Post-populist Populism

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Democracy's victory over populism?

Good news for democracy from Poland? It appears that in the recent general elections the right-wing populist Law and Justice party (PiS) won most seats but not enough to allow it to form a coalition. Donald Tusk's Civic Coalition has a better chance of forming a coalition, which might put an end to PiS' eight years of rule. This, prima facie, seems like a victory of democracy over populism. Prof. Daniel Ziblatt, the author (together with Steven Levitsky) of *How Democracies Die* (2018) & *Tyranny of the Minority* (2023), twittered that "Look to Poland today to see the power of majority rule: how the hard work of cobbling together majorities can defeat an authoritarian minority faction."

While this is certainly true, in this post we wish to flag certain warning signs that this possible democratic rotation is not the end of the struggle for democracy but merely the beginning of this process. This is because, as we claim in a recent paper (in-process), even when populists are voted out of office, their legacy – at least partially – persists.

In recent years, the populist movement was able to significantly strengthen its political achievements, but in some countries such as the United States, Brazil, and Israel (only temporarily, so far), anti-populist political forces were able to take the power away from the populists, and win the elections.

What happens to politics when anti-populists return to power? On its face, the answer to this question is simple: post-populists present themselves as the complete opposite to the populist politics, both in rhetoric and action. The best articulation for this was given by President Biden, when he was asked why he could not issue more executive orders on gun safety. The President's answer was: "What I don't want to do, and I'm not being facetious, I don't want to emulate Trump's abuse of the constitution and constitutional authority.... I often get asked: 'look, the Republicans don't play it square, why do you play it square?' But if Democrats follow suit, our democracy would literally be in jeopardy."

However, we believe that the answer is much more complex than that.

Populism shifts politics and the relationship between the different branches of government, in ways that transcend the populist ideology. The politicians who win office from a populist leader now act within this changed political field. Hence, even if their ideology is anti-populist, their policies can often be described as post-populism. By post-populism we mean the mechanisms of governance adopted by governments or coalitions that achieve the task of taking power by democratic means from a populist regime. We focus especially on the mechanisms of governance that come close, and dangerously so, to those used by the previous populist regimes.

Importantly, we are not completely equating post-populist politics with populism. But we do identify several areas in which populist mechanisms persevere in a post-populist era. These are, first, the Schmittian "us versus them" political divide. Second, the aggrandizement of executive power, and third the willingness to change the "rules of the game" by changing the constitution or ignoring accepted constitutional conventions, to make political gains.

That is not to say that post-populist politicians explicitly, or even implicitly, adopt the populist rhetoric or its constitutional project. Post-populists have, for example, more respect for judicial decisions, civil servants and generally do not attack elites as fiercely as populists. As important as these differences are, they cannot cover the political reality: often post-populist leaders cannot ignore the temptation to use

populist policies or tools in order to entrench their political power.

The anti-populist coalition - The Case Study of Israel

In the summer of 2021, after four consecutive election campaigns in which no party was able to form a stable government, a new coalition emerged in Israel. It relied on an unprecedented coalition of parties that ranged from the Muslim Arab Party and left-wing parties to right-wing parties. In both, their rhetoric, and its unique formation, the new coalition seemed to present Israelis with a classic anti-populist alternative. Instead of negative portrayal of the other parties, the coalition party's spoke of what they are for. Instead of bashing of minorities, the coalition presented its ideology as inclusive – especially of the Arab minority, which for most of Israel's history was excluded from the coalition. The government included an Arab minister, a minister with special needs, and generally presented itself as the opposite of its populist predecessor: a government that will not allow the undermining of the state's legal institutions as the attorney general or the judiciary. Indeed, the government's colloquial name was "the Government of Change" precisely in order to portray that it would be the complete opposite of Netanyahu's previous governments.

At first blush, the Israeli story is that of an anti-populist parties' success at blocking a populist movement. A careful look, however, reveals a more complicated picture. Clearly, because the government did not last more than 18 months, and after a fifth round of elections the most far-right and religious government Israel ever had won the elections. That government initiated a far-reaching judicial overhaul, met with world-famous, unprecedented civil protest.

Notably, during its short term in power, the government of change had to rely on some strategies commonly associated with the populist project.

First, among these is the use of us-versus-them characterization of politics. Representatives of the government routinely characterized their predecessors in office as incapable rulers, and as using office to promote narrow personal and political interests over public interest. This was most evident with regards to former Prime Minister Netanyahu but was evident with regards to almost every member of Netanyahu's party, the Likud. But if, in the previous government of Netanyahu, the opposition was characterized as an enemy of the Jewish identity of the state, the current coalition characterizes Netanyahu as the enemy of the democratic identity of the state. Explicitly, the potential return of the right-wing coalition to power was portrayed as a clear and present danger for Israel's democratic nature – a prophecy that, in retrospect, proved to be correct.

One important distinction is that while populist leaders refer to all those who do not conform with the populist agenda as either detached elites or enemies, in the post-populist government, the rhetoric was mainly aimed at the politicians, while the post-populist leaders went out of their way to emphasize that they are the leaders of everyone – an inclusive rather than exclusive rhetoric.

Second, the coalition did not shy away at changing the rules of the game when it fitted its political interest. For example: Naftali Bennet and Yair Lapid came to an agreement alternating the Premiership of the coalition after a year and a half. Explicitly to cement this agreement, Basic Law: The Government was changed in a way that would penalize the Prime Minister if he caused an early election before handing over the premiership according to the agreement. Basic Law: The Knesset was changed in order to allow more Members of the Knesset to resign their posts as MK when appointed as ministers, while preserving their ability to return to their posts as MK's if they left the government. So, the instrumental use of constitutional laws, which is a main characteristic in the populist constitutional project, and, especially in Israel in recent years, continued.

A third policy was the politicization of professional offices in public service. Hence, the government appointed the former leader of the Labor Party, Amir Peretz, to the office of one of Israel's largest government-owned corporations (Israel Aviation Industries) even though he was declared an inappropriate political appointment by the special committee approving with

senior appointments in public service. The process of appointment of Israel's attorney general became a political struggle, when the professional committee appointed to nominate the attorney general was controlled by representatives of the Minister of Justice, and used political maneuvers to nominate the Minister's preferred candidate.

A fourth occurrence was the fact that the opposition did not participate in important legislative work. Most importantly, the opposition did not formally join in the Knesset's various committees. Indeed, the real motivation of the opposition for this move was their on-going policy of delegitimizing the government, but the coalition greatly assisted this policy by offering the Opposition less than their fair share of members of committees. The participation of opposition members in committees preserves the Knesset's independence vis-à-vis the government, since it allows MK to create ad-hoc coalitions transcending the formal divide. Without the opposition's participation, the Government only strengthened its grip on the Knesset.

Lastly, several parties within the coalition promoted bills directed against Netanyahu personally. Most important was the attempt to forbid a person under a criminal indictment to form a government, and for "term-limits" for a prime minister. These bills, while presented as principled, were clearly directed at Netanyahu, whose corruption trial is still ongoing, and who has been Israel's longest serving prime minister.

Explaining post-populism

For sure, the post-populists have a different ideology than their populist predecessors. Many of them, though certainly not all, genuinely believe in pluralism, diversity, and in the need to limit the power of the majority in politics by respecting the decisions of the courts, and strong checks and balances. And yet, it should not be ignored that post-populism resembles populism in many important aspects. There are, we believe, several explanations for this:

First, once the "populist toolbox" is available for politicians, the temptation to use it is simply too strong to ignore. If one can control the media, gatekeepers, courts, etc., and through that capturing to govern 'more effectively', why not do so (from a post-populist politician's perspective)? The various tools of governing that populists used in recent years – such as ad hoc constitutional reforms for narrow political interests – are still available and the urge to use them is enormous.

Second, the glue that holds the anti-populist coalition is the existence of the populist camp, and the threat it will return to power. To survive politically, the anti-populist must use the same enemy-friend rhetoric and style of governing that characterized the previous regime. Populism entails a moral division of politics and society between the "good people" and the "corrupt elite." Categorizing one group as good while the other is not, means that one is legitimate and the other is not. In post-populism, there is a moral division between the "good people" – the anti-populists and the corrupt populists, the former legitimate and the latter is illegitimate.

Third, polarization is central not only for maintaining the enemy-friend distinction but studies show that, in a context of affective polarization, partisans may excuse executive aggrandizement and would accept the weakening of checks on the power of the executive in order to advantage their party and disadvantage the opponent.

Fourth, the social, economic, and national divides that were at the root of the rise of the populist movement have not vanished. They go deeper than any momentary political movement. And without solving the deep problems and tensions, the fears, insecurity and other feelings upon which populism flourishes, post-populist movements will fail in ending populism.

Conclusion

Post-populists might want to explain their use of questionable policies as one that was simply forced upon them by the continued actions of the populists from the opposition, or because of the real malice of populists when they were in government, or because of external circumstances. In some cases, this might be true. Yet, the overall picture is that the post-populists have more in common with populists than they would care to admit. Post-populist politics is different – but

not very different – from populist politics. Even if post-populists usually mean well, their mechanisms of governance might lead them on a route that, while not identical to the populist one, might come dangerously close to it.

That is why we need to be cautious about the illusion that once the anti-populist coalition wins and populist leaders loose, politics would be back to normal. Populism is here to stay. Populists uncovered serious flaws in democracy, and until we manage to solve these flaws, we cannot completely defeat populism by mere victory in elections. Winning the elections, therefore, is merely the beginning – not the end – in the journey against populism.

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