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Article

How populism and culture wars affect fundamental rights[1]

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Abstract

This paper examines the intricate relationship between populism, culture wars, and fundamental rights. It explores how the rise of populist movements and the intensification of culture wars reshape the interpretation and implementation of fundamental rights, often polarizing societal values and threatening democratic principles. By delving into the mechanisms underlying these phenomena, the paper highlights how populism amplifies ideological divides, leveraging culture wars to contest principles of equality, freedom of expression, and social justice. The study categorizes populism into economic, political, and cultural strands, analyzing their combined effects with culture wars on the discourse and practices of democracy. Using examples such as the rollback of reproductive rights in the United States and the use of nationalist narratives in Brazil and India, the paper underscores the tangible consequences of these dynamics. This exploration reveals the challenges these contentious forces pose to the principles of democracy, human rights, and social cohesion, as well as their influence on competing democratic models: liberal, majoritarian, and minoritarian.

Keywords: populism, culture wars, fundamental rights, democracy.

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Introduction

Populism, characterized by its dynamic appeal to 'the people' against perceived elite or establishment forces, has gained significant traction worldwide, manifesting in diverse forms. These range from economic populism, with its emphasis on wealth redistribution and anti-establishment sentiments, to political populism, which focuses on governance and anti-elite narratives, and cultural populism, which capitalizes on identity politics and nationalistic sentiments. Each strand intersects uniquely with culture wars, conflicts that revolve around competing values, beliefs, and identities, deepening societal polarization.

The synergy between populism and culture wars presents substantial challenges to interpreting and protecting fundamental rights such as freedom of expression, equality, and the right to privacy—cornerstones of democratic and human rights principles. Within this polarizing framework, these rights are contested, their interpretation shaped by ideological biases that reflect broader political struggles.

Furthermore, this dynamic interplay fuels competing concepts of democracy. The traditional model of liberal democracy, defined by individual rights, checks and balances, and inclusive governance, now contends with majoritarian democracy, which emphasizes the will of the majority, and minoritarian democracy, which seeks to protect marginalized groups and their social identities over common ground.

This paper aims to explore the intricate connections between populism and culture wars and their collective impact on fundamental rights. By examining how these forces challenge the principles of democracy, human rights, and social cohesion, we provide a framework for understanding and addressing the threats they pose to safeguarding fundamental rights in an era marked by these ideological confrontations.

Populism, a Systematic Approach

Populism has gained renewed academic and public attention over the last decade, despite its long-standing presence in Western societies. This resurgence highlights its adaptive and polarizing influence on democracy and societal values. Understanding populism's multifaceted nature is essential to analyzing its impact on fundamental rights and its interactions with culture wars.

Populism, as a flexible framework rather than a fixed ideology, offers a means to challenge entrenched elites and navigate socio-political complexities. Scholars such as Hofstadter (1966) and Canovan (1981) identified populism as both a political reaction and a grassroots movement, opposing societal elites and representative politics. Mudde (2004) later described it as a 'thin ideology' defined by a binary struggle between 'the pure people' and 'the corrupt elite.' This conceptualization highlights populism's ideological fluidity, allowing it to adapt across contexts and political spectrums.

Populism's narrative strategy employs a Manichean worldview, framing political discourse as a battle between good and evil (Hawkins, 2009; Ostiguy, 2017). This simplistic dichotomy resonates with widespread frustrations, mobilizing support through ethnonationalism, identity politics, and anti-elitist sentiment. However, this approach often undermines nuanced political discourse and poses challenges to democratic norms.

Populist movements frequently clash with democratic principles. Levitsky and Ziblatt (2018) emphasize populism's potential to undermine institutions and erode checks and balances, framing this tension as a 'pathological normalcy' within democracies (Mudde, 2010). Central to populist narratives is the dichotomy between 'the people' and 'the elite,' often accompanied by exclusionary nationalistic rhetoric (Rydgren, 2005; Zúquete, 2018).

This paper identifies three strands of populism—economic, political, and cultural—each interacting uniquely with culture wars. Economic populism advocates wealth redistribution while often deprioritizing civil liberties. Political populism seeks direct expressions of popular will, criticizing perceived elitism in traditional governance. Cultural populism leverages grievances tied to identity and national heritage, polarizing societies through 'us versus them' narratives.

Culture wars amplify the impact of these populist strands by turning societal values into battlegrounds. Populists strategically navigate these conflicts, framing them as existential struggles over morality, culture, and rights. This approach challenges democratic discourse, particularly in interpreting and protecting fundamental rights such as equality and freedom of expression.

Populism's convergence with culture wars deepens polarization and raises critical questions about democratic governance. By employing exclusionary narratives and leveraging societal divisions, populist movements reshape public discourse and policies, often at the expense of marginalized groups and democratic principles.

Culture Wars: The Struggle for the Imagined Nation and Nostalgia

Post-material struggles have become a contentious battleground in Western societies, revolving around cultural issues like race, gender, abortion rights, and national identity. Scholars such as Fukuyama (2018) and Kaltwasser et al. (2017) emphasize the challenges these cultural conflicts pose to social cohesion and consensus. Culture wars—rooted in the German term kulturkampf—arise when traditional hierarchies and norms are questioned, leading to deep divisions and emotional debates.

Hunter (1991) and Wuthnow (1996) describe these conflicts as clashes over nonnegotiable moral values, where each side sees itself as the sole possessor of truth.

Such polarisation threatens democracy by eroding pluralism and hindering compromise. The aggressive nature of these struggles, even if not physically violent, undermines societal consensus, making democratic processes increasingly fragile.

The concept of culture wars connects to the "imagined nation" and nostalgia, where collective identity is shaped by a selectively remembered past perceived as harmonious. This nostalgia often intensifies during economic crises, becoming a focal point of struggles between progressive and conservative visions of democracy (Nadkarni & Shevchenko, 2004; Elgenius & Rydgren, 2022).

Crossing populism and culture wars, politics polarizes into a struggle between a globalist left and a nativist right (Ferreira Dias, 2022). The left focuses on marginalized groups and equality, while the right emphasizes traditional values such as religion, ethnicity, and patriotism (Zúquete, 2018). In Europe, some identitarians advocate for cultural protectionism against perceived threats like Islam, framing it as irreconcilable with modern Western values (Marchi & Bruno, 2016). This divide reflects broader shifts in politics and social dynamics, further fragmenting societies.

The rise of identity politics on the left has provoked reactionary movements on the right, with figures like Trump and Bolsonaro positioning themselves as culture warriors against "political correctness." Debates around immigration policies and gender rights exemplify these polarizations, as each side claims the moral high ground. The challenge lies in bridging these divides while safeguarding fundamental rights like equality and autonomy.

Both sides engage with nostalgia but in contrasting ways. The globalist left critiques regressions from ideals of equity and inclusivity, while the nativist right romanticizes a past of perceived social stability and homogeneity. This interplay over imagined histories shapes modern debates on issues like welfare, immigration, and social justice, revealing the deep entrenchment of these conflicts in economic realities and political narratives.

Culture wars thus represent a clash of societal visions, where public discourse on platforms like social media amplifies divisions. Fundamental rights become contested, with issues such as gender identity, reproductive rights, and minority protections at the forefront. As Fukuyama (2018) notes, the focus on minority rights during economic crises can fuel resentment among historically privileged groups, complicating efforts to achieve social cohesion.

This ideological struggle over the imagined nation deepens the cultural divide, intertwining with economic and political agendas. The result is a profound challenge to democratic principles and the protection of fundamental rights.

Fundamental Rights

The concept of fundamental rights refers to a set of inherent and inalienable entitlements and protections that are considered essential for individuals' well-being, dignity, and freedom. These rights are typically enshrined in constitutions, international human rights treaties, and legal frameworks of democratic societies.

They establish individuals' fundamental guarantees and liberties, irrespective of race, gender, religion, nationality, or other characteristics.

Fundamental rights are - *communis opinio doctorum* – active legal positions of individuals vis-à-vis the State-Power, which are typified, having three essential elements: (i) subjective element, i.e., the holders of the rights, (ii) objective element, i.e., the coverage and content of the protected rights, (iii) formal element, being this the consecration of the legal position of advantage and protection in the higher legal order (Bacelar Gouveia, 2023: 59-60).

Fundamental Rights and Human Rights are closely intertwined and share significant similarities (Barbosa Rodrigues, 2021). Both stem from the recognition of the inherent dignity and worth of every human being and find their expression in legal frameworks such as national constitutions, international treaties, and regional human rights instruments.

The formalization and codification of these rights ensure their protection and enforcement. They are classified into distinct categories, encompassing:

- Civil and political rights, such as freedom of expression, assembly, and religion.
- Economic, social, and cultural rights, which include access to education, healthcare, housing, and social security.

The foundation of both Fundamental Rights and Human Rights lies in the principle of human dignity, which acts as a super-principle guiding their interpretation and application. It highlights each person’s intrinsic value and worth, irrespective of background, characteristics, or circumstances.

These rights confer entitlements on individuals while imposing obligations on both state and non-state actors. Individuals, as active subjects of these rights, are entitled to claim them, while governments, institutions, and private entities are tasked with the responsibility to respect, protect, and fulfill them.

Moreover, Fundamental Rights and Human Rights possess a broad scope and justiciability. They encompass a range of guarantees essential for the full development and well-being of individuals and society. Through judicial review, administrative procedures, or other forms of redress, individuals can seek remedies for the violation of these rights.

While both frameworks share a common foundation and purpose, distinctions exist.

- Civil liberties primarily aim to protect individual freedoms and ensure equality before the law.
- Social rights center on securing access to essential resources and promoting social justice.

Nevertheless, these categories are interconnected and mutually reinforcing, working in tandem to uphold and safeguard the dignity, equality, and well-being of all individuals.

The Principle of Equality

The Principle of Equality, enshrined in the Universal Declaration of Human Rights (UDHR) in Article 1, affirms that all individuals are born free and equal in dignity and rights. It is a fundamental principle that underpins the entire human rights framework, serving as a cornerstone for promoting fairness, justice, and non-discrimination in societies worldwide.

According to the UDHR, every individual is entitled to the rights and freedoms outlined in the Declaration without distinction of any kind, including race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status (Article 2). This principle emphasizes the need to treat all individuals with equal respect, value, and opportunity, irrespective of their background or circumstances.

The Principle of Equality encompasses several dimensions:

- Equal treatment before the law: Ensures that all individuals have access to justice and legal remedies without discrimination. It explicitly prohibits discriminatory laws, policies, and practices targeting specific groups or individuals unfairly.
- Equal opportunities in societal spheres: Applies to areas such as education, employment, healthcare, housing, and participation in public life. It stresses the creation of inclusive societies where everyone can fully participate and contribute, regardless of their characteristics.

Furthermore, the Principle of Equality calls for addressing systemic and structural discrimination. It emphasizes the elimination of discriminatory practices, and the promotion of policies aimed at correcting historical inequalities and ensuring equal access to opportunities and resources. This may include affirmative action measures to redress past injustices and achieve equitable outcomes.

The Principle of Equality also underscores the dignity and worth of every individual. It asserts that no one should be subjected to degrading or inhumane treatment, advocating

for a culture of respect, tolerance, and acceptance where diversity is valued and celebrated.

In summary, the Principle of Equality, as articulated in the UDHR, affirms the fundamental notion that all individuals are entitled to equal rights and should be treated with dignity, fairness, and non-discrimination. It serves as a guiding principle in the promotion and protection of human rights, fostering efforts to create a more just and inclusive world for everyone.

The Principle of Self-identity

The principle of self-identity is less explicitly addressed in juridical frameworks compared to other principles, yet it can be integrated into the broader concept of the "development of personality," as articulated in Article 22 of the UDHR.

This principle recognizes and affirms individuals' inherent right to define and express their identity, encompassing personal, cultural, ethnic, religious, gender, and sexual dimensions. It acknowledges that individuals possess the autonomy and freedom to determine how they identify and live in accordance with that identity. Grounded in the principle of human dignity, this right asserts that every person should be respected, valued, and accepted for who they are, free from coercion to conform to societal norms or expectations that deny or suppress their true identity.

Moreover, the principle of self-identity intersects with other foundational human rights principles, including the right to privacy and non-discrimination. It emphasizes that individuals should have the freedom to disclose or withhold aspects of their identity and be safeguarded against discrimination, stigmatization, or harm based on their self-identified characteristics.

This principle is particularly relevant in the context of gender and sexual identity. It affirms the rights of individuals to self-identify and express their gender and sexual orientation in a manner that aligns with their deeply felt sense of self. This includes the recognition of diverse gender identities beyond the binary concept of male and female. The principle also reinforces the right of individuals to live authentically according to their identity and to be protected from discrimination related to that identity.

In essence, the principle of self-identity advocates for the protection and affirmation of individuality, ensuring that all individuals have the freedom to live without fear of marginalization or oppression based on their identity. It underscores the importance of a human rights framework that celebrates diversity and upholds the dignity of every person.

Fundamental Rights in the Context of Populism and Culture Wars

The concept of fundamental rights encompasses inherent and inalienable entitlements essential for the well-being, dignity, and freedom of individuals. These rights, enshrined in constitutions, international treaties, and legal frameworks, form the cornerstone of democratic societies, ensuring guarantees and liberties irrespective of race, gender, religion, nationality, or other characteristics.

While fundamental rights and human rights share a common genesis rooted in human dignity and worth, the contemporary sociopolitical landscape, heavily influenced by populism and culture wars, poses new challenges to their application and universality. Populist movements, characterized by their appeal to the "pure people" against a "corrupt elite," introduce discourses that often question or skew the universality of fundamental rights, viewing them through ideologically biased lenses.

Populist ideologies, ranging from economic to cultural forms, have a complex and often contentious relationship with fundamental rights:

- Economic populists may prioritize social rights, such as education and healthcare, advocating for the redistribution of resources, but often at the expense of civil liberties.
- Political and cultural populists frequently emphasize national sovereignty, traditional values, and identity politics, which can lead to restrictive policies that infringe upon the rights of minorities or marginalized groups, challenging principles of equality and non-discrimination articulated in documents like the UDHR.

Culture wars, fueled by clashes over values such as gender, race, and religion, exacerbate these tensions, becoming arenas where the scope and application of fundamental rights are fiercely contested. Divergent visions of society—the globalist left advocating diversity and inclusivity versus the nativist right promoting homogeneity and traditionalism—impact how rights are interpreted and implemented. Populist narratives often frame fundamental rights as special concessions for certain groups, suggesting they come at the expense of the majority, thereby undermining the universality of these rights. For example, the rise of identity politics and debates over political correctness, often criticized by populist figures like Trump and Bolsonaro, highlights the contentious nature of fundamental rights in polarized public discourse. These debates frequently escalate into polarized environments where free speech, assembly, and religious expression become battlegrounds for ideological disputes, with each side accusing the other of infringing upon these liberties.

The principle of self-identity, which recognizes diverse gender and sexual identities, also faces significant challenges in populist-driven climates. Movements with cultural or nativist inclinations often resist policies that affirm LGBTQ+ rights, framing such measures as contrary to traditional or national values. This resistance not only questions

the universality of fundamental rights but also highlights the tensions between collective identity narratives and individual freedoms.
In essence, the interplay between populism, culture wars, and fundamental rights reveals a dynamic and fraught landscape. It underscores the urgent need to protect the universality and inclusivity of fundamental rights in the face of ideological polarization and the growing influence of populist narratives.

Three Democracy Models: Liberal, Majoritarian, Minoritarian-communitarian

The democratic regime, in a summarized sense, comprises a type of political system marked by the realization of the popular will, where citizens govern themselves directly or through representatives; the enshrinement of a broad catalogue of fundamental rights; the separation and interdependence of powers (checks and balances); and the free election of State officials. Democracy allows citizens to elect and be elected freely, to enjoy civil liberties grounded in a clear definition of human dignity, and to demand social rights from the State. Power holders operate within limits, are accountable, and serve temporarily. Moreover, pluralism ensures the representation of diverse currents of thought and the alternation of governments (v.g. Montesquieu, 1748; Rousseau, 1762; Putterman, 2010).

Through the primacy of popular will and sovereignty, however, different types of democracy emerge, reflecting contemporary disputes in the political field. These include majoritarian democracy, minority democracy, and pluralist-contractualist democracy, each representing distinct approaches to balancing the complex interplay between individual and collective rights.

Majoritarian democracy champions the centrality of the popular will, often rejecting parliamentary systems in favor of direct expressions of popular sovereignty. Advocates of this model emphasize preserving the customs, cultural heritage, and ideological values seen as vital for national cohesion. Such views are commonly associated with Nouvelle Droite parties and share ideological similarities with early 20th-century fascist movements, although they do not necessarily advocate for authoritarian regimes. Instead, this model seeks to deepen governance centered on the people's will, frequently criticizing parliamentary systems as corrupt or detached from the populace's true aspirations (v.g. Alekseev, 2023; Ferreira Dias, 2022b). Critics argue that majoritarian democracy risks undermining the principles of the Liberal-Social State, particularly the protection of minority rights enshrined in fundamental rights frameworks. By prioritizing national unity, majoritarianism can marginalize or assimilate minority groups, leading to accusations of xenophobia or racism. This approach is often seen as promoting the erasure of distinct cultural identities to align with dominant societal values.

In contrast, minority democracy, or communitarianism (Zúquete, 2022), emerges as a response to the perceived dominance of the majority. This model seeks to address

systemic imbalances—such as racism and economic inequality—that impede meritocracy by recognizing the inherently oppressive nature of global capitalism. Unlike republican and liberal democracy, which emphasizes formal equality under the law but often fails to address deeper disparities, minority democracy highlights micro-identities within society, emphasizing the importance of public policies tailored to specific ethnic or cultural groups. This approach prioritizes representation and individual voices within these niches, challenging traditional notions of majoritarianism. By focusing on communitarianism, this model advocates for policies that eliminate oppressive mechanisms and promote equitable opportunities for marginalized groups. Critics, however, caution that the emphasis on identity politics and communitarian approaches may risk fragmenting societal cohesion and undermining broader collective objectives.

The pluralist-contractualist perspective, grounded in historical ideas of the social contract, emphasizes negotiation and compromise among diverse societal groups. This approach gained prominence in the post-World War II period through the welfare state and the reinforcement of fundamental rights. Pluralist democracy values inclusive governance, balancing individual freedoms and collective welfare by accommodating differing viewpoints through dialogue and agreement. It underscores the importance of social agreements between individuals and society as the foundation for democratic governance, seeking to reconcile competing interests while protecting both civil liberties and social rights. This model reflects a commitment to diversity, equity, and stability by fostering frameworks that encourage coexistence and mutual respect.

It is essential to recognize that these models are not mutually exclusive; democratic systems often incorporate elements of multiple approaches to balance majority rule, safeguard minority rights, and promote inclusivity. The coexistence of these frameworks allows democratic systems to adapt to the complexities of modern societies, addressing diverse societal needs and perspectives.

In sum, the ongoing political discussions reveal a tension between these interpretations of democracy. Majoritarian democracy prioritizes the desires of the majority, potentially sidelining minority protections. Minority democracy seeks to empower marginalized voices, treating democracy as an aggregate of social communities. Pluralist-contractualist democracy champions pluralism and negotiation, balancing individual rights with collective welfare. Together, these frameworks illustrate the efforts to ensure fairness, adaptability, and inclusivity within democratic governance in an increasingly complex and polarized world.

Sewing Populism, Culture Wars, Democracy models and Fundamental Rights

The interplay between populism, culture wars, and democracy models profoundly affects the interpretation and application of fundamental rights, reshaping societal norms and

governance structures. These ideological confrontations redefine equality and self-identity, revealing deep tensions between competing visions of democracy and justice.

Equality is a critical battleground in these disputes. The globalist left promotes policies rooted in diversity, equity, and inclusion, advocating for affirmative action and frameworks that empower marginalized groups (Zúquete, 2018). For example, the European Union's asylum policies aim to integrate refugees while addressing systemic inequalities. In contrast, the nativist right adopts a restrictive interpretation of equality, prioritizing national identity and majority interests, often framed as defenses against cultural dilution (Marchi & Bruno, 2016). This tension is evident in France's ban on religious symbols in public schools, a policy balancing secularism with minority religious freedoms, revealing how populist narratives influence legal interpretations of equality.

Self-identity also occupies a central role, particularly regarding gender and sexual rights. The globalist left's advocacy for LGBTQ+ rights contrasts sharply with the nativist right's defense of traditional family values. Hungary's ban on LGBTQ+ content in schools and Poland's creation of "LGBT-free zones" (OSCE, 2021) demonstrate how populist leaders use culture wars to erode protections for vulnerable groups. These policies are not merely rhetorical but strategic, aiming to consolidate political bases by framing diversity as a threat to societal cohesion (Betz, 2003; Marchi, 2015; Brubaker, 2017; Zúquete, 2018).

The overturning of Roe v. Wade in the United States exemplifies how populist-driven culture wars reshape fundamental rights. Conservative populists leveraged moral arguments and judicial appointments to restrict abortion access, redefining the principles of bodily autonomy and gender equality (Levitsky & Ziblatt, 2018). This ruling underscores how populist movements exploit institutional mechanisms to dismantle established rights frameworks.

Globally, leaders like Bolsonaro and Modi illustrate how populist narratives influence policies and exacerbate polarization. Bolsonaro's discourse on "family values" and anti-socialism marginalized Indigenous rights and weakened environmental protections in Brazil (Vettorassi et. al., 2020; Kyrillos & Simioni, 2022; Moschkovich, 2023). Modi's Hindu nationalist agenda redefined India's secular identity, enacting laws that limited minority rights while intensifying religious divisions (Zúquete, 2022). These examples highlight how populist rhetoric translates into legislative action, reshaping societal norms and undermining pluralist governance.

Populist governments frequently reframe democracy models in majoritarian terms. By emphasizing unconstrained majority rule, leaders dismiss judicial oversight and minority protections as elitist impediments to the people's will. This approach, seen in Turkey under Erdoğan and Poland under PiS (Law and Justice Party), undermines the checks and balances essential for liberal democracy (Sadurski, 2019). Majoritarian democracy risks

marginalizing minorities, framing diversity as an obstacle to national unity (Ferreira Dias, 2022).

Conversely, the globalist left's pluralist-contractualist model advocates for inclusive governance that balances majority rule with minority protections. Grounded in the principles of negotiation and compromise, this model emphasizes inclusive dialogue and institutional frameworks to mediate conflicts (Canovan, 1999; Taggart, 2000). Germany's post-war democratic reconstruction illustrates how pluralist frameworks embed fundamental rights into governance systems, reconciling diversity and stability.
Culture wars, amplified by social media dynamics, further complicate these ideological clashes. Algorithms promoting polarizing content deepen divisions, as seen with the QAnon conspiracy movement in the United States. This digital amplification of populist rhetoric erodes public trust in institutions, reshaping political agendas and destabilizing democratic norms (Marchi & Bruno, 2016).

The practical consequences of populism and culture wars are evident in increased restrictions on freedom of speech. Justified as measures against "fake news," these policies suppress dissent and erode civil liberties, as seen in Russia, Hungary, and India. India's 2021 IT regulations required platforms to remove "anti-national" content, revealing how populist leaders weaponize public fears to curtail individual freedoms while consolidating power.

The intersection of populism, culture wars, and democratic models underscores the urgent need for resilient pluralist frameworks. By fostering negotiation and inclusion, pluralist systems counteract majoritarian excesses, ensuring that minority rights and individual freedoms remain central to governance. However, safeguarding these principles demands robust civil society engagement and institutional vigilance to counter populist encroachments.

In conclusion, the convergence of populism, culture wars, and democracy models profoundly influences the interpretation and application of fundamental rights. By reshaping narratives around equality and self-identity, these forces challenge liberal democratic principles and highlight the need for frameworks that balance majority rule with minority protections. Addressing these tensions is vital to preserving democratic resilience in an era of increasing polarization and ideological contestation.

Conclusion

In conclusion, this paper has delved into the intricate interplay between populism, culture wars, and fundamental rights, shedding light on the profound implications these dynamics have for societal notions of equality and self-identity. The analysis demonstrates that these ideological confrontations transcend academic discourse, exerting tangible impacts on the interpretation, application, and realization of fundamental rights within societies.

The clash between the globalist left and the nativist right illustrates how divergent interpretations of principles like equality and self-identity reshape public discourse, policymaking, and legal frameworks. On one hand, the globalist left advocates for inclusivity and diversity, emphasizing minority protections and pluralistic governance. On the other, the nativist right prioritizes national identity and majority sovereignty, often framing diversity as a threat to societal cohesion. These competing narratives reveal the fragility of consensus on the universality and applicability of fundamental rights, especially in a rapidly evolving sociopolitical environment.

The examples analyzed—such as the overturning of Roe v. Wade, debates on bathroom bills, and freedom of speech legislation—underscore the practical consequences of populist-driven culture wars on fundamental rights. These cases highlight how shifts in public opinion, fueled by populist rhetoric and culture war dynamics, lead to significant changes in government policies and judicial decisions, often challenging established norms of equality and self-identity. For instance, the U.S. Supreme Court's decision on Roe v. Wade exemplifies how populist narratives can penetrate judicial processes, altering rights frameworks and undermining principles of bodily autonomy and gender equality.

This paper has argued that comprehending these dynamics is crucial for safeguarding democracy, human rights, and social cohesion. Populist narratives and culture war discourses challenge traditional interpretations of democracy, often promoting majoritarian models that risk eroding minority protections and pluralistic principles (Ferreira Dias, 2022). Addressing these challenges demands a nuanced and critical response that balances the legitimate concerns of diverse societal groups while upholding fundamental rights.

Furthermore, the examples of Bolsonaro in Brazil and Modi in India illustrate the global nature of these phenomena. Their policies, shaped by populist rhetoric rooted in cultural and religious identity, demonstrate how culture wars and populism converge to redefine national priorities, often at the expense of marginalized communities (Marchi & Bruno, 2016; Zúquete, 2022). These global case studies underline the need for a transnational approach to understanding and mitigating the impact of populism on rights and democratic institutions.

As societies continue to grapple with these tensions, it is vital for scholars, policymakers, and citizens to remain vigilant about how populism and culture wars challenge foundational principles of democracy and rights. By fostering inclusive and dialogic approaches to democracy that respect both majority will and minority protections, stakeholders can counteract the divisive impacts of populist-driven narratives.

This conclusion calls for further research and dialogue that bridges academic insights with policy innovation. An inclusive framework for governance must recognize the

diversity of perspectives within societies, ensuring that fundamental rights are not only safeguarded but also adapted to address emerging sociopolitical challenges. By doing so, we can move toward a more just and equitable global order that upholds the ideals of democracy, human dignity, and collective well-being.

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