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## Legal Issues of the Far-Rights Parties in Italy: The Case of “Fratelli D’Italia”

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### Abstract

The Law of Freedom of Assemblies and Organizations is one of the manifestations of democracy, so it is said that the existence of political parties and social organizations, along with free and fair elections, is one of the main characteristics of democratic and democratic societies. In this regard, it should be seen what rules and principles should govern the emergence and survival of these social institutions. The article analyzes the political agenda of one of the fastest growing political parties in Italy – Fratelli d'Italia. The migration crisis in Europe in 2015-2016, climate change, the so-called "Arab Spring" and regime change in Libya have sharply raised the issue of regulating migration flows to Europe and have made it more urgent to find a consensus among the European Union countries on the issue of accepting refugees. The main consequence is changes in the political field and the growing influence of "right-wing" and conservative political forces and movements. Anti-immigration rhetoric is used both by "right-wing" parties and movements and is partially "intercepted" by the ruling parties, as was the case in Germany, Austria, France, and to the full extent in Italy. Italy has the most difficult situation with migration and reception of refugees. In the 2018 elections, the largest result was obtained by a coalition of center-right parties, including the League (formerly the Northern League), former Italian Prime Minister Silvio Berlusconi's Forza Italia! and the ultra-right «Fratelli d'Italia» party (the «Fratelli d'Italia» received a rather modest result of 4-5% of the vote). The coalition owes much of its election result to the League, with its flamboyant anti-migrant and Eurosceptic rhetoric. In 2019-2020, the League's rhetoric began to seem more moderate, and after the Italian government was re-formed, the «Fratelli d'Italia» party did not join the new coalition, remaining in opposition, continuing its policies, including sharply anti-immigration ones. Currently, according to public opinion polls, the rating of the «Fratelli d'Italia» party has begun to grow significantly, showing results of 18% -20%, which makes it an object of research for scientists interested in political movements and parties and political science in general.

**Keywords:** Politics, Law, Italy, far-rights party, Fratelli d'Italia, migration, Italian parties, anti-immigration discourse.

### Introduction

The problem of illegal migration to Italy has existed for several years. Italy is the country that, according to the Dublin Regulation, is the first to meet the flow of illegal migrants and refugees from African countries. The small Italian island of Lampedusa has become a familiar destination for refugees on their way to Europe. For many years, Italy coped with the regulation of migration flows by applying its "skip" strategy – those who arrived in Italy were allowed to pass through its territory further and were more or less distributed to other countries of the European Union. The migration crisis in Europe in 2015-2016, climate change, the so-called "Arab Spring" and regime change in Libya have sharply raised the issue of regulating migration flows to Europe, and have made it more urgent to find a consensus among the European Union countries on the issue of accepting refugees [11]. When France unilaterally closed its borders to refugees who tried to cross from Italy to France, a large number of illegal immigrants began to remain in Italy, which created great tension in society and increased anti-immigration sentiment. The main consequence is changes in the political field and the growing influence of "right-wing" and conservative political forces and movements. Anti-immigration rhetoric is used both by "right-wing" parties and movements and is partially "intercepted" by the ruling parties, as was the case in Germany, Austria, France, and to the full extent in Italy. Italy has the most difficult situation with migration and reception of refugees. In the 2018 elections, the largest result was obtained by a coalition of center-right parties, including the League (formerly the Northern League), former Italian Prime Minister Silvio Berlusconi's "Forza Italia" and the ultra-right «Fratelli d'Italia» party (the «Fratelli d'Italia» received a rather modest result of 4-5% of the vote). The coalition owes much of its election result to the League [1], with its flamboyant anti-migrant and Eurosceptic rhetoric. In 2019-2020, the League's rhetoric began to seem more moderate, and after the Italian government was re-formed, the «Fratelli d'Italia» party did not join the new coalition, remaining in opposition, continuing its policies, including sharply anti-immigration ones. Currently, according to public opinion polls, the rating of the «Fratelli d'Italia» party has begun to grow significantly, showing results of 18% -20%, which makes it an object of research for scientists interested in political movements and parties and political science in general.

## Methods

The study of the Fratelli d'Italia party case was based on an outcome-chronological method that examined the evolution of political program from a historical perspective. Also, discourse analysis was used to examine the political rhetoric of Fratelli d'Italia.

## Results and Discussion

Fratelli d'Italia (FdI) is an Italian right-wing and far-right political party, founded on December 21, 2012 by Ignazio La Russa, Giorgia Meloni and Guido Crosetto. Giorgia Meloni has been the leader since 2014. As the party's leader, Giorgia Meloni displays ultraconservative, anti-immigration, and anti-communist rhetoric. In general, the party can be called a "leader-type" party. Fratelli d'Italia (FdI) is part of the group founded by the political heavyweight Silvio Berlusconi, leader of the center-right coalition, which includes Berlusconi's Forza Italia and the League (formerly the Northern League), which is now led by the charismatic leader Matteo Salvini, who has prime minister ambitions. At the moment, after the "reassembly" of the government of Mario Draghi, the "League" and "Forza Italia" were included in the updated government "Forza Italia", but not Fratelli d'Italia (FdI). This was a manifestation of fundamentally oppositional views, which, however, paradoxically led to an increase in the political ratings of Fratelli d'Italia (FdI).

According to its declarations, Fratelli d'Italia (FdI) is a national-conservative, nationalist, traditionalist, nativist party. According to the statements of its program, the Party's ideology supports the positions of the right and ultra-right, drawing on the experience of the National Alliance, and maintaining historical ties with the parties of National conservatism and traditionalism. The party declares its logan "God, Motherland and family" and proclaims the main values of "spiritual vision of life, "traditional family" and values of patriotism" [1].

Traditional and conservative values imply disagreement with many processes in modern Europe. The Party is quite reactionary in its opposition to same-sex marriage, gay civil unions, and adoption for same-sex couples. In 2016, Fratelli d'Italia (FdI) voted against a bill on civil unions for same-sex couples. In addition, after his approval, Fratelli d'Italia (FdI) proposed (along with the League and Forza Italia) that the referendum also be cancelled to repeal the law.

The party strongly opposes a multicultural society and the uncontrolled admission of migrants to Italy. It is especially categorical about the inadmissibility of foreign-cultural migrants, especially «Islamic fundamentalists», advocates blocking ships with illegal migrants in the Mediterranean Sea. Just like the League mentioned earlier, they are in favor of banning the landing of boats carrying illegal migrants in Italian ports and for erecting all possible obstacles to block illegal migration. It is important to emphasize that they are against the so-called Jus soli-the principle of acquiring citizenship, according to which citizenship is determined by the place of birth and is not related to the citizenship of the parents. This also unites them with the League and seems to be a response to electoral expectations.

In the area of social policy, Fratelli d'Italia is also committed to so-called traditional values. For example, in the area of taxation, there are measures to stimulate the birth rate, such as support for family kindergartens, monthly allowance for newborns, allowance for children under six years of age, paid maternity leaves up to 80 per cent of salary, VAT rate up to 4 per cent for early childhood products, various tax deductions.

It is also proposed to increase wages and purchase various types of equipment for law enforcement agencies, widespread use of the army as a measure to combat crime, and the adoption of a new law on self-defense. This also has a lot in common with Matteo Salvini's "League", that is, it is a rhetoric that has already shown its electoral relevance [6].

An important component of the party's social agenda is proposals to create a social mortgage. It is proposed to create an organization that is responsible for construction through public financing of housing and districts for sale to families who do not already own the house, through installments. This installment payment should not exceed one fifth of the family's income, and it can be blocked if all family members declare unemployed status.

In economic matters, arguments related to the protection of Made in Italy are also discussed, such as granting economic preferences and supporting local producers and reducing the tax burden.

As for international cooperation, at the international level, the «Fratelli d'Italia» declare that they have relations with representatives of the Republican Party of the United States. In addition, the party is part of the party of ultra-right European Conservatives and reformists together and in cooperation with VOX Spaniards, Poles "Law and justice", by Bulgarians of the Bulgarian National Movement.

## Summary

During the 2013 and 2018 political elections, Fratelli d'Italia merged and participated in a center-right coalition in place with the League and Forza Italia. It was a new batch with a rating barely exceeding 4%.

The main provisions of the political program of the party are collected in "Manifesto of the political movement «Fratelli d'Italia»". According to the Manifesto "Fratelli d'Italia" -is positioning itself as a movement whose goal is "the implementation of the political program", which is based on the principles of popular sovereignty, freedom,

democracy, justice, social solidarity, merits and fiscal justice, inspired by the spiritual vision of life and values, national traditions, liberal and folk, and is involved in the construction of the Europe of Nations"<sup>1</sup>.

Regarding the involvement of new supporters, it is reported that Fratelli d'Italia implements its political program through the actions of its adherents, its supporters, its sympathizers and all those who recognize themselves in the movement's projects of participation in the administration and government of the country". Thus, the party declares a loyal approach to the appearance of supporters.

At the same time, despite its "right-wing" orientation and ultra-conservative orientation, the «Fratelli d'Italia» party declares that it "promotes respect for sovereignty, independence and national unity, peaceful coexistence of peoples, states, ethnic groups and religious denominations".

From the point of view of international relations, the Fratelli d'Italia party is part of the political Alliance of Right-wing Conservative Political Movements in Europe. The Party of European Conservatives and Reformists (ECR) defines itself as "the leading conservative movement in Europe".<sup>2</sup> Since their foundation in 2009, they have claimed to be one of the most important political movements in Europe. Currently, they are represented by more than 40 political parties and have representation in the European Parliament, the Council of Europe, the Committee of the Regions and the NATO Parliamentary Assembly. As an ideological component, they rely on the "center-right values expressed in the Reykjavik Declaration"<sup>3</sup>.

The ECR party says it is committed to "personal freedom, national sovereignty, parliamentary democracy, private property, limited government, free trade, family values, and the transfer of power". There are elements of Euroscepticism traditionally characteristic of "right-wing" parties and movements that relate to the "modern European Union". It is often the "right-wing" parties that express their disagreement with the policy of "official Brussels".

The aforementioned "Alliance of Right-wing Conservative Political Movements of Europe" declares its vision of a reformed European Union as follows: "Europe is at a crossroads, and the reform program of the ECR party has never been more relevant than today". They declare their desire to "promote a Europe - and a world - of free peoples, free nations and free markets", which in general is quite a liberalist statement and can be peculiar not only to the "right-wing", but also to be declared by any party [8].

In accordance with its membership in the Alliance of Right-wing Conservative Political Movements in Europe, Fratelli d'Italia, as a movement that aims to implement its political program, declares its plan, which includes 15 priorities. According to the first priority, a special Family Support Plan is proposed, which includes, for example:

Free and open kindergartens until shops and offices close and with a rotating system of opening during the summer period for working mothers. Child income with a family cheque of 400 € per month for the first six years of each dependent's life. Family factor in the tax sphere.

Parental leave is paid up to 80% and equates guardianship for working women to childcare.

Incentive and support for companies that hire mothers and women of childbearing age. Working and corporate incentives for corporate kindergartens. Deduction of the cost and elimination of VAT. Control over the cost of baby

<sup>1</sup> URL: <https://www.fratelli-italia.it/> accessed on: 30.10.2021

<sup>2</sup> <https://ecrparty.eu/about> (accessed on 20.10.2021)

<sup>3</sup> <https://ecrparty.eu/about> Reykjavik Declaration

The Party of European Conservatives and Reformists (ECR) unites parties committed to personal freedom, national sovereignty, parliamentary democracy, the rule of law, private property, low taxes, safe money, Free trade, open competition and devolution of power.

The ECR Party believes in a Europe of independent states working together for mutual benefit, each maintaining its own identity and integrity.

The ECR Party is committed to the equality of all European democracies, regardless of their size and regardless of which international associations they join.

The ECR party advocates the exercise of power at the lowest practicable level - by an individual, where possible, by local or national authorities, rather than by supranational authorities.

The ECR party understands that open societies are based on the dignity and autonomy of the individual, who should be as free as possible from State coercion. Personal freedom includes freedom of religion and belief, freedom of speech and expression, freedom of movement and association, freedom of contract and employment, and freedom from oppressive, arbitrary or punitive taxation.

The ECR Party recognizes the equality of all citizens before the law, regardless of ethnicity, gender or social class. It rejected all forms of extremism, authoritarianism, and racism.

The ECR Party values the important role of civic associations, families and other bodies that fill the space between the individual and the State.

The ECR Party recognizes the unique democratic legitimacy of the nation state.

ECR Party aims to spread free trade and open competition in Europe and the world.

ECR supports the principles of the Prague Declaration of March 2009 and the work of European conservatives and reformists in the European Parliament and related groups in other European assemblies.

food delivery. It proclaims a rather harsh slogan for the European Union about "Protecting the natural family", and the need to fight against gender ideology.

The second priority is the nationalist slogan "Italy and Italians first". Fratelli d'Italia are not alone in this, the same principle is proclaimed by the partner in the center-right coalition "League". The principle of protecting national sovereignty is being promoted here.

A separate point will highlight the euroscepticism of the party. The party calls for the revision of all EU treaties, starting with the fiscal treaty and from the Euro. It also includes the populist slogan "More politics and less bureaucracy in Europe" [1]. The party proposes to consolidate the provision on the superiority of the national in the Constitution, as well as block pan-European agreements and directives harmful to Italy, including the Dublin Regulation.

In the sphere of foreign policy, the need to protect national interests and adjust defense allocations according to average parameters is proclaimed.

In order to promote Italy's foreign policy, it is also proposed to pay more attention to Italian communities abroad as a valuable tool for promoting diplomatic, economic and trade relations with foreign countries. One can ambiguously perceive such a thesis as "protecting strategic assets and production capacities from foreign aggression - ENEL, ENI, state railways, Fincantieri, Generali, Leonardo, Poste, as well as logistics, technological and transport networks and infrastructure". Ambiguous, since there is no external threat.

Just like the right-wing "League", "Fratelli d'Italia" is proclaimed the Priority Of Security And Legality as its priority.

To do this, they propose measures such as: support for law enforcement and the armed forces: decent salaries and overtime pay, adequate equipment for law enforcement agencies, and tougher penalties for violence against civil servants. They offer security, including with the participation of the army. To finance activities, it is proposed to securitize 50% of assets stolen by the criminal world to finance a special fund for the security and defense sector. It emphasizes the need to increase the prestige and powers of justices of the peace and honorary magistrates. It is also proposed to build new prisons.

One of the key points that gives the growth of the party's electorate is anti-immigration rhetoric and a rather tough stance against migrants. Thus, Fratelli d'Italia insists on such a measure as immediate expulsion for foreigners who commit offenses and carry out sentences in the State of origin.

As already mentioned, the fight against illegal migration is a separate item in the program Fratelli d'Italia. The party declares the need for border control and a naval blockade with the immediate repatriation of illegal migrants as a result of agreements with the northern states. Africa. As the main measure - The expulsion of illegal immigrants and the end of immigration, as well as the cancellation of the Italian State's reception of refugees and the provision of humanitarian assistance and asylum only for women, children and families who are actually fleeing war zones.

The party proposes to allow migration only for "nationalities that have proven their integration and that do not create security problems". Fratelli d'Italia and the League declare their opposition to the principle of IUS SOLI, which gives citizenship depending on the place of birth and categorically oppose any formality of formal citizenship. Promote an international investment plan in Africa to fight hunger and poverty and limit migration flows.

As an Italian party, Fratelli d'Italia proclaims themselves as defenders of Christian culture. They express their disagreement with the policy of integration of immigrants from Muslim countries and propose to introduce a ban on financing places of worship by fundamentalist states. In addition, they insist on the need to conduct sermons only in Italian. Attention and support to discriminated and persecuted Christian communities in the world.

Populist slogans are largely present in the party's program. So, for example, one of them sounds like "Less Taxes And Less Bureaucracy" [7]. Where the party advocates reducing the role of the state and simplifying legislation, as well as banning the use of foreign terms in official and regulatory acts. Modernization of public administration and introduction of a real meritocracy. A separate point is the Waste management as one of the most pressing problems for Italy.

Support for the Italian producer is also declared: "Strong Defense Of Made In Italy". There is also a component of Euroscepticism here: "An economic policy based on the protection of labor, industry and agriculture in Italy from competition unfair and punitive EU directives". Support for industrial and agricultural production. As one of the measures to support the Italian manufacturer, it is called countering the spread of Chinese artisanal industries in Italy [4].

A characteristic feature of the Italian parties of the XXI century was the increased attention to the South of Italy. This makes it possible to attract a significant percentage of the Italian electorate. The Italian "5 Star Movement" counted on attracting the votes of southern Italians, who have many problems, where there is unemployment, and this helped them achieve success in the 2018 elections [5]. Thus, the Fratelli d'Italia program declares the priority "Revival of the National Economy from the South of Italy".

Proposed tax deduction for companies of Northern Italy, which open branches in the south. Zero taxes for businesses operating in the most deprived areas. 10% taxes for retired Italians and foreigners moving their residence to Southern Italy. Tax breaks are offered for those who produce products in Italy and employ only local labor.

Protection of labor and fight against unemployment and protection of small-scale trade are the same the priorities of Fratelli d'Italia accordingly their declarations. Interestingly, while the party calls for reducing the role of the state and reducing the bureaucracy, it suggests developing a system "Specific economic assistance" to those who cannot work for objective reasons: children, disabled people, sixty-year-olds without income. At the same time, such a

measure is proposed as increase of minimum pensions and disability benefits, provision of social housing, reduction of unemployment, solution of youth unemployment and improvement of the educational system.

Despite the fact that part of the party's agenda looks like a national one, there are also characteristic federalist theses: Adjust the powers, resources and heritage of the capital of Rome to meet the standards of major European capitals; strengthen and strengthen local self-government and the powers of mayors, suggested by Presidential reform of the Republic by direct election of the Head of State or Government.

## Conclusions

So, the Fratelli d'Italia is a young Italian conservative party with a pronounced traditionalist and anti-immigration agenda. It can be assumed that the anti-immigration agenda and populist social statements became the basis for attracting votes. Currently, changes in society caused by the by covid-19, economic and energetic crisis, also as the migration crisis lead to the fact that the influence of the "ultra-right" will increase in the existing political field. Since the far-right traditionally use an eurosceptic's rhetoric, it can be assumed that tension within the European Union will also grow. In the future, this may lead to dangerous changes in international relations in general.

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