional processes is not without risks, but the prototypes presented demonstrate that it is possible to combine technology and democratic values. The guiding principles for the use of AI to support parliamentary work, outlined by the Supervisory Committee, include, in summary, the guarantee of transparency, information integrity, and human accountability. The systems used must be secure and robust to protect data integrity and ensure that their use is always for the public benefit. In line with a vision that attributes to digital technologies a role consistent with the characteristics of parliaments, an auxiliary role that does not limit or replace representatives or offices within parliamentary work, the innovations introduced into the legislative process, and into the amendment process, also appear to be consistent with this vision. The use of digital technologies in this way offers clear advantages in terms of speed and efficiency in parliamentary proceedings.

## 5. Conclusions

As the analysis has shown, the case discussed here does not seek to offer a universally valid solution: it is situated within the Italian context and, more broadly, within the European framework that promotes a human-centred use of AI, grounded in transparency, accountability, and democratic oversight. However, the perspective developed in this article – calling for a “constitutional status” of public-sector algorithms based on verifiability, traceability of sources, and clear attribution of responsibility, so as to keep AI in an ancillary role – can also serve as a transferable analytical grid, adaptable to other legal systems and calibrated to different institutional cultures.

Parliaments can and must be laboratories of algorithmic democracy. The Italian prototypes suggest that AI can improve legislative quality, the ability to monitor the effectiveness of regulations, and the accessibility of institutional information. Yet this potential can be realized only under strict conditions: Parliamentary AI must remain instrumental rather than substitutive; it cannot become a shortcut for transferring choices that belong to political

discretion to the algorithm. The risk of epistocracy does not stem from the existence of technology itself – which is always present in modern legislative processes – but from the opacity and asymmetry of power that technology can create if democratic control procedures don’t govern it. Only in this way can AI contribute to a Parliament that is augmented in knowledge, more autonomous from external information monopolies, and closer to citizens, without compromising the democratic principle. The challenge, therefore, is not to choose between politics and algorithms, but to define a balance in which technology strengthens politics’ ability to pursue general interests while respecting the individual. In this perspective, AI can enhance the efficiency of organizational and decision-making processes only so long as it remains ancillary and subject to responsible human control. By safeguarding this choice, Parliament can become not only a prudent user of AI, but also the institutional cornerstone of mature digital constitutionalism. Ultimately, the relevance of parliamentary AI lies not only in its possible contribution to legislative efficiency but in the kind of institutional culture it may help to shape.

If governed within a framework of democratic responsibility, its use may strengthen Parliament’s capacity to process complexity without surrendering the political character of legislative judgment. In this sense, the real issue is whether digital innovation will be absorbed into existing democratic forms or whether it will gradually reshape them from within.

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## **Lobbying as the Cause and the Effect of the Democratic Deficit in the European Union**

### **1. Introduction**

Lobbying has become an essential component of governance within the European Union (EU), shaping the policy agenda and influencing legislative and regulatory outcomes. Estimates suggest that between 15,000 and 30,000 lobbyists operate in Brussels, representing a wide array of actors including multinational corporations, trade associations, law firms, consultancies, regional offices, and civil society organisations (Chambers, 2016: 25–28). The presence of such a dense lobbying community has led many observers to describe Brussels as a “lobbying paradise,” where the density of actors and the multiplicity of decision-making venues create a favourable environment for interest representation (Dinan & Wesselius, 2010).

The phenomenon is neither marginal nor informal. Since the Lisbon Treaty, lobbying has acquired a quasi-constitutional dimension in the EU order. Article 11 of the Treaty on European Union (TEU) enshrines an obligation for institutions to “maintain an open, transparent and regular dialogue with representative associations and civil society,” thereby placing organized interests on the same level as citizens, parties, and movements as part of the Union’s democratic principles (TEU, 2016, art. 11; Bartolucci, 2018). Lobbying thus emerges not only as a tolerant practice but as a recognized and, in theory, legitimate channel of democratic participation. Historically, interest intermediation has always been integral to European integration. From the establishment of the European Coal and Steel Community (ECSC), when industrial interests such as Confindustria opened offices in Brussels in the early 1950s, to the increasing role of consultative committees in the 1970s and 1980s, lobbying has developed alongside the expansion of EU competences (Marchetti, 2018: 745–746). The Single European Act and the Maastricht Treaty broadened the policy scope of the Union and created new opportunities for interest groups to influence regulatory design. By the time of the Lisbon Treaty, lobbying had already become embedded in the political DNA of the Union.

The EU’s institutional architecture itself incentivizes lobbying. The Commission’s monopoly of legislative initiative and its structural need for technical expertise make it especially receptive to external input (Marchetti, 2018: 747–748). The European Parliament, empowered by successive treaty reforms, relies on rapporteurs, committees, and intergroups, which are natural points of access for organized interests (Greenwood, 2011: 52–54). The Council of the EU and its preparatory bodies, including COREPER and working groups, function as venues where national interests and sectoral lobbies intersect. Moreover, the proliferation of EU agencies and comitology committees provides additional entry points for actors capable of supplying specialized knowledge (Marchetti, 2018: 748–750).

Yet, while the institutional system invites input, it also magnifies asymmetries. Business actors, professional associations, and corporate consultancies often have resources far superior to those of non-governmental organisations, citizen groups, or regional offices (Greenwood, 2011: 60–62). These inequalities translate into disproportionate influence on agenda-setting and policy outcomes, raising concerns over the representativeness of EU decision-making. Scholars of EU governance have pointed to this imbalance as a central driver of the so-called democratic deficit: while lobbying can be framed as a mechanism of participation, it risks becoming a channel of elite pluralism rather than a vehicle of democratic accountability (Antonucci, 2011: 54). The issue of transparency has thus emerged as the principal response to these asymmetries. Beginning with the European Transparency Initiative of 2005 and the launch of the Joint Transparency Register in 2011, the EU has attempted to subject lobbying to rules of disclosure and public oversight (Dinan, 2021: 242–243). These instruments were designed to ensure that decision-makers and citizens could identify who seeks to influence EU policies, on whose behalf, and with what resources. Despite these efforts, however, the voluntary character of registration, the uneven coverage of institutions (with the Council largely absent), and the limited verification of data have undermined the credibility of the system (Bitonti & Mariotti, 2023: 9–11).

The tension between the functional necessity of lobbying and the democratic imperative of accountability is not unique to the EU, but it is particularly acute in the supranational context.

Unlike national parliaments, the EU lacks robust political parties linking citizens to institutions, and its geographical and linguistic diversity accentuates the role of intermediaries (Greenwood, 2011: 70–73). Lobbying, therefore, plays a dual role: it is at once a means of connecting diffuse interests to supranational governance and a potential vector of imbalance, opacity, and public disaffection. The rise of scandals such as “Qatargate” in 2022 has only reinforced public scepticism, suggesting that transparency regimes alone cannot dispel doubts about undue influence (Dinan, 2021: 247–248). Against this background, the central question guiding this article is whether lobbying in the European Union mitigates or exacerbates its democratic deficit. The argument advanced here is that lobbying is simultaneously an effect and a cause of that deficit: an effect, insofar as the weakness of traditional channels of representation and the remoteness of supranational institutions create demand for organized intermediaries; a cause, insofar as the unequal distribution of lobbying resources and the limits of current regulation consolidate patterns of elite pluralism and “participation without parity” (Antenucci, 2011: 54; Greenwood, 2011: 61–63; Dinan, 2021: 247).

In theoretical terms, the article engages with pluralist and neo-corporatist accounts of interest intermediation, as well as with the literature on monitory democracy and transparency regimes. While pluralist approaches regard lobbying as a normal expression of social diversity, the EU experience suggests that, under conditions of marked resource asymmetries, transparency-centred monitory mechanisms are insufficient to restore democratic equality of voice (Truman, 1951: 23; Marchetti, 2018: 746–748; Dinan, 2021: 241–243).

This article contributes to the debate by analysing the evolution, regulation, and democratic implications of lobbying in the European Union. It proceeds in three steps. First, it outlines the conceptual foundations of lobbying in the EU and reviews the literature on interest intermediation and monitory democracy. Second, it maps the ecosystem of actors and venues, before assessing the strengths and weaknesses of the EU transparency regime. Third, it provides empirical illustrations—ranging from the Tobacco Products Directive to the Banking Union—before reflecting on reforms aimed at moving beyond transparency towards verifiable accountability.

## 2. Concepts and Literature Review

The study of lobbying requires conceptual clarity, as the term is often conflated with corruption, undue influence, or generic participation. A lobby can be defined as an organized group of individuals or entities seeking to influence public decision-makers in order to secure favourable outcomes or to avert unfavourable ones (Petrillo, 2019: 14–15). While every citizen is in some sense a bearer of interests, a lobby differs from a simple interest group in that it actively and strategically engages with decision-makers to shape policy (Bistoncini, 2011: 31–32). The activity of lobbying thus implies professionalization: it requires resources, expertise, and continuous engagement with institutions.

It is essential to distinguish lobbying from corruption. Whereas corruption implies the illicit exchange of money or favours to obtain private gain, lobbying consists of the provision of information, persuasion, and advocacy within a legal and (in principle) transparent framework (Bistoncini, 2011: 33–34). As Pier Luigi Petrillo notes, lobbying is not an anomaly but a necessary function of democracy: “where there is democracy, there is lobbying” (Petrillo, 2019: 12). The absence of regulation and transparency—not lobbying itself—is what generates risks of undue influence. This distinction is crucial for the European Union, where public perceptions of lobbying are still heavily shaped by scandals and by the stereotype of lobbyists as “hidden power brokers”.

Lobbying must also be distinguished from broader notions of political participation. Participation can include voting, petitioning, or civic engagement without necessarily seeking to alter a specific decision. Lobbying, by contrast, implies targeted efforts to influence the orientation of public authorities (Petrillo, 2019: 16–17). For this reason, lobbying is often seen as a specialized subset of participation, one that requires professional expertise, technical knowledge, and strategic communication (Bistoncini, 2011: 35–37). While civil society organisations may engage in advocacy to raise awareness or mobilise public opinion, lobbying involves direct or mediated interaction with policymakers with the explicit goal of shaping outcomes (Sgueo, 2012: 22–25). Theoretical perspectives on lobbying have varied across disciplines and regions. Pluralist theories, especially influential in American political science, view lobbying as a natural consequence of social diversity: competing

interests balance one another, and the general interest emerges as the aggregate result of private claims (Truman, 1951: 23). In this sense, the density of associations is taken as an indicator of democratic vitality (Petrillo, 2019: 23). Critics, however, have pointed out that pluralism underestimates structural inequalities: not all interests have equal resources or organisational capacity, leading to what some authors call “elite pluralism,” where only the most powerful voices shape outcomes (Greenwood, 2011: 58–61).

An alternative tradition, rooted in European political thought, is corporatism, whereby interest groups are formally integrated into policymaking through institutionalized channels of representation. In corporatist systems, peak associations representing labour, business, or professions are recognized as legitimate partners of the state in negotiation and policy formulation (Mazey & Richardson, 1993: 9–12). The EU has occasionally been described as exhibiting neo-corporatist traits, particularly in its reliance on consultative committees and structured dialogue with umbrella associations. However, most scholars argue that the EU is better characterized as a pluralist system with asymmetric resources rather than a genuinely corporatist regime (Marchetti, 2018: 746–748).

The normative debate about lobbying revolves around questions of legitimacy. On the one hand, lobbying can be defended as a means of pluralizing representation, ensuring that diverse societal voices reach decision-makers. On the other hand, it risks privileging well-organized and resource-rich actors, thereby distorting democratic equality. Scholars such as Marco Antenucci have argued that lobbying, if properly regulated, can help mitigate the EU’s democratic deficit by connecting citizens and associations to distant supranational institutions (Antenucci, 2011: 54). Others, however, warn that without robust oversight, lobbying entrenches the influence of powerful corporations and undermines citizens’ trust in the Union’s capacity to act in the public interest (Chambers, 2016: 40–43).

More recently, the concept of monitory democracy has been applied to the EU. As William Dinan argues, transparency mechanisms such as registers of interest representatives and disclosure rules are designed to allow citizens to “monitor” the activities of both policymakers and lobbyists (Dinan, 2021: 241–243). This represents a shift from classical representative democracy—where accountability is exercised mainly through elections—to a model where ongoing scrutiny and disclosure are central. Yet the EU experience

shows the limits of monitory democracy: transparency without effective enforcement or sanctions often results in superficial accountability, leaving structural asymmetries intact (Dinan, 2021: 247–248).

Finally, the comparative dimension highlights the peculiarities of the EU. In the United States, lobbying is heavily regulated but also deeply institutionalized, with mandatory disclosure of expenditures and contacts (Baumgartner & Leech, 1998: 102–105). In the United Kingdom, self-regulation has long prevailed, though reforms have progressively increased disclosure obligations (Greenwood, 2011: 70–73). In Italy, by contrast, the absence of comprehensive regulation has contributed to a perception of lobbying as inherently suspect, frequently equated with corruption (Petrillo, 2019: 18–20). Against this backdrop, the EU represents a hybrid model: it has developed a relatively advanced transparency framework, yet its voluntary nature and fragmented enforcement distinguish it from more robust national regimes. In sum, lobbying in the European Union cannot be understood as either an illegitimate distortion of democracy or as a fully neutral mechanism of participation. It is best seen as a double-edged institution: one that provides expertise, information, and access to policymakers, but also risks amplifying existing inequalities. This duality frames the empirical and normative analysis that follows in subsequent chapters.

### **3. The EU Lobbying Ecosystem**

The European Union has become one of the world’s principal arenas for lobbying, with Brussels ranking alongside Washington, D.C. as a hub of organized interest representation. The Union’s unique institutional architecture, characterized by a dispersion of authority across multiple bodies, generates both opportunities and challenges for lobbyists. Unlike in unitary political systems, influence in the EU must be exerted simultaneously at different venues, often requiring actors to adapt strategies to the particular logics of each institution.

The EU lobbying community is highly diverse. Corporate actors and trade associations constitute the most powerful bloc, equipped with significant resources and organisational capacity. Alongside them, professional consultancies, law firms, and public affairs agencies provide services for clients seeking to navigate Brussels’ policy maze. Civil society organisations, environmental

groups, trade unions, and regional offices also play a growing role, though their capacities often pale in comparison to the corporate sector. This asymmetry of resources has long been identified as a structural feature of EU lobbying, shaping the distribution of access and influence (Greenwood, 2011: 52–60). The primary entry point for lobbying is the European Commission. Holding the monopoly of legislative initiative, the Commission depends on external expertise and consultation to draft proposals. It routinely engages stakeholders through Green and White Papers, consultations, and expert groups. This dependence has institutionalized lobbying as a functional necessity, even as it raises concerns about balance and representativeness (Marchetti, 2018: 746–748).

The European Parliament represents another crucial arena. Since Maastricht and, especially, Lisbon, the extension of co-decision has elevated the Parliament to a co-legislator in most policy areas. Within Parliament, rapporteurs, committee chairs, and political group coordinators are particularly targeted, as their positions allow them to shape reports and amendments. Intergroups and informal networks provide additional points of access, facilitating contact between MEPs and organized interests (Dialer & Richter, 2019: 22–25). The Council of the EU presents a more opaque but equally important site of influence. Here, lobbying often occurs indirectly, through permanent representations (PermReps) of the member states and through national ministries. The Council's relative exclusion from the Transparency Register underscores the difficulty of scrutinizing these channels. Lobbyists often pursue a dual strategy: targeting Brussels institutions while simultaneously working in national capitals to influence the positions governments bring to Council negotiations (Greenwood, 2011: 70–73).

Beyond the “big three” institutions, agencies and comitology committees have emerged as specialized venues. Agencies such as the European Medicines Agency or the European Chemicals Agency rely extensively on technical input from stakeholders. Comitology, though highly technical, provides crucial opportunities for lobbying, particularly in the implementation phase of legislation. Inclusion in expert committees can consecrate the influence of interest groups, granting them privileged access to the policymaking process (Marchetti, 2018: 749–750). Logics of access. Scholars have identified several logics that structure access to EU institutions. The “logic of expertise” dominates at the Commission, where officials

seek reliable technical information to craft legislation. The “logic of representation” is stronger in the Parliament, where MEPs are responsive to constituency claims and partisan priorities. The “logic of legitimacy” characterizes the Council, where national governments seek to balance sectoral demands with domestic political constraints. Successful lobbying often requires mastering these distinct logics and tailoring strategies accordingly (Coen & Richardson, 2009: 12–15).

The multiplicity of venues, combined with asymmetrical resources, creates a dynamic but uneven ecosystem. For large corporations and well-organized associations, the EU offers multiple doors of entry and substantial opportunities to shape outcomes early in the policy cycle. For smaller NGOs or diffuse interests, the cost of sustained engagement across institutions can be prohibitive. The result is a lobbying system that is both remarkably open in principle and structurally skewed in practice.

#### **4. The Transparency Regime**

The issue of transparency has become central to the regulation of lobbying in the European Union. From the mid-2000s onwards, institutions responded to rising concerns about undue influence and the perceived democratic deficit by adopting initiatives designed to shed light on the relationship between policymakers and interest groups. These efforts were intended not only to regulate lobbying but also to restore citizens' trust in the legitimacy of the EU's decision-making process (Marchetti, 2018: 745–746).

The first major step was the European Transparency Initiative (ETI), launched by the Commission in 2005. The ETI sought to enhance openness in three domains: EU funding, consultation processes, and the activity of interest representatives. Its central innovation was the creation of a register for lobbyists, designed to collect information about organisations active in Brussels, the clients they represented, and the resources they devoted to lobbying. Although initially voluntary, the register marked the beginning of systematic attempts to discipline lobbying at the EU level (Dinan, 2021: 242–243). In 2011, the register was relaunched as a joint initiative between the European Commission and the European Parliament. This “Transparency Register” formalized the obligation for interest representatives seeking access to Parliament premises to sign up, while the Commission committed to meeting only with

registered lobbyists at the highest political level. The register thus became a key instrument of what has been described as the EU's model of monitory democracy: by providing disclosure, institutions allow citizens and stakeholders to scrutinize the interactions between lobbyists and policymakers (Dialer & Richter, 2019: 215–218).

Despite these advances, the system has faced persistent shortcomings. The voluntary character of registration remains its most significant weakness, as actors unwilling to disclose their activities can simply avoid the system. Even among those registered, information is often incomplete, inconsistent, or unverifiable. Data on budgets, clients, and staff are self-reported, with limited capacity for institutional verification. Studies show that this undermines the credibility of the register and reduces its potential as a genuine tool of accountability (Chambers, 2016: 47–49).

Another limitation lies in the institutional scope of the regime. While the Commission and Parliament are formally included, the Council of the EU remains outside the register, despite its decisive role in legislation. This gap reflects member-state resistance to subjecting their national delegations and ministries to supranational scrutiny. As a result, one of the EU's most important venues for lobbying remains largely opaque, complicating efforts to present the regime as comprehensive or uniform (Dinan, 2021: 244–245). Comparative perspectives underline both the ambition and the limits of the EU approach. Unlike the United States, where lobbyists are legally obliged to disclose expenditures and contacts, or Canada, where detailed records of lobbying meetings are published online, the EU has relied on voluntary disclosure and informal incentives. This choice reflects institutional caution and political compromise, but it also constrains the effectiveness of the regime. In practice, the EU has developed an advanced register in terms of scope but a weak one in terms of enforcement (Greenwood, 2011: 83–85).

Nevertheless, the Transparency Register has produced meaningful effects. It has fostered a culture of disclosure among interest groups, created a database of unprecedented breadth on lobbying in Brussels, and increased public awareness of lobbying practices. The register has also provided researchers and civil society organisations with tools to monitor lobbying, even if imperfectly. The system, however, remains in constant evolution. Proposals to make registration mandatory, extend coverage to the Council, and strengthen verification procedures continue to circulate, reflecting both pressure

from civil society and the reputational needs of the institutions themselves (Bitonti & Mariotti, 2023: 9–11).

In sum, the EU's transparency regime illustrates the tension between openness and resistance. On the one hand, it represents a notable innovation in the regulation of lobbying at the supranational level. On the other, its voluntary nature, incomplete coverage, and weak enforcement mean that it cannot yet serve as a guarantee of accountability. Rather, it functions as a first step towards transparency, highlighting the Union's awareness of the problem while leaving unresolved the deeper structural imbalances of lobbying influence.

## **5. Beyond Transparency: Principles for Sound Regulation**

Transparency has long been presented as the principal remedy to the risks associated with lobbying. By requiring lobbyists to register, disclose clients, and report budgets, the European Union has attempted to provide citizens with a clearer view of who influences public decisions. Yet scholars and practitioners increasingly argue that transparency, while necessary, is insufficient. Without enforceable rules and independent oversight, disclosure alone risks becoming a symbolic gesture rather than an effective guarantee of accountability (Dinan, 2021: 247). A growing body of research and policy analysis has therefore shifted attention to principles for sound regulation.

The first principal concerns clarity of scope. A recurring problem in the EU context is the difficulty of defining who qualifies as a lobbyist. Should the rules apply only to professional consultants and corporate representatives, or also to think tanks, law firms, NGOs, and academics offering expertise? The current register opts for inclusiveness, but the lack of a precise legal definition weakens its effectiveness. A sound regulatory framework requires clear boundaries that avoid loopholes while ensuring fair treatment across sectors.

A second principle relates to proportional disclosure. Information must be comprehensive enough to reveal potential conflicts of interest but not so burdensome as to discourage legitimate participation. For example, declarations of clients, budget ranges, and lobbying objectives can provide meaningful insights, while excessive bureaucratic requirements risk overwhelming smaller organisations and NGOs with limited capacity (Bitonti & Mariotti, 2023: 9–12).

Third, disclosure must be paired with verifiability and sanctions. At present, the EU Transparency Register relies almost entirely

on self-reporting, with limited capacity to verify accuracy. Independent auditing, random checks, and proportionate sanctions for misreporting are essential if transparency is to evolve into accountability. Without credible enforcement, the register functions as a voluntary code of conduct rather than a regulatory tool (Chambers, 2016: 47–49). Another key principle is independent oversight. Leaving the supervision of lobbying to the same institutions that are subject to lobbying creates a conflict of interest. Effective regulation requires an oversight body with sufficient autonomy, resources, and authority to monitor compliance, investigate irregularities, and publish findings. Comparative experiences, such as Canada’s Commissioner of Lobbying or Ireland’s Standards in Public Office Commission, suggest that independence enhances both credibility and deterrence (Greenwood, 2011: 83–85).

Finally, effective regulation must ensure balanced access. Transparency alone does not correct underlying inequalities between corporate and civil society actors. To prevent a system dominated by the best-resourced interests, the EU needs complementary measures such as capacity-building support for NGOs, targeted consultation procedures for underrepresented groups, and safeguards against capture in expert committees. In this sense, the regulation of lobbying is not only about disclosure but also about fostering a fairer distribution of voice within policymaking (Marchetti, 2018: 752–754).

Taken together, these principles highlight a shift “beyond transparency” towards a more comprehensive understanding of regulation. Transparency is a necessary first step, but without enforceable obligations, independent oversight, and corrective measures to address asymmetries, it cannot guarantee democratic accountability. The debate within the EU increasingly reflects this awareness, as proposals for reform move from voluntary disclosure towards mandatory registration, verification, and sanctions.

## 6. Mechanisms and Tactics of Influence

The strategies deployed by lobbyists in Brussels reveal how organized interests adapt to the EU’s multi-level and highly technical policymaking system. Lobbying is not simply about access, but about the combination of methods used to frame issues, influence timing, and mobilise support. In the EU context, the provision of expertise is the most recurrent tactic. Commission officials, in particular,

rely on stakeholders for data, sectoral knowledge, and policy impact assessments. This informational asymmetry transforms lobbyists into “auxiliary experts,” capable of setting the parameters within which political decisions are taken (Marchetti, 2018: 746–747).

Beyond expertise, access also depends on cultivating personal relationships with key policymakers. Professional lobbyists invest in long-term networks with MEPs, assistants, and Commission officials. As Bistoncini notes from the perspective of practitioners, influence is often less about one-off interventions and more about “being present” throughout the legislative cycle (Bistoncini, 2011: 35–37). Interest groups rarely act alone. They build coalitions that cut across sectors or geographies to amplify their legitimacy. In the Parliament, alliances between NGOs and business associations can create unusual but effective advocacy fronts, especially when they resonate with broader political cleavages (Antenucci, 2011: 58–59).

NGOs and activist networks rely on media strategies, petitions, and demonstrations to pressure institutions indirectly. The Parliament, as the only directly elected EU body, is particularly sensitive to public opinion. Outside lobbying can thus reinforce inside strategies, compelling MEPs to adjust positions when an issue becomes highly salient (Bartolucci, 2014: 401–402). Effective lobbying often takes place before legislative texts are finalized. Early interventions—during consultations, comitology, or expert group discussions—allow actors to influence the framing of problems and the range of acceptable solutions. By contrast, later stages tend to be more rigid and less receptive to change (Petrillo, 2019: 21–22).

In short, EU lobbying tactics combine technical expertise, personal access, coalition-building, and public mobilisation. The effectiveness of these strategies depends not only on resources but also on the ability to adapt to the institutional logic of each venue and to act early enough to shape the agenda.

## 7. Empirical Cases

Empirical case studies illustrate how lobbying operates within the EU system, highlighting the variety of strategies employed and the institutional vulnerabilities they exploit. The following cases—ranging from health regulation to trade, finance, and digital policy—demonstrate the scope and limits of the Union’s transparency regime.

### 7.1. Tobacco Products Directive (TPD)

The revision of the Tobacco Products Directive (2014) provides one of the clearest examples of corporate counter-mobilisation in Brussels. Multinational tobacco firms deployed extensive lobbying resources to delay, dilute, or reshape the Commission's proposals on packaging, flavouring, and advertising restrictions. Tactics included direct contact with Commission officials, heavy reliance on law firms and consultancies, and the use of front groups to obscure the source of advocacy. Scholars have shown that lobbying density during this process far exceeded that of public health NGOs, creating a striking imbalance of resources (Chambers, 2016: 65–67). The TPD case also underscored weaknesses in transparency. Many interactions with policymakers occurred outside formal consultations, and the register did not capture the full scope of third-party mobilisation. Despite these efforts, the directive was eventually adopted with strong health provisions, but only after years of delay and intense political contestation (Dinan, 2021: 244).

In theoretical terms, the TPD illustrates the limits of a naïve pluralist view of EU lobbying. Formally, the process was open to a wide range of stakeholders; in practice, the density of corporate engagement and the strategic use of intermediaries produced what Greenwood calls a pattern of “elite pluralism”, in which well-resourced actors dominate access and information flows (Greenwood, 2011: 58–62). The case thus confirms Bouwen's argument that the provision of expertise and information functions as an “access good” that systematically favours business interests in EU policymaking (Bouwen, 2002: 365–366), raising questions about whether transparency alone can correct such structural imbalances.

### 7.2. TTIP and the Politicization of Trade

The negotiations for the Transatlantic Trade and Investment Partnership (TTIP) revealed a different dynamic, dominated by civil society mobilisation. Unlike the TPD, where corporations prevailed in terms of resources, the TTIP process became politicized through outside lobbying. NGOs, trade unions, and activist networks orchestrated campaigns across member states, framing TTIP as a threat to democracy, consumer standards, and environmental protection. These campaigns mobilised public opinion, staged protests, and generated significant media coverage (Dialer & Richter,

2019: 220–222). The result was to constrain the Commission's bargaining flexibility and increase the Parliament's scrutiny. While business associations also lobbied heavily in favour of TTIP, the politicization of the issue demonstrated the disruptive potential of outside lobbying in a system often dominated by insider strategies. Ultimately, TTIP was suspended, and the case remains a benchmark for understanding how public campaigns can alter the trajectory of EU trade policy (Marchetti, 2018: 750).

From a theoretical perspective, TTIP can be read as a critical case for the literature on monitory democracy. Unlike more technocratic dossiers, the politicisation of trade allowed civil society organisations and activist networks to use outside lobbying to “monitor” and contest the Commission's agenda in real time (Dinan, 2021: 241–243). Rather than contradicting the bias identified in consultation-based lobbying (Bunea, 2017: 46–48), TTIP shows that such bias can occasionally be offset when issues become highly salient and diffuse interests manage to mobilise public opinion across national arenas (Beyers, 2004: 211–214).

### 7.3. Banking Union Rule-Making

The construction of the Banking Union after the eurozone crisis illustrates lobbying in highly technical domains. The creation of the Single Supervisory Mechanism (SSM), the Single Resolution Mechanism (SRM), and the debates over the European Deposit Insurance Scheme (EDIS) required dense regulatory detail. Financial industry associations, banks, and consultancies were deeply involved in consultations with the Commission and in contacts with the European Central Bank (ECB), which assumed supervisory authority (Montalbano, 2021: 42–46). Studies of the legislative process show that financial actors successfully shaped technical standards, particularly in the Capital Requirements Regulation (CRR) and Directive (CRD IV). Their advantage lay in superior technical expertise and organisational capacity, which allowed them to influence both the design and implementation phases. Civil society actors, by contrast, were largely absent, underscoring the asymmetries that characterize lobbying in sectors of high complexity but low public visibility (Montalbano, 2021: 88–91).

The Banking Union represents a paradigmatic example of how informational asymmetries shape EU interest intermediation.

In line with neo-corporatist and resource-based accounts, financial industry actors were able to supply the highly technical “access goods” required by regulators, thereby consolidating a privileged position in both agenda-setting and rule-making (Bouwen, 2004: 337–339; Montalbano, 2021: 88–91). The relative absence of diffuse interests and the low public salience of prudential standards confirm Howarth and Quaglia’s view that post-crisis financial governance in the EU has been driven by a narrow constellation of experts and market actors rather than by broad societal contestation (Howarth & Quaglia, 2016: 112–115).

#### *7.4. Digital Platforms and Technology Regulation*

The rise of digital platforms has created a new frontier for lobbying in Brussels. Companies such as Google, Facebook, and Amazon have dramatically expanded their presence in the EU capital, investing in offices, staff, and public affairs contracts. Digital lobbying combines inside and outside tactics: on the one hand, platforms provide technical input on issues such as data protection and content moderation; on the other, they cultivate public legitimacy through funding of think tanks, sponsorship of events, and partnerships with civil society organisations (Chambers, 2016: 72–74).

The negotiations over the Digital Services Act (DSA) and the Digital Markets Act (DMA) demonstrated how platforms sought to frame regulation as potentially stifling innovation. At the same time, civil society groups and consumer associations pushed for stricter rules to protect users’ rights. This confrontation highlighted both the growing importance of digital lobbying and the persistent challenges of ensuring balanced participation in rapidly evolving sectors (Greenwood, 2011: 95–97).

Conceptually, the rise of platform lobbying suggests an evolution from sectoral to systemic forms of influence. Digital giants operate not only as interest groups defending specific regulatory outcomes, but also as agenda-setters capable of shaping how problems such as data protection, content moderation and competition are framed in the first place (Woll, 2009: 22–25; Chambers, 2016: 72–74). This development challenges both traditional pluralist notions of balanced competition among interests and transparency-centred approaches, and reinforces calls for a more structural understanding of lobbying power in the context of platform capitalism (Alemanno, 2017: 115–119).

#### *7.5. Conclusion*

Taken together, these cases show the adaptability of lobbying strategies across policy domains. Whether through corporate counter-mobilisation, civil society campaigns, technical expertise, or hybrid approaches, interest groups consistently shape EU policy outcomes. The cases also expose the structural limits of transparency, as registers and disclosure mechanisms rarely capture the full extent of influence. They thus illustrate the broader argument of this article: that transparency alone cannot resolve the asymmetries embedded in the EU lobbying system.

### **8. Revolving Doors, Ethics, and Oversight**

A recurring concern in EU governance is the phenomenon of revolving doors, whereby officials and politicians move into lobbying roles, or vice versa. These career shifts raise questions of impartiality, conflicts of interest, and public trust.

The European Commission has adopted cooling-off periods for former Commissioners and senior officials, requiring them to seek approval before accepting lobbying-related positions. Yet enforcement has been inconsistent. High-profile cases—such as former Commissioners joining consultancies or corporate boards shortly after leaving office—have sparked criticism from civil society and the European Ombudsman (Dinan, 2021: 245). The European Parliament has also attempted to regulate revolving doors, particularly for MEPs transitioning into lobbying roles. Rules prohibit former members from using their access badges for lobbying purposes, but monitoring remains limited. Concerns persist that ex-MEPs leverage personal networks to gain privileged access for clients (Dialer & Richter, 2019: 230–232). The Council of the EU remains the least transparent in this regard. Member-state officials moving into lobbying face uneven national regulations, creating loopholes that undermine credibility. The lack of a common EU framework allows divergent practices and weak oversight (Marchetti, 2018: 752).

More broadly, the EU’s ethical architecture relies on codes of conduct and the oversight of bodies such as the European Ombudsman. While these instruments have improved awareness, they lack binding powers. Civil society actors have repeatedly called for stronger, independent oversight mechanisms, including sanctions for breaches of ethics and longer cooling-off periods (Bitonti

& Mariotti, 2023: 12). In sum, revolving doors illustrate the limits of self-regulation in Brussels. Without consistent enforcement and independent monitoring, ethics frameworks risk being perceived as symbolic. This gap reinforces public scepticism about lobbying and underscores the need for credible oversight.

### **9. Democratic Implications: Participation without Parity?**

Lobbying in the European Union presents a paradox. On the one hand, it is defended as a channel of participation, offering stakeholders opportunities to voice concerns and provide expertise. On the other, the uneven distribution of resources means that not all actors enjoy equal capacity to influence outcomes. This asymmetry calls into question the democratic quality of EU governance.

Supporters argue that lobbying can help bridge the democratic deficit by connecting citizens and associations to supranational institutions otherwise perceived as distant. Consultations, hearings, and structured dialogue can indeed broaden representation beyond traditional party channels (Antenucci, 2011: 54). Yet this optimistic view often overlooks that access is skewed in favour of corporate and professional actors with superior organisational capacity. The result is what scholars describe as participation without parity. Formally, the system is open; in practice, certain interests dominate deliberations, while diffuse or underfunded groups struggle to sustain a presence in Brussels. This imbalance risks reinforcing perceptions of the EU as technocratic and unresponsive to citizens' concerns (Greenwood, 2011: 61–63).

Moreover, scandals such as “Qatargate” – involving alleged payments from Qatar and Morocco to Members of the European Parliament in exchange for influence over parliamentary decisions – have crystallised public concerns about undue influence and the weakness of existing integrity rules in the EU (Costa, 2024: 76–77; Hegewald & Schraff, 2024: 1674–1676). Empirical research shows that the scandal produced a significant decline in public trust in the European Parliament, while civil society organisations have framed it as a symptom of broader failures in lobbying and transparency regulation (Hegewald & Schraff, 2024: 1679–1682; Transparency International EU, 2024). Public opinion often fails to distinguish between legitimate advocacy and corrupt influence, feeding euro-scepticism and disengagement. The Union's reliance on transparency

mechanisms, without robust enforcement, further accentuates this gap between principle and practice (Dinan, 2021: 247).

In normative terms, lobbying underscores a tension between pluralism and equality. While pluralism ensures multiple voices, democratic legitimacy requires that no single type of actor consistently dominates. Addressing this imbalance is therefore not only a technical matter of regulation but also a political imperative for strengthening the Union's democratic foundations (Marchetti, 2018: 754).

### **10. Reform Agenda**

The analysis of lobbying in the European Union points to a clear conclusion: transparency alone cannot resolve the structural imbalances of influence. A credible reform agenda must therefore move beyond symbolic disclosure towards enforceable rules, independent oversight, and corrective mechanisms aimed at ensuring fairer participation.

The first step is to transform the Transparency Register into a compulsory system, covering all institutions, including the Council of the EU. Voluntary disclosure undermines credibility, as powerful actors can opt out with minimal consequences. Mandatory registration, combined with the publication of structured information on clients, budgets, and lobbying objectives, would create a baseline of accountability (Bitonti & Mariotti, 2023: 10–11).

Registration without verification risks being a mere formality. Independent audits and random checks should become integral to the system, accompanied by proportionate sanctions for misreporting or non-compliance. Comparative examples—such as Canada and Ireland—demonstrate that sanctions enhance compliance and build public trust (Greenwood, 2011: 83–85). Institutions should adopt rules requiring policymakers to disclose their meetings with interest representatives and, where possible, the documents submitted by lobbyists. This would allow citizens and researchers to trace influence across the policy cycle. Some Commission Directorates-General have experimented with meeting transparency, but practices remain uneven and incomplete (Marchetti, 2018: 752–753). Revolving-door regulation requires strengthening. Longer and enforceable cooling-off periods for Commissioners, senior officials, and MEPs are necessary to prevent conflicts of interest. Independent monitoring, rather than self-regulation by institutions, would reduce the perception of impunity and reinforce the credibility of ethical frameworks

(Dinan, 2021:245). Regulation must also address the imbalance between corporate and civil society actors. Capacity-building support for NGOs, targeted consultations for underrepresented groups, and quotas in expert groups could help correct structural asymmetries. Without such measures, transparency risks cementing rather than reducing inequality of access (Antenucci 2011:56-57).

Finally, the oversight of lobbying should be entrusted to an independent body with investigative powers, adequate resources, and the authority to impose sanctions. Reliance on interinstitutional agreements or self-policing limits effectiveness. A European Commissioner of Lobbying or an agency analogous to Canada's model could provide the necessary credibility and consistency across institutions (Dialer & Richter, 2019: 233–234). Together, these reforms would constitute a decisive step towards transforming the EU's approach from a system of symbolic transparency to one of substantive accountability. They would not eliminate lobbying—an inevitable feature of pluralist democracy—but would ensure that it operates within clear, enforceable, and equitable rules. Only by pursuing such reforms can the EU hope to reconcile lobbying with democratic legitimacy.

## 11. Methodological Note

This article has combined conceptual analysis with empirical case studies to examine lobbying in the European Union. The approach reflects the recognition that lobbying cannot be understood solely through theoretical models or normative judgments; it must also be grounded in the practical observation of how interest groups operate in specific policy contexts.

Methodologically, the article adopts a qualitative, multiple case-study design. The universe of reference consists of EU legislative and regulatory processes in which lobbying has been both salient and reasonably well documented in the period 2010–2023, that is, under the post-Lisbon institutional framework. Within this broader universe, the four cases analysed were selected as paradigmatic and critical instances of different combinations of policy salience, actor configuration and institutional venue: health regulation (Tobacco Products Directive), trade negotiations (TTIP), financial regulation (Banking Union) and digital platforms. The aim is not statistical generalisation, but analytical generalisation to the structural

features of EU lobbying (Montalbano, 2021: 42–46; Bunea, 2017: 46–48). The empirical analysis relies on secondary literature, official EU documents (Directives, Regulations, Commission proposals, Council decisions and parliamentary reports), and publicly available transparency data. In particular, the study makes use of the EU Transparency Register, the Commission's online consultation database and selected reports by civil society organisations and investigative journalists as complementary sources (Coen & Richardson, 2009; Greenwood, 2011: 83–85). No original interviews or quantitative datasets are employed; instead, the method is one of desk-based triangulation, combining different types of sources to reconstruct lobbying strategies and patterns of access. This choice maximises comparability across cases, while acknowledging the limits imposed by under-reporting and the partial nature of existing transparency regimes.

The findings should therefore be interpreted as indicative rather than exhaustive. The purpose of this article is not to measure lobbying impact quantitatively but to identify the structural features of the EU lobbying system, its vulnerabilities, and the reforms needed to strengthen democratic accountability.

## 12. Conclusions

Lobbying in the European Union is not an incidental feature of governance but a structural reality. The dispersion of authority across the Commission, Parliament, Council, agencies, and committees creates an institutional system that is simultaneously dependent on, and vulnerable to, organized interests. This dependence has made Brussels one of the world's leading hubs of lobbying, rivalled only by Washington, D.C. Yet the presence of thousands of lobbyists in the EU capital has not translated into a system that is either transparent or democratically balanced.

The Union has made important steps—most notably the Transparency Register and evolving codes of conduct—but these remain partial remedies. Voluntary registration, self-reporting of data, and the exclusion of the Council from the regime reflect the political compromises that have consistently weakened reform. The outcome is a regime of transparency without accountability: citizens are invited to monitor lobbying activity, but the information available is incomplete, unreliable, and unenforceable.

The case studies analysed reinforce this diagnosis. The Tobacco Products Directive revealed the overwhelming density of corporate lobbying and the creative use of third parties to obscure influence. TTIP demonstrated that civil society can mobilise public opinion to constrain negotiations, but only in exceptional circumstances where salience is high. The Banking Union highlighted the domination of highly technical sectors by financial actors whose expertise is unmatched by NGOs or consumer groups. The rise of digital platforms showed how global corporations can reshape the Brussels arena with vast resources, hybrid tactics, and long-term presence. These cases, taken together, show that while the EU system is formally open, it consistently reproduces asymmetries of voice and influence. Taken together, the four case studies confirm and nuance the theoretical perspectives discussed in the first part of the article. The Tobacco Products Directive exemplifies how, under conditions of marked resource asymmetry, formally open consultation processes tend to reproduce patterns of “elite pluralism”, in line with Greenwood’s account of EU interest intermediation (Greenwood, 2011: 58–62). TTIP, by contrast, shows that outside lobbying and public mobilisation can occasionally activate mechanisms of monitory democracy, allowing diffuse interests to contest technocratic agendas when salience is high (Dinan, 2021: 241–243; Beyers, 2004: 211–214). The Banking Union and the regulation of digital platforms illustrate a different dynamic again: they corroborate Bouwen’s argument that the provision of highly technical “access goods” grants business actors a structurally privileged position in regulatory politics (Bouwen, 2002: 365–366; Bouwen, 2004: 337–339), thereby confirming that informational asymmetries are central to understanding how the EU’s lobbying system operates in practice (Howarth & Quaglia, 2016: 112–115; Woll, 2009: 22–25).

The democratic consequences are significant. Lobbying is often justified as a means of mitigating the EU’s democratic deficit, bringing citizens’ concerns into supranational governance. In practice, however, the system offers participation without parity. Well-organized corporate actors dominate consultations and committees, while diffuse interests lack the capacity for sustained engagement. This imbalance risks turning pluralism into oligopoly, where policy outcomes reflect the interests of the few rather than the deliberation of the many. The legitimacy of the EU is further undermined when lobbying scandals—such as Qatargate—blur

the line between advocacy and corruption, fuelling euroscepticism and public disaffection.

The Union therefore stands at a crossroads. If lobbying is left in its current form, it will exacerbate inequalities, deepen mistrust, and further distance citizens from institutions. If, however, the EU embraces a reform agenda beyond transparency, it can transform lobbying into a regulated, accountable, and balanced mechanism of participation. Mandatory registration, independent oversight, verifiable disclosure, longer and enforceable cooling-off periods, and capacity-building for underrepresented groups are not technical refinements but political necessities. Normatively, the analysis suggests that the key challenge for the European Union is not to eradicate lobbying, but to democratize it. In this sense, the article aligns with those contributions that call for a “domestication” of lobbying through robust regulatory frameworks, rather than its moral condemnation or naïve celebration (Alemanno, 2017: 115–119; Bitonti & Mariotti, 2023: 10–11). Lobbying becomes compatible with democratic standards only when subject to clear and enforceable rules on access, transparency, revolving doors and balanced representation. Without such rules, the empirical patterns identified in the case studies – from elite pluralism in health and finance to structural agenda-setting power in the digital sphere – risk consolidating lobbying as both an effect and a driver of the EU’s democratic deficit, rather than as a channel of accountable participation (Antenucci, 2011: 56–57; OECD, 2014).

At stake is the Union’s democratic credibility. A polity that aspires to represent 450 million citizens cannot afford a lobbying regime that privileges the few at the expense of the many. Regulating lobbying more effectively is not about demonizing advocacy or silencing stakeholders. It is about ensuring that influence operates within clear, enforceable, and equitable rules. Only then can the EU claim that its policymaking reflects the general interest rather than the weight of the most powerful voices. Lobbying will remain a permanent feature of European governance. The question is whether it becomes a channel of democratic accountability or a vector of democratic erosion. The evidence presented here suggests that without decisive reform, the latter scenario is more likely. For the EU, strengthening the regulation of lobbying is not merely a matter of administrative tidiness; it is a test of its commitment to democracy itself.

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## **HYPERBRAZIL: Hypercitizenship in a New Multiple Helix**

### **1. Prologue: Hypercitizenship in a New Multiple Helix**

This paper is framed in a research project titled Hyperbrazil, which belongs to the agenda of the bilateral agreement between PUCPR and Ud'A. The core of this work is the design of a new multiple helix named HYPAPOM.

This new helix is also rooted in some pivotal reasons in the Hypercitizenship Research-Based Program for Global Governance and Policy Modeling (Pitasi, 2012 and 2021), which interconnects research and policy strategically and according to the most accurate methodological project design under the WCSA motto, “research determines policy, policy determines politics” ([www.wcsaglobal.org](http://www.wcsaglobal.org)).

The Hypercitizenship project was created, designed, and initially developed by Andrea Pitasi. Through the years, it became a cosmopolitan, global program involving scholars from more continents. Since 2017, the synergy between Pitasi and Folloni at the intercontinental level provided new energy and visibility to the project worldwide, as this work for a prestigious WCSA conference testifies. Basically, the systemic, complex, multidimensional concept of Hypercitizenship is based on four key interconnected operational definitions (Pitasi, 2012; 2013; 2014; 2015):

- Cosmopolitan Citizenship
- Scientific Citizenship
- Entrepreneurial Citizenship
- Self-Organizational Lobbying Citizenship

### **2. The LEDDeT Frame of Dual-Multiple Passport Policy (DUMPAP)**

The Dual-Multiple operational definition of the HYPAPOM multiple helix can be quite easily understood through one further multiple helix designed by Pitasi (2021b) and named LEDDeT (Legislative Expansion, Demography, Development, and Technology). The whole

multiple LEDDeT impacts on the Dual-Multiple Passport Policy; nevertheless, in this case, the engine is the legislative expansion.

Let us explain the relationship among evolution, knowledge, and the legislative function, which is systemic-processual in the form of a spiral, where the evolutionary trend is all the more linear the more the evolutionary spiral is observed from above, i.e., from the macro perspective. Each concrete social context, however, being in a specific fold of the spiral, has the perception of experiencing conditions of great chaos, turbulence, and instability. And the interesting thing is that from its scale of observation, this is how things really are, especially because common sense generates noise in the Luhmannian sense (Luhmann 1990, 1990b, 1990c, 1990d, 1995a, 1995b, 2006).

Most of the information overload of Luhmannian emotional-perceptual type can be selected exclusively through knowledge, which, to be such, is abstract, general, and valid. Information can be specific, but the way to filter it, if information is valid and reliable, cannot be specific, certainly not on a 1:1 scale, and not even at a 1:100 scale. A cognitive tool acting as a selective code is feasible if it works on a huge mass  $N$  of information. In short, no viable systemic selection is possible by means of factual first-order observations. Scientific second-order observation makes a difference: the second-order scientific observation is the observation of complexity. Complexity means that there are always more possibilities of operation than what is actualized, and that, therefore, the actualization of any operation requires a selection among these possibilities.

It is not history that consolidates knowledge; it is the lever that shapes the evolutionary scale that performs this job. The legislative function is one of the viable forms of selective knowledge: that which shapes the world order in its global and glocal forms. The trend, indeed the evolutionary megatrend, if not the gigatrend, is inescapably from the infinitely small to the maximally large: our current scenario is that of the Global Players, and there are no identifiable shocks that could reverse the trend to date, but there are centripetal and centrifugal forces.

Nation-states or lower entities have no future, as argued at length by Triffin and as neatly described by Beck, who refers to a conflict with a foreseen end if only for demographic, anagraphic, and generational reasons between “Homo Neanderthal” and “Homo Cosmopoliticus” (Beck 2016: 199-200).

One of the distinctive features of postmodernity is the absence of a Grand Narrative (Lyotard 1989). Let us begin by defining what is meant by narrative: it is a condensation in semiotic symbolic shapes of information produced in a social system that allows the production of descriptions within it. Narratives are produced from forms of communication. Today, the Grand Narrative is here and powerful: the Planetary Convergence of the world system. It is common sense that finite provinces of meaning are situated on much smaller scales, only apparently reassuringly familiar, and they fail to grasp the scale of convergence because “the result of simplistic reasoning is always distortion.” As a methodological notebook, this paper provides an example of how comparison has evolved towards convergence.

The legislative function radically changes its epistemological and heuristic framework if it is inserted in a system of systematic political doctrines or in contingent political thought, whose clearest and most banal examples are the electoral slogans that promise everything and the opposite of everything for the mere purpose of winning votes. This makes political thought contingent, à la carte, neither scientific nor reliable. A political doctrine is systematic, far-reaching, broad, and transformable into falsifying procedures; political thought is mere contingency.

A process-focused comparative sociology largely dilutes the decoy effect of the more simplistic contextual and contingent behaviorism but may still pay the epistemological and heuristic price of believing it has to connect what would appear to be separate, whereas convergent research design makes it clear that it is about seeing the macro interconnections between entities that only too small-scale observations can see as separate. For example, the idea that political institutions would come to organize otherwise empty and “wild” free market spaces is one of many behavioral lures based on *horror vacui* and the consequent need for protection it arouses in the target audience.

It is pretty evident that the free market is not an empty space but rather one defined by its powerful isotropic organizational forms. Three important passages are also apparent: the theory of market functioning is conceptually prioritized over monetary theory; the study of short-run price and quantity adjustment processes can only be effectively carried out from a theory of market organization; and finally, the bank emerges in evolutionary terms as the pivotal institution of the credit system.

In short, where would this leave the much-loved “free market”? In convergence scenarios, the “free market” appears as a zombie category, just like national identity, the state, and culture. Knowledge evolutionarily follows the vacuum principle, i.e., it fills all gaps and fills them as a system of procedural rules, possibly but not necessarily legal, and much more often isotropic. Thus, knowledge is not a content; at most, it is information that the normative procedure filters, selects, and validates, whereby valid we can understand a temporally approved but obviously potentially falsifiable content. Metaphysics, in this sense, is belief without knowledge—in essence, the negation of knowledge, as clearly exemplified in theodicy (Berger and Luckmann 1984). Belief does not imply knowledge; on the contrary, one usually excludes the other, as attested by religions and discourses of political thought, very different from systematic political doctrines. The legislative function thus adopts two specific systemic forms:

- a) The production of normative procedures that formalize legal knowledge in the strict and valid sense of the general theory of law (legal system).
- b) The production of normative procedures that formalize isotropic and valid knowledge in the sense of a not-yet-falsified economic system by establishing, for example, financial classification and qualification standards, a scientific system by formalizing the isotropic standards of a research protocol, an educational system by formalizing the evaluation criteria of curricula, or a biological system in the codification of DNA.

Knowledge is thus mainly a supersystem of procedures and technologies in the Foucauldian sense of validation through codification and filtering of noise and information, which are not so easy to distinguish from each other. Such a distinction requires an epistemological and heuristic program of cognitive formalization written in binary, as a scientific theory must be thought of as a program written in binary to compute observations, which are also written in binary (Chaitin 2007: 79). It is a matter of creating programmed compressions that require far fewer bits than the data they explain. What seems calculable but is not enumerable and cannot be compressed into a program that explains  $X$  amount of data with

bits much less ( $<$ ) than  $X$  is random, irreducible, and, Popperianly, metaphysical. However, it would be naive to attribute ontological foundations to such programs, which instead are evaluable not by their “nature” but by their evolutionary and applicative feasibility of formal axiomatic systems that are necessarily incomplete due to their at-first-sight curious evolutionary function of reducing the data/bit relation while maintaining their non-reductionist systemic form.

The difference between data and bits is the information in its own sense already filtered by the program. The viable systemic program par excellence makes the information, so to speak, self-diluting: How can information be self-limiting? How do we understand where one binary message ends and another one begins, so that it is possible to have many messages in... The challenge is now to model and systematize a cognitive program that allows selection and filtering by reducing the data/bit ratio and thus increasing the analytical leverage and scale. From this perspective, the passages in which Fornari (2014: 45–47) outlines both the challenge of sociology and that of complexity are valuable. The sociological challenge:

*“Sociological knowledge [...] will have to dispel the myth of self-sufficiency, with all the presumptions that it entails [...] Albert Einstein wrote that without crisis there is no challenge, and without challenge, life is reduced to pure routine, becoming a slow agony.”* (Fornari 2014: 45).

While that of complexity, in full Edge Foundation style, is the coevolutionary inseparability of cognition and emotion, logic and imagination, etc. As we will show, Kuznets cycles, if developed as I propose, are very viable cognitive tools in this regard. We will at the same time broaden and deepen my three-mission work program by situating legal sociology, not among the economic sciences—which would be decidedly excessive and forced—but in relation to them, taking as a starting point the works of Simon Kuznets (1990) and Angus Deaton (2015), Nobel laureates in Economics in 1971 and 2015, respectively.

Deaton (1945) and Kuznets (1901–1985) are also crucial authors, albeit unwittingly, for the development of legal sociology. Kuznets’ crucial works are the ones written between 1930 and 1975, for which, of course, Kuznets used the scale of the nation-state, whereas today his principles and models are still strategic but on

the global player scale (GPS). Having said that, let us summarize the fundamentals of the economic theory of DTS (Demography – Technology – Development) cycles formulated by Kuznets and the elements that compose it: secular, secondary and cyclical movements; measurement of national income (nowadays not on a national scale but in GPS).

### **3. Multiple Citizenship and Development: Lawyers and Strategy Beyond Methodological Nationalism**

This section is focused on the concept Folloni and Pitasi developed together of HyperBrazil as our privileged laboratory.

Israel, Dominican Republic, Brazil and Italy, in this order, share the problem of a very high rate of lawyers per capita. Israel is the first of the planet for that. Dominican Republic is the second one, but those are small countries. Brazil is the third one, and Italy is the fourth.

It brings us some troubles because the percentage of lawyers is very high per capita, so consider that there are more lawyers in Rome than all over France. This means a lot of lawyers. In the Brazilian State of Paraná there are 126,000 lawyers. And 90,000 of them actively. In a population of 10,5 million adult people more or less, which means that the chance to bump into a lawyer walking on the streets is very high. And as you crush your car against another car you might be hitting a lawyer's car, which can provide you some troubles.

In every job – lawyer, accountant, sociologist, polytologist – the matter of inflation is a tragedy. What is inflation? Inflation is when you have an exaggerated amount of professionals, according to the possible demand. In Italy there are some jokes about lawyers that shows the problem in a funny way. Lawyers buy an apartment just to enter condo to go in the meeting with the “sindico” to create the litigations, to get some more job.

So, in the semantics of management, it's an important distinction that's proposed, the distinction between the Red Ocean and the Blue Ocean. The Red Ocean is where professionally there is great inflation. Many professionals doing the same jog. Whatever job, whatever business enters a Red Ocean. It means there is a good number of clients there. But there is a gigantic competition. The ocean is red because of the blood of those who were defeated in the

competition. Sometimes you park in the car in the wrong place. And you have to pay the fine you pay for parking in the wrong way. If you are a lawyer who is able to cancel that fine, you have to wish that the City Hall sends local police to find everybody. Because on one side it's your business. But on the other side, if you work like that, every graduate who has a little experience as a new lawyer can become your competitor. Imagine how many people got a degree in a couple of years. So, 10 years after you graduated, you have some thousands and thousands of competitors if your skills stop at cancelling fines at the municipalities.

If you're a specialist in IPRs, digital law, company law, merging and acquisitions, you know, probably, you are more strategic. But still, what happens if you are the small fish in a big law firm? The big firm can be strategic in its positioning. But the lawyer in that firm could be fast food for others. In every profession, engineer, accountant, lawyer, sociologist or whatever, it is important to be aware of the chance of the Blue Ocean. At the same time, the paradox is that if everybody goes into a Blue Ocean, the ocean turns red. The chance of the Blue Ocean is open to everybody in theory, but it's a very important challenge, and it's not easy. And what's the Blue Ocean? The Blue Ocean is a different kind of position in which you, in practice, have no clients, which sounds bad at the beginning, but you have no competitors and then you can create your own niche. Your own new sector business. Multiple and dual citizenship is the way not only for would be blue ocean lawyers but rather a s a chance to evolve for all mankind in wider horizons and with wide horizon strategy.

This leads to the problem of the so-called “overeducation”; when there is an inflation of professions with too many degrees which leads to the scenario in which you need a stronger and stronger cv to access a lower and lower position: it's called the bumping effect. A bumping effect is when the more you are educated, the worse is the job you get. The HyperBrazil project work on the concept of HyperBrazil as a stargate to multiple and dual citizenship policies.

Brazil is big, but that is not why it's hyper Brazil. Brazil is big and most of the Brazilians spend their lives in Brazil, never going abroad, and speaking just Brazilian Portuguese. Brazil could be driven for hours and hours without meeting frontiers or borders. That's not the case of Europe, because you turn around a corner there's another country. Because consider that the whole European

Union, in terms of its perimeter, is 2/3 of Brazil. You can place the whole EU inside Brazil.

Nevertheless, it's a kind of advantage, from a certain point of view, but it is also disadvantage. It's an advantage because in theory, you have a strong market. It's a disadvantage because if everybody focuses on that, it would be a Red Ocean very soon. There are more labor lawyers in Brazil than jobs in Italy, maybe. So my question was, what do they do? Because maybe there is the one driving an expensive car, there is another one doesn't have the money to pay the rent. The larger the category, then the more variety of lifestyles and resources. At this moment, people change at every point of their lives. You can be 60. You can be 70. When you are younger, it's easier. It's true that the inventor of McDonald's started out McDonald's at 64. But it was an exception. Bill Gates was 21, Mark Zuckerberg was 24. The older you become, the more difficult it becomes nevertheless there is no rigid or deterministic limitation. Also, because sometimes when you get older, you take for granted that the scenario around you will never change. And when you realize it changed, it's too late.

Most of the people in the schools in Italy, high schools, also lawyers, are debating artificial intelligence, and it is wonderful. The more they know nothing about that, the more they debate it. "Is it bad? Is it negative?" they have no way to understand how it works, because they have no idea of what they are talking about. And for example, also, the management, the legal management intelligence cannot be based on national regulation because it's a global phenomenon. We are in an age in which most of the bigger phenomena are global. Not everything, but most of the big phenomena are global: artificial intelligence, citizenship, sustainability. You can like it or not, but there is an agenda of the United Nations. Which is an agenda for the whole planet. Technological change at large. Nationally, one country can be more advanced, another is advanced, but more relaxed, but you can find mobiles everywhere. Even the smallest, darkest villages.

So whatever the topic, when it is a global phenomenon – artificial intelligence development, sustainability, citizenship like tonight – lawyers are in disadvantage compared to other professions. Why? Because law is one of the few disciplines with frontiers. Yes, you can argue about International Law, but it already implies a separation among nations. There is Italian law, there is Brazilian law, there is German law, but there is nothing like German sociology, French physics, Italian chemistry. And when you bump into an

Italian sociologist who tells you, "Yes, I'm working in a typical Italian sociology style", and then you ask him or her the pillars of the research – Max Weber, Talcott Parsons, Werner Sombart, Ortega y Gasset, Antonio Candido, Fernando Henrique Cardoso... Typical Italian. See Florestan Fernandes, typical Brazilian sociologist coming from Marxist school. So the more scientific you work the more there are no frontiers.

The problem of law, not of Brazilian law, of law everywhere, is that in a way lawyers are more influenced by national borders. And sometimes when they work internationally, they don't change their mindset because internationally, there is one nation and another one, thus these lawyers will merely work on the treaties connecting them. We were talking about HyperBrazil. What the hell is HyperBrazil? And what's all the fuss about it? In this moment Brazil might become one of the key strategic players on the planet. Brazil is strategically positioned to have dialogue with every other key global player. In this moment, Brazil is part of the BRICS and have very good connections with United States, and Brussels. Brazil is one of the few countries in the world with good relations everywhere, in a world which is not so friendly.

Brazil is more important now, so for its international affairs and internal affairs as a fuel and engine for cosmopolitan development. When a profession is jailed, is imprisoned of the borders of the country, we can speak about professional methodological nationalism and about a lack of scientific and professional reliability. So, for example, if you are a professor of civil law in Brazil or anything and then you go to France as a lawyer, you have to start all over again because French civil law is not Brazilian civil law. If you are an engineer or an architect, or a heart surgeon, in practice, you are able to operate everywhere. That's the difference. Many Brazilians are double citizens. With Portugal, with Italy and many further countries. And if you have an Italian passport or a German passport, you are very lucky as they are at the top of the Henley & Partners ranking according to which the Italian, the German passports are the two most valuable passports on the planet to travel everywhere with no visa requirements. With an Italian or German passport, you can travel across 193/206 countries in the world. So, in practice, you can travel almost the whole world without a visa.

With other passports it's more complicated. Imagine that you specialize in a law firms in procedures for dual citizenship, in the

short run, it could be a Blue Ocean, but still it's an international procedure. The more lawyers in trade like that, the more the Blue Ocean will become very soon a Red Ocean again. If you are able to design an interdisciplinary service, including legal service and all services, probably you're able to master the psychological, social, economic (marketing included) aspects of the demand. The more you expand the demand, the more you reduce the risk of the Red Ocean. A standard red ocean Law firm would be able to support the clients who ask for a second passport following the demand curve, a blue ocean one would be able to set an interdisciplinary and visionary strategy letting people know benefits, lifestyles etc. of a dual/multiple citizenship, shaping the curve of the demand according to the supply strategy: blue ocean.

There might be an excellent red ocean lawyer to satisfy the client when the client is there, otherwise the clients move away and the lawyer sinks in his/her own blood in red ocean. But how many potential clients are not there? And they might be there. That is what a blue lawyer knows well and that is why a law firm nowadays includes also marketing experts, sociologists, psychologists, political scientists and economists, who sure, might be outsourced suppliers, but in this case the law firm would risk to become a client among many others while if these professionals are "built in" into a multi-service strategy firm it would create a visionary strategy, tactics and operations will easily follow. Imagine this multiservice strategy in this moment when Brazil is a kind of a connector between the BRICS and the Western world – United States and the European Union – and also a member of Mercosul. Could be also the place in which the merging of citizenships could be particularly strategic and easy. Sociologists, political scientists and psychologists can easily explain how wars start with the social construction of the enemy and its compartmentalization so that the target can be easily visualized and ten killed (De Swaan, 2015, Eco, 2018). In a world of dual/multiple citizenship the construction of the enemy is much more difficult. Imagine, hypothetically, a war between Brazil and Italy where they consider enemies each other – but what if a huge part of Brazilians are also Italian citizens? How can I consider myself my own enemy?

As the researchers consider that most of the wars coming, they come through a strong construction of the enemy. It is called, as we were saying, the sociology of compartmentalization. You create

compartments, for example, you say all the people with blue eyes, very tall or very short, very fat or very thin must be killed. There is a reason why, but maybe in a position to the power, one leader is blue eyed and tall and thin, and so the dictator in power wants to kill all those people with that kind of traits.

Abram De Swaan wrote a book about the killing compartments published by Yale University Press in 2015. This is exactly the way enemy is constructed. You stigmatize your stereotype, your enemy, with physical behavioral traits. Or also intangible traits like religious beliefs. And then first you separate that group from the others, you make a compartment. Then you start to kill systematically that compartment. In a world where everybody is a dual citizen, this job is much more difficult. So in terms of professional law firm consulting, it is the chance to create the Blue Ocean through a systemic approach, by providing legal services supported by psychological, social, economic marketing services.

In terms of research, especially in geopolitics and the international law and shorter supranational law. We have the chance also to use dual citizenship and multiple citizenship as a tool to fuel to boost cosmopolitanism and to boost development. Because in this way you can, you don't cancel customs, of course, but eventually also the power of customs decreases, the power of the frontiers control decreases. It's not eliminated, but it becomes easier for people to live in more countries to have a larger life. And in terms of the social impact you provide, the kind of citizen, which is more cosmopolitan, which means that there's less oriented to create stigmas, stereotypes and compartments, which means a dramatic reduction of violence and low risk. It will not be eliminated; it will be downsized. Maybe it could be a competitor, a rival for someone for some business. But still the challenge is on that interest for that business, it is not a personal fight. Hence the difference between a fight in which one must kill the other and a chess game in which sometimes you win, sometimes you lose, but you are always in the game.

Hence, the need to focus on this kind of mentality: the systemic cosmopolitan vision. A paradigm is fundamental for research. It is not necessary for business even if today business is more and more research based just like in case of sustainability. Usually it can also support business, but in business you don't need a paradigm to start your firm up, it's not so mandatory. In research, if you have no paradigm, you have no idea of what you're doing.

The paradigm we work with and work on is complexity, system complexity. It is not the only paradigm that exists. At the same time, complexity is one of the strongest and most powerful paradigms you can use for research. Because it belongs to chemistry, biology, mathematics, sociology, political science, and many others thus is the start gate of a unified epistemology and methodology through which the distinction between science/not science can be drawn.

In law study there is a good tradition about complexity studies, but once again there is a problem in the frontiers and borders of the discipline which does not allow law to be science. In 2017. A scientific systemic approach to law (which is not the lawyer's one). Systemically, there is nothing like the Brazilian law system, the French law system ecc. There is just the law system. And the law system as a binary code shaping it, the code is "Recht – und Recht", which means what is consistent and not consistent with law, and as a program of validity.

Sometimes there is some confusion among ethics, morality and validity. We must be very careful about what the function of law is. Lawyers often try to pretend they tend to be politicians. They tend to put together much ethical topics and moral topics and so many common senses consent generating beliefs, you know. But you cannot change the validity of law through procedures which are not of the legal system. Only one law can change another law and usually, a superior source can change another source but not vice versa. Sometimes people think that there is some public opinion, social media influence, which can change the law, but if the change of the law doesn't come through legal procedure, law doesn't change. And these procedures are, most of the cases, national.

It is why the problem of validity is the problem of national validity in most cases and the challenge on Kelsen's way is a global, positive, artificial, abstract, conceptual validity of the law system as such and not of its contingent shapes. Complexity doesn't expect to change the validation of law as a procedure. Sometimes the validation of law is simply replaced at the higher level.

On Sept. 9<sup>th</sup> 2024, the General Strategic Plan for the European Union competitive analysis was released under the scientific supervision of Mario Draghi who was the previous President of European Central Bank. The document is fully available in all the European Union languages online. This plan is not a law. But this plan is exactly required and demanded by the European Commission,

which is the key strategic organ of the Union. This plan talks about artificial intelligence and technology, space technological frontiers as a core business for development – it's about four hundred pages. Much investment on outer space, projects and so on. It shapes, first of all, the strategic policy for the Union. But at the same time, it will reshape some part of the cooperation with other stakeholders and partners, including Brazil. It will affect everything.

Legally, it's not law yet. But if the Commission requires this, it's very easy to imagine that the next closed treaties, directives and the law will be some way strongly connected to that plan. Of course, as every plan it will not be applied one hundred per cent. A plan is a story, its implementation is another story, but eventually it becomes a sort of compass. European Union is not a state. And you cannot manage an agreement between Brazil and the European Union, simply as international relations. The European Union is quite a strange organization. And that's impressive that many people in the world, including many Europeans, have no idea about that. The European Union is the only organization in the planet based on the principle of the highest authority. It stills sounds a bit strange when to hear of Italy-Brazil relations. Italy relations with someone else cannot be outframed from that principle. The principle was stated for the first time on May 9<sup>th</sup>, 1950, celebrated yearly as the day of the symbolic unification of Europe.

And this principle was announced by Robert Schumann who was at those times the French Ministry for Foreign Affairs. It's a German last name with a French accent. His speech, easy find it online in all the languages of the world, is called Declaration of Schumann. He stated it was time to rethink the world order starting from Europe after the disasters of the Second World War. And then he thought that coal and steel were two key resources adopted by states, France, Germany etc., to create weapons and to move trains – to move war.

A new organization was needed. This new organization took shape and legal validity one year later. It was named the European Community for Steel and Coal which was based on this principle, which was very different from any other previous agreement. When you shape an international agreement, you put together two distinct wills which are connected nevertheless reversible as the agreement between the two wills does not generate something different and larger than their wills, an international agreement is not systemic,

the two parts are still relevant, and they mean more than the sum they generate. The highest authority principle states the sum of the two wills, or rather, its products is something much more and different from the two wills which merge into one bigger authority from which they cannot be separate anymore.

The Coal and Steel Community treaty doesn't exist anymore. It was the first of many treaties: Amsterdam, Rome and many others. The most recent one is the treaty of Lisbon, released in 2007, which took legal validity since December 1<sup>st</sup>, 2009. It means that the "international affairs" of the Italian shape belong to the systemic frame of the EU. The European Union, with its internal affairs, is supranational according to the higher authority principle, and many politicians at the national level pretend it is not, because if they admit it is supranational, they lose power in the public opinion, power they already lost long ago and public opinion seldom realizes it.

For better and for worse with its higher authority and free circulation, the European Union is unique supranational organization in the world. That is why it is very hard to understand for the everyday (wo)man even if s/he has a degree in law. Both national and international mindset fail to understand this radically constructed and innovative design. The European Union was designed to reduce as much as possible stupidity might get to power. In a certain way to become a European Union citizen you have to unlearn the mindset of being a national citizen (French, Spanish, German etc) in Europe and learn you are a European Union Citizen. Especially for older and less educated people it might appear a scary challenge. Populist, oversimplified cognitive saving, emotional stigmas are the most immediate and self-defeating way to approach – resisting – the new vision, horizon and mindset, which is a complexity-based mindset.

Complexity is a paradigm which allows you not to have a general vision of everything, because it's impossible, but to have a wider vision of the key strategic differences which effectively make the difference. Here is the radical difference between a holistic integration (which does not work as Heisenberg's Principle, Goede's 5<sup>th</sup> Theorem and Tarski's principle of incompleteness taught us, cfr Ardigò, 1988) and a functional systemic unification shaping a unitas multiplex (Luhmann, 1995) focused on an horizon of variety to be contingently selected to allow operations, nevertheless the selection is contingent and complexity cannot be reduced for real. The making

and development of the European Union is an evolutionary, nonlinear way to systemic complexification.

The legal system is able to manage complexity also by connecting and differentiating its shapes just like, for example, Brazil and Italy. As could be Brazil, Brazil is not a system, it is a shape. As Brazil this moment is able to be at the crossroads between United States, European Union and the BRICS. It could be a legal shape able to interconnect all the others, also through dual and /or multiple passports. Imagine nowadays Brazil is a place in which you can get both the US and the Russian citizenship. So you have a subject who is a Brazilian, Russian and U.S. citizen at the same time. One person will not change much, but the more these people grow in number, the more the legal shape becomes softer, more complex, and then the border, the political border of war between Russia and USA will gradually be downsized. Complex is easy (Pitasi, 2023), and it is important to draw distinctions between complex and complicate. To do that, we can adopt what we call the four-scenario game. Imagine four different scenarios.

One scenario is one person in the middle of the desert with a broken car with no fuel, no food, no beverage, and the sun at 50°C. That scenario is complicated. It's not complex because there's no variety of options. It's very tiny.

Imagine a fisherman in a village. This fisherman has a nice cottage on the beach, a nice boat. The fisherman goes fishing as a fisherman does. And then comes back with the boat full of fish, part of the fish is for himself, meat for the family to eat, and part of the fish is to be sold to make money. For example, to buy apparel. Behind this cottage there is a small town with a bank, a restaurant, an apparel store.

The third scenario is a traffic jam. The traffic jam is a typical case in which if you interview all the people involved in the traffic jam, nobody came out with the intention to create a traffic jam. Someone was going to the swimming pool, someone to play tennis, some to the office, some to the university, some to attend the cook course, some other to attend the chess lessons course. Another one is going to pick up the sons and the daughters at school. Another one is going to the lawyer. All people in the cars, in the traffic jam, had different motivations other than making the traffic jam, nobody came out from home saying, "OK, I want to create traffic today".

Forth scenario. There is a place in a big city, a street in which you have 50 restaurants in 300 meters. Some restaurants are more expensive, some others are cheaper. Some provide you some food that you're allergic to, so you don't consider them, but nevertheless you have 50 restaurants, fast food, cafeterias and whatever in those 300 meters.

A question I ask in some seminars: what is your favorite scenario? Many people, with my surprise, but not much surprise, reply "the fisherman scenario". It is common sense that if you are in the middle of the desert, it is not a great time. It's too complicated and your survival or not is just the binary code. Either you survive or you die. There is not such a huge horizon of options. What if you are in the traffic jam? This jam could be misinterpreted. Misunderstood. Common sense would usually say, let's try to decrease the use of cars. But it's often better to work on more flexible structures, not on the elimination of cars. The fisherman scenario looks cute, nice, friendly. You go to fish, then you come back. There is the sunset. You enjoy a beer with your friends afterward. But there is a "but". The scenario is safer than the desert, but your house, your boat, your village, your community – all your eggs are in one basket. If from the sea you have a tempest, you have a big wave, just one, all your life disappears. Your boat, your cottage, your community, your village, gone. Complexity is not that. Complexity is that you have a horizon of variety. Nicholas Niklas Luhmann spoke about the "otherwise possibles", all the opportunities that you have in your horizon. And (complete here) spoke about the possible (complete here). Which means that sometimes you must find the closest solution for your evolution. But when we speak about the closest, we don't speak about geography or not necessarily about geography.

Complexity is easier than other options. Because when you are in the desert, either you survive, or you die (most complicate and least complex scenario). When you are on the big street with 50 restaurants in 300 meters (the most complex and least complicate scenario), maybe one day you could eat better, maybe one day you could spend too much, maybe sometimes you were pissed off because the waiter was not so kind with you. But then actually your risk to starve is very close to zero. In the desert, your risk of starving to death is huge. The more complex is your horizon, the more complex your variety, the more you can evolve in your specific evolutionary strategy through the possible adjacent (to be meant conceptually, symbolically

and maybe sometimes also physically-geographically). Including in your law firm. The more standardized, at the first glance, very simple. Simple is the opposite of easy. The way looks easy, the street seems clear, but it is exactly the street which leads to the Red Ocean. The Blue Ocean Street is more complex, but not more difficult. More complex because requires you more cognitive flexibility. A bit less emotional laziness, so to speak. And the capability to connect items which at first glance might not seem to be connected. And you are the unity, in philosophy we speak about unitas multiplex, you are the unity which connects the variety. In this spirit of complex is easy, for complexity scholars in political and social sciences at large another design principle for complex organizations soon follows: "research determines policies and policy determines politics". Nowadays, if you are a researcher, it is even more important, but also for a professional it is important, most of the key strategic decisions in politics depend on scientific bases, they depend on science, not on public opinion. If something is ecological or not, it cannot be decided through the feelings or perceptions or attitudes of common sense and public opinion. There must be some research in chemistry, biology etc.

Politics, religion or common sense have nothing to say about what is «ecological», «sustainable» or «green», only science (research) can form their policy modeling takes shape. Politics is based on territories and jurisdictions, science is not. Politics is based on nationalized citizenship, but science is global, and scientists usually belong to the world, so to speak. Research teams are very, very seldom structured by nationality, they are structured by skills and research goals. Science always anticipated a phenomenon which is now diffused all over society: the implosion of borders.

#### **4. Conclusion: expanding/imploding borders of everything**

Expanding and imploding the borders of everything might sound vaguely paradoxical for those who believe in the strong essence of reality, whatever it is. If we take a look at a world map in 1789, 1815, 1890, 1920, 1950, 1990, and in 2024, we can easily make sense that even the borders among states (which common sense uses to shape most parts of social identity) show that these borders have little or no intrinsic meaning. For example, what was a little part of the Austrian-Hungarian Empire in 1911 turned into a part of Italy in the early 20s

of the last century. This principle of flexibility, mobility, temporality, and contingency (as time and space are one) shows that expansion and implosion are the conceptual dual sides of the same coin.

This principle can be applied to different systems: law, politics, economics, education, religion, etc. For example, expanding educational conceptual “borders” is strategic to skip the risks and dangers of what de Swaan (2015) defines as killing compartments which, by reinforcing negative stigmatization, might also reinforce hate speeches and the will to purify and destroy what is not coherent with “us.” The killing compartments are the top of contingency because every day a different social group can be stigmatized as the one to be destroyed. Our age is featured by increasing risks, dangers, and sometimes violence, which mirror increasing complexity. Common sense, often inspired by the most banal cognitive saving mechanisms, states that more complexity means more risk, danger, and violence. This assumption is not reliable, while this common sense statement mirrors a great lack of competence in the everyday observer. Rethinking education is strategic in our times.

Most of the current educational methods are inspired by an obsolete methodological nationalism which often artificially shows as separate what is connected in theory and practice. WCSA and Ariolas together, for example, are taking advantage of possible structural coupling among economic, educational, law, and political systems through technological media to develop a cosmopolitan, global, borderless graduation program based on AI—avatar hologram-focused technology capable of managing a world-class, 256-language lecture at the same time, where the virtual professor manages millions of research work pages while lecturing at the moment to different people in different areas of our planet.

In brief, imagine world-class dual/multiple passport citizens receiving a global and cosmopolitan education in 256 languages in real time through which they can also get more and more interconnected with other fellow students worldwide. The concepts of education, citizenship, community, identity, etc., are under high-speed evolution.

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## BOOK REVIEW

### Populism Reinterpreting

**Populism Then and Now. Janos Simon (ed.) 2025.**

**CEPoliti Publishing, Budapest, 290 p.**

**ISBN: 978-615-5771-22-4**

*by János Tóth I.*

#### Introduction

Populism is one of the most frequently used and controversial concepts in political science in recent decades. Contemporary literature mostly interprets populism as opposing the interests of ordinary people to a real or perceived elite. That is, even the definition of the concept is controversial. While authors who interpret populism positively argue that the opposition between the people and the elite marks a real political fault line, the other side argues that these categories are merely simplistic and manipulative constructs.

In addition, this concept is also present in political life as a critical and even delegitimizing category. It suggests that the political actor thus designated simplifies complex problems, builds on emotional identification, and questions the significance of institutional constraints by referring to popular sovereignty.

The volume of studies entitled *Populism Then and Now*, edited by János Simon, disputes the currently dominant, largely liberal interpretative framework. The authors of the volume do not simply attempt to define populism anew, but to free the concept from its unilaterally negative use and rethink it in historical, theoretical, and legal contexts. The nearly three hundred-page volume examines the phenomenon of populism in fifteen studies; its writings are organized into four thematic units, and their common endeavor is to interpret the issue from a mostly conservative perspective, as opposed to the liberal canon. In the following, as one of the authors of the volume – as a participating observer – I would like to present this interpretation.

#### Structure of the volume

The studies in the block entitled “Historical Approaches” start from the assumption that populism is not an abstract political formula, but the product of specific socio-economic crisis situations. Through their analysis of the 19<sup>th</sup>-century American farmer movements, *György Németh and Ádám Paár* show that the development of populism is closely related to the decline of farming society, the advance of industrial capitalism, and the strengthening of the financial and economic elite. In this situation, populism sought to politically represent the interests of the lagging agricultural strata, and to broaden political participation and democratic decision-making.

*Ferenc Bódi*’s study also interprets the historical version of Hungarian populism from the perspective of the problems of the popular movement and agrarian society. In the Hungarian context, “the people” is not identical with the category of “masses” but is related to the social and national role of the peasantry. Using the example of contemporary Italian populism, *Tibor Szabó* shows that later forms of populism are also linked to social and political crises: the instability of the party system, the weakening of trust in the political elite and the emergence of new conflicts favored trends that were built on opposing the “people” and the elite. *Kristóf Mihály Heil*’s summary study places all this in a broader framework when he describes populism not as an independent ideology but as a political mentality that usually strengthens in the wake of modernization losses, social tensions and lack of representation.

The most important lesson of the historical block is that populism usually strengthens in eras when economic and social transformation divides society into winners and losers, and the political representation of groups that find themselves in a losing position weakens or becomes insufficient. The historical writings in the volume present populism not as an irrational or anti-democratic phenomenon, but as a political response that served to involve marginalized groups, articulate their interests, and expand participation.

The issue of “populism now” in the main title is addressed by three thematic units. Two of these – “Populism and democracy” and “Populism as a system, approach and style” – primarily analyze the theoretical and political aspects of the phenomenon, while the third examines its legal aspects. The common question of the

studies is how populism can be interpreted in the context of today's democracies, and to what extent the mainstream understanding that gives the concept a negative political meaning can be maintained.

The writings of *Ferenc Gyurácz* and *János Simon* highlight the status of the concept in political science and democratic theory. *Gyurácz* draws attention to definitional difficulties and the polemical use of the concept. *János Simon* emphasizes that there is still a struggle in political science to define the term. It should be made clear that populism and demagoguery are two different things, which, unfortunately, even a significant part of approaches with scientific claims tend to confuse in order to fill the concept with negative content. If we were to include demagoguery in the interpretative range, then the term would not only receive a strongly negative charge, but its interpretative range would also be significantly reduced, as we see, for example, in the majority of English-language American literature. The content of the concept can be defined in various ways and primarily depends on different understandings of democracy. In its interpretation, in contemporary political thought (with some simplification), two models of democracy stand in opposition to each other: one emphasizes the primacy of the will of the people (e.g. in Latin America), and the other emphasizes the stability and importance of the institutions and procedures of the rule of law (in Europe). Populism is mostly associated with the first scheme, since it considers the more direct political enforcement of the will of the people as its goal.

The studies of *Tamás Fricz* and *Tibor Löffler* also clearly reject the pejorative use of the term. Both authors start from the assumption that “populism” is not a neutral descriptive category in contemporary political language, but a means of criticizing political aspirations that refer to popular sovereignty, majority legitimacy or lack of representation. *Márta Pankucsi* points out in this connection that political reality always becomes accessible through interpretations, and therefore it is not at all indifferent how a given phenomenon is described in public. In this sense, the naming and description of populism is not merely a terminological issue but is itself a political act that significantly influences the social perception of the phenomenon.

The study of *János I. Tóth* illustrates this problem through a specific Hungarian example, the population debates. His writing recalls the conflict in which the popular side warned of the danger

of demographic decline, while the urban side, and indeed the official professional position, did not consider this a real problem for a long time, until around 2010. Based on subsequent demographic developments, there is little doubt that the popular side, often described as populist, was right in this debate. Szilárd Nyakas's study analyzes populism as a political style and rhetorical mode of operation. Based on three specific cases – the role of the socialist Gyula Horn in the 1994 campaign, an episode of the Orbán–Medgyessy debate, and the mechanism of action of the 2006 “Őszöd speech” – he examines how the opposition of “us” and “them”, the formation of poles, and the way of speaking based on emotional identification work in public communication. One of the important claims of his study is that populism is not good or bad in itself, but depending on its socio-political context, it can support democratic renewal or undermine its norms.

The common lesson of these studies is that the authors of the volume do not treat populism as a distortion of democracy, but as a legitimate interpretation of democracy based on popular sovereignty. The debate is therefore not simply about defining a concept, but about how popular will, political representation, legitimation and institutional constraints relate to each other. In this sense, the articles in this volume do indeed engage in debate with the unilaterally dismissive language of the liberal mainstream.

### **Legal and institutional contexts**

Three studies in the volume deal with the legal and institutional contexts of populism. These papers start from the premise that the debate over populism is closely related to one of the fundamental dilemmas of the functioning of modern constitutional democracies, namely how politics based on popular sovereignty relates to the institutions of the rule of law, constitutional constraints and the system of freedoms.

*Béla Pokol's* study points out that the accusation of “populism” often appears in modern political debates as a means of criticizing the democratic majority will. In his interpretation, the concept appears especially when political decision-making relies more heavily on electoral legitimacy and less on expert or institutional control. For him, the debate over populism thus appears as a conflict between popular sovereignty and institutional limitations.

The studies by *Csaba Varga* and *Csaba Cservák* also shed light on the same problem from a legal perspective. Both authors emphasize that the criticism of populism is mostly fueled by the fear that majority legitimacy may overshadow constitutional guarantees and the enforcement of freedoms. According to them, this tension cannot be resolved by simply defining populism as the opposite of the rule of law. On the contrary, this debate stems from the internal contradictions of constitutional democracy itself.

The most important lesson of this section is therefore that different conceptions of democracy also lie behind the legal assessment of populism. The question ultimately is how to create a balance between the primacy of the will of the people and the protection of the limits of the rule of law. In this interpretation, populism is not an external threat to the democratic order, but a phenomenon that makes its internal tensions visible. Liberal criticism of populism often does not provide an accurate description of the phenomenon but speaks the language of normative restrictions on political aspirations based on popular sovereignty.

One of the strongest conclusions of the volume is that the debate over populism is really about who has the right to define the legitimate self-interpretation of the political community. Most of the authors dispute the biased liberal, politically motivated and disciplinary use of populism, which provides an opportunity to limit and delegitimize the popular will that deviates from progressive norms, mostly conservative or sovereignist.

In parallel, most authors interpret populism as a form of democratic self-correction, interest representation and political community self-defense.

## ABSTRACTS

### **Josep M. Colomer: Challenges to Democracy: To Survive Trump and the New Fragmented multipartyism**

It has now been a year since Donald Trump's second inauguration. To understand Trump, you only need to read his little book *The Art of the Deal*: threaten and scare with outrageous demands so that the intimidated parties agree to a more modest deal that is advantageous to him. To confirm the strength of the country. For a hundred years, the United States, with less than 5% of the world's population, has generated around 25% of the global economy. Its advantage is especially pronounced in high-tech sectors. Trump threatened tariffs of 50% and 30% on Europe and China, but an average of less than 15% is being applied to overall foreign trade. The so-called Department of Government Efficiency achieved only 5% of the reduction in public spending it had announced. Trump's rhetoric and threats baffle everyone, but they also make him lose political credibility. It is expected that in the midterm elections this November, the president's party will lose its majority at least in the House of Representatives, as in all elections in the last twenty years; the Democrats could block the presidential agenda and open investigations into his administration; Trump fears a third impeachment attempt. In 2028 he will be 82 years old and will not run for an unconstitutional third term.

**Keywords:** Deal, Donald Trump, global economy, impeachment, political credibility, unconstitutional.

### **János Tóth I: Fertility Decline, Modernization and the Limits of Family Policy in OECD Countries**

In OECD countries, the average total fertility rate (TFR) has declined sharply over the past six decades and currently stands at around 1.5 children per woman, well below the replacement level. The immediate drivers of this decline include the postponement of childbearing and the reduction in family size. At a deeper structural level, however, processes associated with modernization—such as urbanization, educational expansion, rising female labour market participation, consumer lifestyles, and increasing individualization—systematically

reduce reproductive intentions. In this sense, modernization exerts indirect and unintended anti-natalist effects. This study examines family policy systems across OECD countries and evaluates their demographic effectiveness. The analysis distinguishes between cash-based, service-oriented, and tax-based policy models and compares their relationship to fertility outcomes. The findings indicate that higher GDP-proportionate family expenditure does not in itself lead to significantly higher fertility levels, and none of the examined family policy systems has succeeded in achieving a sustained fertility turnaround. These findings suggest that the scope of family policy instruments is structurally limited. At the same time, the interpretation of the fertility crisis differs across regions. In many Western countries, low fertility is partly compensated by immigration and is therefore not perceived as an immediate demographic threat. In contrast, in Central and Eastern Europe, as well as in East Asia, low fertility is widely regarded as a serious demographic challenge associated with population ageing, depopulation, and labour shortages.

**Keywords:** Cash-based, service-oriented, and tax-based policy models, family policy, lifestyles.

### **Zsolt Varga: Marketing Strategies Behind Successful Political Campaigns in the 2020s**

The study examines the marketing logic in political campaigns through a comparative analysis of three international cases: D. Trump's 2024 presidential campaign in the USA, B. Netanyahu's 2022 Israeli campaign and the rise of the (AfD), Alternative für Deutschland in Germany. Their success was due to their focus on mass-oriented rhetoric, their pursuit of digital ecosystems and data-driven targeting, combining this with methods from political marketing, digital communication and behavioural economics. The research identified recurring communication frames and audience targeting patterns. In all three cases, digital strategies, emotionally charged messaging and continuous visibility were crucial. The campaigns built a leader-centric brand and bypassed traditional media, using crowd-based rhetoric to create a sense of belonging and mobilization. The use of data analytics, "influencer collaboration" and algorithmic amplification increased their success, so the success

of the electoral race depends on a combination of advanced targeting, emotionally resonant storytelling and ethical transparency.

**Keywords:** political marketing; digital communication; crowd-based rhetoric; campaign; algorithmic amplification; audience targeting; electoral branding, Trump, Netanyahu, AfD.

### **Csaba Varga: Law as a subject of theoretical and historical inquiry**

Law is inherently complex, as it has objectivity and is therefore an ontologically graspable phenomenon, while at the same time it can only play a role owing to its hermeneutics. Ultimately it cannot be anything other than what human mentality attributes to it. It is treated as a fact in social life, while problem-solving thought is its generative medium. It is created and driven by humans in every respect, but can only play its specific role as part of tradition. Symbolically, it is a representation of the dialogue between the past and the present, both drawn from and solidifying it. Law is either a fact or a lived thought, a human problem-solving process. In its ontology, the text itself is a dead sign: it can only acquire social existence, that is, exert influence, by having been perceived and interpreted by humans in one way or another. Therefore, what it is, it owes to its human driving force and thought processes. What it is, and what it is used and thus applied, it also owes to human actors, their understanding and will. Man can only learn from man: eventually he will find a model and an authority that he can incorporate into his own tradition; and if he has found it, he will appropriate it by borrowing it into his law. This is why legal historians emphasize that in processing it, it is the past and the present that symbolically correspond to one another.

**Keywords:** law as ontologicum/hermeneuticum, law as fact/problem-solving, law as human production, law as the product of the dialog between the past and the present

### **Marek Německý: Reconstructing Eisenstadt's Typology of Pre-industrial Political Formations**

The Israeli sociologist Shmuel Noah Eisenstadt is best known for his reflections on multiple modernities and the Axial Age. However, his early years are virtually unknown in contemporary sociology.

Many of Eisenstadt's works (Eisenstadt, 1963/1969) and other authors (Giddens, 1985) work with his typology of pre-industrial political formations, while the intellectual history of the genesis of this classification is not clear to the contemporary reader. Yet the nature of this classification is crucial to understanding other more familiar aspects of Eisenstadt's work: his theory of social change, his theory of revolutions, and especially his concept of multiple modernities. The ambition of this essay is to attempt to reconstruct the intellectual genesis of this taxonomy, in particular the role of Eisenstadt's specific readings of Max Weber and Edward Shils.

**Keywords:** S.N. Eisenstadt, multiple modernities, pre-industrial political formations, E. Shils.

### **Máté Szabó: The Tisza Party on the Banks of the Tisza River – A New Era of Movement Parties in Hungary and Elsewhere?**

Movement and parties have an interaction within the political process. Historically liberal, Socialist, Conservative etc. parties emerged as political movements and latter formed party blocs, or families. Most obvious was this tendency at the second half of 20<sup>th</sup> century with Green parties, in the 21<sup>th</sup> with anti-EU and sovereignty obsessed anti-Euro parties. At the turn of the 21 century in some of the Central European countries, like the Czech land and Slovakia charismatic business man established short living party coalitions governments as crisis management. This trend did not work in Hungary. But after extremely long governmental period of Fidesz party and facing internal and external challenges, after many failed attempts (Momentum, Parbeszéd, Milla etc.) a former Fidesz protégée, Péter Magyar part of the nomenclatura left the governing elite in a situation of deep scandal and crisis in 2025 and gained good results at the that year European election of Hungary. The dynamic mobilization and the electoral support combined in a new movement party strategy - called Tisza after a big river of Hungary - resulted gains and failures in Europa parliament as well in the Hungarian internal policy. All in all at the general elections at 12.04.2026. Fidesz will be confronted with a new movement party aiming to conquer the center, the majority of voters of Hungary. The electoral campaign is ongoing.

**Keywords:** Hungarian party system, Fidesz, governing elite, new movement, Tisza Party.

### **Corrado Cassani: Digital Constitutionalism and Artificial Intelligence: The Italian Case**

This article examines whether the use of artificial intelligence in parliamentary proceedings is compatible with representative democracy. It argues that AI is constitutionally acceptable only if it remains ancillary to political decision-making, is transparent and contestable, and operates under clear human responsibility. The paper develops a framework to distinguish supportive uses of AI from applications that may affect parliamentary autonomy and generate epistocratic risks. It then applies this framework to the Italian case, focusing on the Chamber of Deputies' recent experimentation with three AI prototypes. The article concludes that AI can enhance legislative efficiency, quality, and transparency only if embedded in a constitutional framework based on verifiability, accountability, and democratic oversight.

**Keywords:** Artificial intelligence; Parliament; representative democracy; digital constitutionalism; parliamentary autonomy; algorithmic transparency.

### **Giulio Antonucci: Lobbying as the cause and the effect of the Democratic deficit in the European Union**

This article examines whether lobbying in the European Union mitigates or exacerbates its democratic deficit. It argues that lobbying is simultaneously an effect and a cause of that deficit: an effect, insofar as the remoteness of supranational institutions and the weakness of traditional channels of representation generate demand for organised intermediaries; a cause, insofar as asymmetries in resources and access, combined with a transparency-centred but weakly enforced regulatory framework, consolidate patterns of elite pluralism and "participation without parity". The article first reconstructs the theoretical debate on pluralism, neo-corporatism and monitory democracy, and situates EU lobbying within this framework. It then analyses the institutional architecture of interest representation in Brussels and the evolution of the EU transparency regime. The article shows that current rules have produced a regime of transparency without full accountability, in which formally open participation coexists with structurally unequal voice. It argues

for the democratic domestication of lobbying through mandatory registration, stricter revolving-door provisions and measures to rebalance access, so as to transform lobbying from a potential vector of democratic erosion into a regulated channel of accountability.

**Keywords:** qualitative, lobbying, multiple case-study, organised intermediaries, regulated channel.

**Andrea Pitasi, André Folloni, Lucas Pereira, Victoria Baldani-Miranda: Hyperbrazil: Hypercitizenship in a New Multiple Helix**

This paper introduces the concept of Hypercitizenship within the Hyperbrazil research framework, focusing on the development of the HYPAPOM multiple helix model. Rooted in a research-based approach to global governance, Hypercitizenship integrates cosmopolitan, scientific, entrepreneurial, and self-organizational dimensions. The model aims to bridge research and policy-making in complex, global contexts.

**Keywords:** Hypercitizenship; Multiple Helix; Global Governance; Policy Modeling; Complexity; Innovation.

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