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To the kind attention of

Faculty of Law
Charles University-Prague

Through
Radka Volfova

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I was asked to write a review of Lukáš Lev Červinka's Ph.D. thesis on *Anti-establishment Parties: Threat to Democracy or Chance to its New Equilibrium?* I am happy to assess whether the manuscript has the necessary quality to be discussed and to formulate some questions that the student may want to address. My review is made up of three parts. The first situates Červinka's work; the second briefly summarizes his work and assesses its quality; the third tosses some ideas and questions to trigger a lively discussion.

Červinka's manuscript tackles one of the defining issues of comparative constitutional studies of our time: the rise of anti-establishment parties and their implications for democracy. The sociological, legal, and political science literature on the topic has become legion since the early 2010s, when signs of democratic decay surfaced in several areas of the world, including those in which modern notions of democracy were first forged or implemented. Scholarly works of different magnitudes have diagnosed and suggested ways to cure what has largely been perceived as a democratic malaise from a variety of viewpoints.

The narrower field within which Červinka has located himself is one that blends several methodologies, offering sociological, legal, and political sciences considerations. Admittedly, this

narrower field has faced the challenges of using different methodologies without blurring them or offering recipes that overlook the gaps between politics and law.

As a lawyer, I am of the opinion that Červinka's manuscript offers a contribution that can have an impact, at least in the legal field. His selection of case studies is well balanced and perfectly justified: the Czech Republic and Italy are both EU member states with several constitutional similarities and a fairly dynamic political environment, but they are located in different linguistic and cultural universes, and their constitutional trajectories in the twentieth century could hardly have been more diverse.

Červinka's perusal of the constitutional elements that characterize both countries benefits from his methodology, which analyses their constitutional pillars through sociological lenses. He takes his readers through a panoply of institutions and powerful ideas that have shaped politics and reform agendas in both countries, with a focus on recent years.

One of the most valuable components of Červinka's study is his attempt to develop a notion of "a functional concept of anti-establishment parties that can help us understand the social demands behind the anti-establishment ideas". He clarifies that "it would be wrong to confuse anti-establishment parties with, for example, left-wing parties promoting a radical democracy since when the establishment itself is based on the radical-democratic imaginary, then the radical-democratic parties themselves are, in fact, establishment ones." Developing a workable notion of anti-establishment seems a very important and timely endeavor. It would rescue a highly politicized notion without moving it too close to the phenomenon of anti-democratic parties that are often forbidden by constitutional clauses in several countries.

After reading (actually, re-reading) Červinka's work through the lens of comparative constitutional law, I am left with the impression of an illuminating and thoroughly researched piece of scholarship, which may need some refinement before it can be offered to the public in the form of a monography. His contribution and innovative way of thinking about establishment

is badly needed in a time in which political and legal notions often blend so much and deeply that they tend to lose their edges. But his work is so analytical and preoccupied with the small components of each constitutional setting that sometimes the reader loses sight of the real drivers that shape a country's political environment. I can see why he thanked his wife for making sure that he "did not lose touch with reality by [his] theorizing;" I dare ask him to express my heartfelt thanks to her on my behalf for the same reason and for encouraging him to pursue his career. I would also like to ask Dr Červinka how he would rework his manuscript to make it more coherent and focused. This issue might require him to think hard about his readership, and I would be interested to hear his thoughts on how he envisions his audience.

Moreover, I would like to ask Dr. Červinka about his views on the current debates on introducing a stronger form of government in the Italian constitution—an option that has surfaced in Italy for several decades now. Would this mark a change in the dialectic between establishment and anti-establishment political parties? Is the proposal itself grounded in the dynamic and narrative of anti-establishment parties?

Dr. Červinka has made a very helpful contribution to a variety of disciplines, and I look forward to learning more through the discussion.

I recommend the dissertation for defence before the relevant disciplinary Board.

Best regards,



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