

Foreword

by *Tom Ginsburg*

In the 1990s, many of us in the United States watched developments in Italian politics with a mix of fascination and disbelief. After most of the political class was caught up in the *tangentopoli* scandal, a billionaire amateur politician who broke all the rules arrived to lead the country. Silvio Berlusconi went on to become the longest-serving Prime Minister in postwar Italian history, stabilizing a discredited system but also providing occasional moments of controversy and scandal.

What a difference a couple of decades makes. The 2016 election of our very own billionaire in the person of Donald Trump means that we are no longer entertained. Trump's distinctive presidency shredded many of the norms of American politics, and ended with a riot in the Capitol building that sought to interrupt the peaceful transfer of power. It is now ourselves that we look at with a mix of fascination and disbelief: whatever Berlusconi's misdeeds, they were marginal violations of norms rather than radical challenges to democratic rotation. What kind of country is this anyway? How could the world's oldest democracy elect and tolerate a leader with such thin commitments to that form of government?

One might forgive a certain *schadenfreude* on the part of any Italian scholar examining the United States in the aftermath of Trump. Yet in this book, Professors Mario Patrono and Arianna Vidaschi are not celebrating. Instead, they conduct a cool analysis of the situation, looking at the structural conditions that gave rise to the current

threats to American democracy, and carefully evaluating their prospects for success. They see continuing trends that allowed Trump, an instinctive politician, to capitalize on racial resentments and activate new forces of reaction.

Like Alexis de Tocqueville nearly two centuries ago, their distance from the United States allows Patrono and Vedaschi to see things more clearly. The result is a book that is honest about the very real continuing threats, exacerbated by certain holes in the constitutional order of the United States. The authors show that a determined autocrat could manipulate the various lacunae and ambiguities in a two-hundred year old Constitution, but thankfully, they also identify many of the resources that remain in place to deter such a prospect. Many institutions remain strong, even if shrill and increasingly violent discourse causes much hand-wringing. The January 6 insurrection seems to have increased voter engagement, rather than reducing it. American constitutional politics remains a warzone, but hopefully only in the figurative sense.

It is often said that Italy is ahead of the curve when it comes to politics. Whether or not that turns out to be the case, we have in this book good evidence that Italian scholars are ahead of the curve when it comes to the analysis of constitutional democracy in our fraught era.