

## BUILDING A CONSTITUTION: REFLECTIONS ON A BOOK BY BRUCE ACKERMAN

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### *Abstract*

This article aims at summarizing and explaining the fundamental issues this book by Bruce Ackerman is based on, and then at purposing some reflections and critical remarks about some concepts and interpretations argued by the Author about constitutional theory and history.

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### **1. A Book against the Trend**

Finally a book that returns to argue on the paths of legitimization of contemporary Constitutions. This is the first immediate and satisfying impression while reading the last book by Bruce Ackerman (*Revolutionary Constitutions: Charismatic Leadership and the Rule of Law*). And the satisfaction goes on to note that this is only the first volume of a trilogy on the subject: *The Rise of World Constitutionalism*. A prospect that promises to investigate for a long time, and certainly in a non-trivial or obvious way, the historical, political and legal modalities, with which a State gives itself a constitutional Charter. As it often happens with all Ackerman's works, this first volume has already been carefully evaluated and is intended to make constitutionalists and political scientists from all over the world debate<sup>1</sup>.

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<sup>1</sup> See, for example, N. Zanon, *Some Remarks on Bruce Ackerman's "The Rise of World Constitutionalism. Volume one: Revolutionary Constitutionalism: Charismatic Leadership"*, Forum Quad. Cost., (2018) and in this Journal (Vol. 12, 1/2020); M. Hailbronner (ed.), *Review Symposium*, IJCL, 17, Issue 2, 681-694 (2019) and A. Baraggia, *Recensione del libro di Bruce Ackerman, Revolutionary*

So, as mentioned, it is a book clearly at odds with the canons of contemporary constitutional studies at a global level, and for various reasons.

First of all, its methodological approach is based on an interdisciplinary research. The comparative constitutional law, the historical reconstruction and the reinterpretation of political categories, mix and merge with no concern to preserve the purity of each discipline. A kind of approach we are too often forced to observe from the reading of scientific works, particularly in the Italian language, an approach that from the premises is meant to clarify their sectorial position, to define the disciplinary boundaries, to reassure interested readers and professional evaluators on the strict respect of fences, corporately raised not only between branches of knowledge very far apart, but especially among related sectors. Ploughing borderlands continues to be an unpopular exercise, annoying the readers and troubling the writers; while the real trouble is precisely the persistence of this mentality that, willing to pursue an abstract and supposed uniqueness in method and concepts, actually ends up withering the strands of research, often screwing them around stale ideas.

On the contrary, this book by Ackerman does not care about boundaries, it continually crosses them, feeding of the resources each discipline can offer. At the same time, however, it never falls into a kind of methodological confusion, knowing full well that every knowledge is the bearer of specificity that must be respected.

This interdisciplinary nature generates the happy consequence of an anti-formalistic and non-positivistic approach to legal issues. The law, meant in both ways objectively and subjectively, is not treated according to typically technical canons, but is placed within a broader horizon, rich of many other historical, political, social phenomena, and so on, not linked to the technicalities of law. In this way it fully grasps the specificity of constitutional law, understood not as a mere set of rules, but as a real crossroads towards which various aspects of social life converge, which explanation needs plural knowledge. And if this is true for constitutional law in the strict sense, it is even truer if the field of investigation concerns the constitutional comparison,

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Constitutions. Charismatic Leadership and the Rule of Law, *Harvard University Press*, 2019, Oss. Cost., 4, (2019).

specifically proposed in relation to the different ways the Charters are born and consolidated in.

And here we cross a further counter-trend, pertinent to the object of analysis. The book by Ackerman has the merit of reflecting on the historical roots of contemporary constitutionalism. In the framework of the volume, the adjective must be understood essentially as a limit in the field of investigation to the events of the 20<sup>th</sup> century, an historical period that was as intense and contradictory as ever, luminous and tragic, which saw on the History scene antithetic political philosophies, alternative models of power organization and charismatic personalities able to throw the world into the abyss or help save it. Within this frame our author is concerned with providing some reading keys aimed at interpreting this complexity. In his analysis constitutional Charters are not taken statically, as photographs to be commented in their details perhaps losing sight of the overall vision of the images. Ackerman wonders, instead, how each photograph was taken, who took it, by which techniques and by which constraints. In short, metaphor aside, he draws our attention to the importance of understanding the criteria and the ways that legitimize a Constitution in order to interpret its present, even from a strictly legal point of view.

While turning the attention to these issues, the author attempts a double operation, apparently contradictory but in reality fully coherent: revising and reformulating the conceptual categories to catalogue by the historical processes of formation of a new order (first the State, but also supranational as in the specific case of the European Union), and then placing the analysis of each experience framed in these new categories, showing how elastic these bands could be in order to contain all possible variants and internal variations. In short, a continuous, two-way dialogue between particular and general, between theories and practices, between history and present.

## **2. Three Ideal-Types of Political Order Building**

The core behind the entire trilogy is in these new categories, elaborated by Ackerman to catalogue in three distinct groups the historical processes of formation of the twentieth century constitutional systems. The adjective “new” should not be understood in an absolute sense, neither linguistically nor on the

point of scientific dogmatics. In fact, in the book are used concepts such as “revolution”, “leadership”, “charisma”, “elite”, “establishment”, which for centuries have been the heritage of all sciences that, from different points of view, study the dynamics of political power, in its constants and in its variables. The new element is instead in the different nuances of meaning given to these expressions and the particular interpretative value of the phenomena the author draws from the categories he proposes and the related case study groupings.

In Ackerman’s view there have been three ways to establish a political order, corresponding to three ideal-types:

- a) a revolutionary moment;
- b) pragmatic insiders establishment;
- c) elite construction.

According to this reconstruction, the first scenario «makes a sustained effort to mobilize the masses against the existing regime»; in the second one «the political order is built by pragmatic insiders, not revolutionary outsiders»; and finally we need to examine a third scenario because «regime-change sometimes occurs without the pressure of a massive popular uprising – and this requires the addition of a third ideal-type. Call it elite construction»<sup>2</sup>.

The published volume focuses the analysis on the first path but the introductory chapter is eloquent enough to explain the overall meaning of the trilogy.

In my opinion, the main merit of the whole work is to propose a vision of constitutionalism based on specificities and distinctions, at a two-tier. The three *Pathways* are the first level. By their identification, Ackerman draws our attention to the need to investigate how a constitutional process is established not only from the point of view of the legal construction of the institutions, but from the broader point of view of the “legitimacy of power”. The different perspective is not a negligible detail since it provides a very different classification of phenomena. For example, the factual perception that a Charter derives from the work of a constituent assembly is not a decisive factor to place it in one of the three paths, nor are the fundamental principles it is based on. In fact, to quote only one of the many possible comparisons, according to Ackerman the Italian Constitution is part of a

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<sup>2</sup> See the *Introduction: Pathways*, pp. 1-3.

historical process of a revolutionary type, and therefore ranks in the group of *Revolutionary moments*<sup>3</sup>; whereas the post-Franchist Spanish Constitution, while also drawn on democratic values and having treasured the constitutional experiences arisen in the immediate World War II, would be the result of a very different process, essentially managed by elites in charge and, therefore, classified as belonging to the third group. As well as the German *Grundgesetz*, mainly because of the decisive conditioning exerted by foreign powers on constitutional choices.

The second level consists of the distinctions drawn within each reference group: a setting that allows the author to make full use of their categories, fleeing from the danger of turning them into parameters and making them really elastic and enveloping, but never at risk of falling into a substantial irrelevance.

In short, a courageous and daring operation, it might be possible to disagree with about the merits, even radically, but that certainly cannot be dismissed as irrelevant.

### 3. Reflections on the *Revolutionary Moment*

Entering, therefore, on the merits of the distinctions, classifications and interpretations proposed by the book, we have to focalize on the first group, the subject of the book: the *Revolutionary moment*.

The fundamental and essential concept to understand the meaning of this *Pathway* is summarized by the expression *Revolution on a human scale*<sup>4</sup>. Ackerman wants to draw a line between, on one hand, the revolutions pursuing a complete upheaval of political structures, of legal system, of foundations of society and even of anthropological character of citizens<sup>5</sup>, and, on the other, moments of political change, certainly also very marked and radical, but that «do not attempt a total makeover of society. They focus on *particular sphere(s) of social or political life*, and

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<sup>3</sup> See some critical remarks about this vision of Italian constitutional history in D. Tega, *The Constitution of the Italian Republic: Not revolution, but principled liberation*, IJCL, 17, Issue 2, 690-694 (2019).

<sup>4</sup> Emphasize the importance of this concept N. Zanon, *Some Remarks on Bruce Ackerman's "The Rise of World Constitutionalism. Volume one: Revolutionary Constitutionalism: Charismatic Leadership"*, cit. at 1, 2.

<sup>5</sup> For very deep reflections about the concept of revolution see D. Fisichella, *Rivoluzione, politica e diritto*, in Id., *Concetti e realtà della politica*, 259-273, (2015)

mobilize activists to repudiate currently dominant beliefs and practices within *the target of revolutionary concern* while leaving intact prevailing mores in other spheres»<sup>6</sup>.

Therefore, a revolutionary process “with a human face”, which pursues change but is respectful of some of the underlying elements that characterize society.

A journey that, in Ackerman’s reconstruction, unifies three moments corresponding to three distinct political phases.

“Time one” sees the struggle between the new and the old, between change and repression. If forces of change impose themselves in this struggle, “Time two” will manifest itself, when the charismatic profile of the leaders and their ability to build a solid relationship with the population are decisive: «The experience of common sacrifice establishes a charismatic bond between revolutionary leaders and their followers that legitimates their new Constitutions»<sup>7</sup>.

The Constitution is the result of this new relationship between rulers and ruled determined by the fight against the previous regime. In Ackerman’s vision, the constitutional text is important but, at this time, it is secondary to the strength of legitimacy that the revolutionary political class draws from that victorious struggle. A legitimization destined to fail as time passes because inevitably the revolutionary generation that made the revolution will eventually disappear: it will open “Time three”, with a “legitimacy vacuum”. Filling the emptiness will be the task of the second-generation revolutionaries, who will have to consolidate the new order but, of course, will no longer be able to count on a charismatic relationship with the people, because they didn’t have a direct role in the fight against the past.

This theoretical scheme, rich of its peculiar characteristics and temporal scans, is lowered by Ackerman into twentieth century history and practice to include some revolutionary processes and to exclude others. Among the latter, of course, are those processes so totalitarian and fundamentalist that they do not have the characteristics of the “human scale”, and which in fact have led to the establishment of authoritarian and autocratic regimes. Among the mentioned examples are both communist dictatorships, such as Stalinism and Maoism «who claimed

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<sup>6</sup> See *Chapter One: Constitutionalizing Revolution*, 28.

<sup>7</sup> See *Introduction: Pathways*, p. 8.

“scientific” Marxism as a warrant for the death and degradation of tens of millions in the Party’s struggle to assure the triumph of the Working Class», both Hitlerian Nazism, which «repudiated the Marxists’ universalistic appeals to the workers of the world, but shared their belief that Party dictatorship was the only serious way to establish Heaven on Earth»<sup>8</sup>.

To these negative protagonists the author opposes historical examples that instead have seen the affirmation of a “Revolution on a human scale”. He dedicates a chapter of the book to each episode, giving a large amount of space to describe the charismatic figures who, through their political action, have contributed decisively to the regime change. Here, then, are treated in the order chosen by the author, India of Gandhi and Nehru<sup>9</sup>, South Africa of Mandela, France of De Gaulle, Italy of De Gasperi, Poland of Walesa<sup>10</sup>, Burma of Aung San Suu Kyi, Israel of Ben-Gurion and Iran of Khomeini.

Well, facing a list like this I think it is possible to propose two observations of opposite sign.

On the one hand, we can only admire the effort of classification and synthesis put in place by the author. Ackerman tells us not all revolutions are the same, when it comes to conceptual premises, to the methodology adopted and the results achieved. Therefore, saying “revolution” is not enough to evoke a unique way to achieve a radical change of political regime or form of State.

On the other hand, however, we might express some misgivings about the heterogeneity of the processed category, especially in light of the historical examples recalled to fill it with content. The cases examined are obviously extremely different as for time, because they cover completely different historical moments; geopolitically, because they are located on three continents (Asia, Europe, Africa) that have little in common in terms of philosophical thought, social history and political culture;

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<sup>8</sup> See *Chapter One: Constitutionalizing Revolution*, p. 28.

<sup>9</sup> For a different approach to the Indian constitutional experience see A.K. Thiruvengadam, *Evaluating Bruce Ackerman’s “Pathways to Constitutionalism” and India as an exemplar of “revolutionary constitutionalism on a human scale”*, *IJCL*, 17, Issue 2, 682-689 (2019).

<sup>10</sup> See some critical remarks in T.T. Koncewicz, *Understanding Polish Pacted (r)evolution(s) of 1989 and the politics of resentment of 2015-2018 and beyond*, *IJCL*, 17, Issue 2, 695-700 (2019).

and with respect to historical context, because every revolutionary moment occurs within the framework of well-defined specificities from nation to nation.

Not to mention the very different consequences of each process in terms of political and legal effects, particularly in relation to the fundamentals and history of constitutionalism. Just think of the abysmal difference between Israel and Iran from any point of view. Although the two countries are located in the same geographical quadrant, outside the proper field of the constitutional rule of law, the first is in fact a State that can be ascribed to the history of constitutionalism, while the second, although formally endowed with a constitutional Charter, it is essentially a theocracy denying the most elementary individual and collective freedoms, often using methods that bring it closer to those totalitarian States mentioned above.

And big doubts also arise in relation to the exemplification of charismatic leaders as leaders of revolution<sup>11</sup>. I take into account the two most problematic cases in my opinion.

Does De Gaulle's decisive role in opposing Nazism and the Vichy collaborationist regime make him a revolutionary? De Gaulle was a French nationalist, proud and energetic, son of an inclusive military culture throughout all the French national history: monarchist and republican, loyalist and revolutionary, conservative and progressive, traditionalist and rationalist, Christian and secular. A soldier who was never in harmony with the party system and parliamentary dialectic, but who always felt, during the war and in the post-war period, to embody the deep spirit of the nation, and to put himself at the service of the homeland precisely to assure its historical continuity and international prestige. Therefore, certainly a charismatic leader, able to establish a bond of trust directly with the people, a military and political leader capable of motivating troops and citizens, but hardly attributable to any category of revolutionary leadership. If anything, for ideological convictions and character disposition, a "restorer" of the lost dignity of the nation. Paradoxically, it could be argued that historically De Gaulle was a revolutionary for Algerians, for his decisive role in the recognition of the independence movement in the wider framework of

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<sup>11</sup> For some remarks about how it is difficult to define what is a charismatic leader see A. Baraggia, *Recensione del libro di Bruce Ackerman, Revolutionary Constitutions. Charismatic Leadership and the Rule of Law*, cit. at 1, 5.



decolonization, but from the French point of view his unique address was to preserve the homeland from the very serious risks of an authoritarian drift that the Algerian crisis was leading to.

Finally, for us Italians, I think it is very difficult to think of the figure of Alcide De Gasperi as a revolutionary, although with a human face. He is undoubtedly the most relevant political figure for post-war reconstruction, from all points of view: political, material and moral. A sincere democrat that had never come to terms with the previous regime, who knew how to manage the institutional and governmental transition, who, in the context of the Yalta balances, had the merit of consolidating as Western and Atlantic the geopolitical position of Italy, who laid the groundwork for the construction of European integration. His political action was never based on the claim of direct personal involvement in the end of Fascism, aware the historic turning point had been determined by the war power of the Anglo-American Allies and by action side-by-side of the various formations of the Italian Resistance to Nazi-Fascism. His political genius never resorted to charismatic elements because it was not his dimension. He was not a spellbinder of crowds, a rallyer in the square, a tribune of the plebs. He was a politician from Trentino, serious, demure and reserved, imbued with the characters of the mountain man who grew up in the Habsburg Empire. Deeply religious but firmly secular in his political action. He was even able to say many no, even to the Pope. In short, the opposite of modern populist leaders, an expression of a world that probably no longer exists, unfortunately. Therefore, a giant of Italian politics, by far the most eminent figure of the years between 1945 and 1954 (the year of death), a “builder” of the new constitutional order and a “reconstructor” of the Italian economic and social fabric.

#### **4. The British Constitution as the most important example of Pragmatic Insiders Establishment**

Ackerman calls the British Constitution as a paradigmatic example of pragmatism by the insiders to lead the political change. Particularly, he describes the moment of the *Great Reform Act 1832* as paradigm of this way. And all the passages from constitutional monarchy to the parliamentary monarchy are full of legislative reforms and there are no break through moments. One of the most important is *Parliament Act 1911*.

It is true that the English constitutional history is an history of transformations and evolutions. I completely agree with the author when he writes: «These great reform statutes seem so different from revolutionary Constitutions that scholars often deny that the British have a constitution at all. This claim might make sense if “constitutionalism” designated a “one-size-fits-all” ideal-type. But this is precisely what I deny. Countries travelling down the establishment track do indeed place great value on achievements like the Parliament Act»<sup>12</sup>.

In Ackerman’s view there is a correspondence between different types and different problems. About the second ideal-type the most important problem is the *Dis-Establishment*.

Ackerman argues that in this type of constitutionalism «there is no room for judges to invalidate legislation by claiming that it violates fundamental principles established “by the People” at the Founding moment – for the simple reason that no such revolutionary transformations are recognized as legitimate. Instead, talk of “popular sovereignty” is dismissed as a legal fiction concealing the crucial role of statesman-like elites in the democratic process. On this understanding, voters confront competing Election Manifestos, prepared by leaders of rival political parties, describing their action plans if they gain support of the voters at the next election. When their party does indeed triumph on election day, its leaders have *earned* the democratic right to enact its manifesto into law»<sup>13</sup>.

I don’t agree completely with the distinguish author about this sentence, particularly if it is linked to the British case of referendum, as it is done in the book.

The referendums have been accepted for a long time in the British constitution as a tool for resolving political-institutional issues. In 1890 Dicey published an article in which affirmed the theoretical and practical compatibility of the appeal to popular pronouncement with the foundations of the British constitution and its form of government based on supremacy of Parliament<sup>14</sup>. Dicey’s opinion was based on two insights: the compatibility between representative and direct democracy is linked to the fact that the practical feasibility of the referendum remains in the discretionary determinations of Westminster; the popular

<sup>12</sup> See *Introduction: Pathways*, p. 5.

<sup>13</sup> See *Introduction: Pathways*, p. 10.

<sup>14</sup> See A.V. Dicey, *Ought the Referendum to be introduced in England?*, in *Contemporary Review*, 57, 489-511 (1890).

referendum should be used only where the political system, facing up particularly delicate institutional crossroads, is unable to keep widely shared decisions. And actually since the Seventies of the twentieth century it has been widely practiced in these terms.

Therefore, I believe we can say that in the British Constitution there is not a dualism between representative and direct democracy because the most important decisions to resort to this tool remain inside the relationships between Parliament and Government.

About the nature of Brexit referendum the starting point is that the Parliament addresses the electoral body by delegating, in the specific case, a power that belongs to it<sup>15</sup>. And it does so by asking voters for a political pronouncement which content will direct the subsequent determinations of the representative bodies, primarily the Parliament itself. It is, therefore, a very strong political decision.

As it is well known, the Brexit affair after the celebration of the referendum has triggered a complex judicial question. In the so-called *Miller Case* the Supreme Court of the United Kingdom widely argued about the nature of referendum.

Well, at a crucial point the effects of each particular referendum are said to depend on the provisions contained in the law establishing the referendum itself<sup>16</sup>. This rule may regulate the legal consequences of the popular consultation or may refrain from doing so. For example, both in the case of the first Brexit referendum, in 1975, and in the second one in 2016, the law did not regulate the consequences of a result in favour of Brexit. While, for example, in the case of the electoral system referendum in 2011, the mandatory profile of the popular vote was previously governed by the Parliament, which had written a law establishing the electoral rules of the new AV system, to be applied only if this option had prevailed. But it is clear that this procedure could not be followed in the two consultations concerning the Brexit issue, since the concrete consequences of that decision did not belong to the free determinations of Westminster but were entrusted to the negotiating table with the European institutions.

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<sup>15</sup> On Brexit referendum see, if you wish, C. Martinelli, *L'Isola e il Continente: un matrimonio d'interesse e un divorzio complicato. Dai discorsi di Churchill alle sentenze Brexit*, in Id. (ed.), *Il referendum Brexit e le sue ricadute costituzionali*, 9-62. (2017).

<sup>16</sup> See [2017] UKSC 5, par. 118.

Therefore, the Court observes that «Where, as in this case, implementation of a referendum result requires a change in the law of the land, and statute has not provided for that change, the change in the law must be made in the only way in which the UK constitution permits, namely through Parliamentary legislation»<sup>17</sup>. Therefore, the political decision of the electoral body, to produce concrete effects on the legal system, subsequently needs transforming in juridical acts.

In conclusion, I believe that in the modern British Constitution the use of the referendum can be criticized in terms of political opportunity but I do not think it could be the origin of a constitutional crisis. The referendum can provide a lot of consequences and it is possible to consider them as constitutional crises, but they are consequences of a big political mistake and not a direct consequences of the use of this tool. In fact, the same problem could be provided by a parliamentary decision to leave the European Union.

So, in this context, the future of British Constitutionalism is full of question marks, someone very dangerous too. I hope it will not run towards a revolutionary moment, but it will remain the most important example of the second ideal-type.

### **5. The European Union and the *Elitist Pathway***

Among the examples of building a new order through the third ideal-type, the model called *elite construction*, Ackerman inserts the European Union.

The author notes that the fundamental steps of European integration have been drawn up and decided only in a context of agreements between the political classes. This specific character is evident in comparison with the training process of the United States. The latter experienced in the 18th century their decisive *revolutionary moment*, and «from the Founding onward, the revolutionary paradigm has remained central to the American experience – with mobilized political movements repeatedly transforming fundamental principles during Reconstruction, the New Deal, and the Civil Rights Revolution»<sup>18</sup>.

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<sup>17</sup> See [2017] UKSC 5, par. 121.

<sup>18</sup> See the *Introduction: Pathways*, p. 22.

This historical element has solved forever the problem of the definition of *legitimacy* in the USA, while the European Union has always suffered from it precisely because of the lack of popular involvement, repeated over the decades.

In addition, it should be considered a second reason of differentiation with respect to the North American experience. The EU is made up of States that have had a completely different training process, as is evident precisely from the varied membership of the three ideal types proposed by Ackerman. Among others, as we know, France and Italy fall into the first, the United Kingdom is placed in the second, Germany and Spain in the third. Of course, the United States does not know this kind of heterogeneity and thanks to the common paradigm they are able to find a unified direction to cope with problems and critical moments. On the contrary, the layered unevenness that the European Union has always suffered is the key point in understanding the difficulties it faces in dealing with crises: «Since member States emerge from different paradigms, they don't even converge on the appropriate path to take in resolving the crises that threaten to rip the Union apart – with Germany, France/Italy and Great Britain predisposed to respond very differently to common problems»<sup>19</sup>.

According to Ackerman, all these peculiarities make the European Union a “unicum” in the panorama of the great institutional federations of history, but they also contribute to undermining its solidity. The European political classes do not understand that as long as they continue to think in terms of summit agreements and not of people's involvement in the most important decisions, the Community institutions will continue to be weak because they are considered distant precisely by those peoples they would like to represent. An example of this detachment are the Lisbon Treaties, because once again an expression of the exclusive will of the elites, with an aggravating factor: in that case even giving the impression they wanted to circumvent the substance of the rejection of the European Constitution caused by French and Dutch referendums in 2005<sup>20</sup>. The outcome «is allowing rising protest movements to present the

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<sup>19</sup> Idem.

<sup>20</sup> See, in accordance with this picture, N. Zanon, *Some Remarks on Bruce Ackerman's "The Rise of World Constitutionalism. Volume one: Revolutionary Constitutionalism: Charismatic Leadership"*, cit. at 1, 5.

Union as an alien force dominated by harsh technocrats, with Union-politicians serving as pseudo-democratic ornaments»<sup>21</sup>.

However, in the face of these radical criticisms, I think it is fair to raise some doubts about their correspondence with reality. First of all, historically: is it realistically conceivable that the process of European integration could begin in the 1950s and proceed in the later decades following completely different tracks from those travelled? Agreements between elites, of course, but all political elites belonging to democratic States founded on the principle of popular sovereignty, and therefore strongly representative of the peoples who are called to govern.

It is true that the political current events of recent years have seen the emergence of political movements and parties that are in stark contrast to the policies of the European Union, in particular on issues such as budgetary discipline and monetary stability, who have managed to put their paradigms at the centre of the debate, namely that the narrative according to the EU is the primary cause of the economic difficulties that large areas of the continent are facing.

But we must not forget that even this critical approach is the product of one or more elites, of course sovereignist and populist, that in democratic dialectic use these paradigms to legitimize themselves before public opinion and acquire shares consensus on the electoral market, as Joseph Schumpeter would have said. A fully legitimate and coherent operation, of course, but that shows nothing about the veracity of the reconstructions and opinions that are proposed.

Struggles among elites, indeed, as always and inevitably.

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<sup>21</sup> See the *Introduction: Pathways*, p. 23.