

# A legal and empirical investigation into the direct selling industry's advocacy in the EU

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## **Propositions**

of the dissertation

*A Legal and Empirical Investigation into the Direct Selling Industry Advocacy in the EU*

by

Orsolya Tokaji-Nagy

1. Despite efforts to regulate lobbying, European interest representation remains largely hidden and intransparent, thereby challenging classical views on democracy, democratic accountability and social justice.
2. Lobbying is positive when based on balanced and fair interest representation.
3. In terms of the European consumer *acquis*, the European Commission appears to be in a stable political coalition with industry lobby groups in supporting full harmonisation, as opposed to Member States and consumer organisations that favour minimum harmonisation.
4. The maintenance of national trade barriers such as the already existing bans on payments (under Art. 9(3) Directive 2011/83/EU) is in breach of the internal market's fundamental freedoms and the maximum harmonisation nature of the Consumer Rights Directive and the Unfair Commercial Practices Directive.
5. The current European norm regulating pyramid schemes (Item 14 of Annex I of the Unfair Commercial Practices Directive) is an example of the distortions stemming from imbalanced interest representation and the Olsonian theories of undue influence of certain pressure groups as well as the inequality of interest groups' chances of participation.
6. A split within the direct selling industry's European lobby group occurred along the lines of disagreements concerning the distribution of selective incentives of its members but not strategic industry interests. The split created a prisoners' dilemma-type scenario whereby opponents are forced to cooperate at the level of advocating their strategic interests to maximise their benefits.
7. With the appearance of the internet and social media, direct selling has ventured off from classic doorstep selling towards electronic commerce, to the point where these sales methods now have major overlaps.
8. A PhD about an interdisciplinary topic is much like a cocktail – the various ingredients make the impact stronger and the consumption irresistible.