

# The Political Theories, Preconditions and Dangers of the Governing Populism in Hungary\*

ATTILA ANTAL\*\*

## Abstract

This study aims to explore the political theoretical background of governing populism in Hungary. It has been argued here that the political success of Viktor Orbán's Governments are based on mixing three main political theoretical pillars: 1) the concept of the Political elaborated by Carl Schmitt; 2) the Weberian concept leader democracy; 3) and political constitutionalism. What is common in these three tendencies is the promise of repoliticisation. I will elaborate in this study that elitist populism and illiberal democracy are the two core concepts which can synchronize and converge the various (and sometimes contradictory) political theoretical backgrounds of Orbán's regime. I also put forward here that the populist promise of political leadership is inherently false, because instead of repoliticisation, populist forces monopolize political representation and liquidate political responsibility.

*Keywords: political theory; Orbán's government; Hungary; populism; elitism; the political; leader democracy; political constitutionalism; illiberal democracy*

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## 1. Introduction

After the regime change in 2010, Hungarian politics can be characterized by emerging populist tendencies. Before 2010 the populist forces were opposition parties and the post-2010 period is the era of governing populism in Hungary.

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\*\* Assistant lecturer, Eötvös Loránd University Faculty of Law Institute of Political Science; coordinator, Institute of Political History. Email: antal.attila@ajk.elte.hu.

It will be argued in my paper that the (populist) political theory of the governing party alliance (Fidesz-KDNP) is based on three main pillars. (1) The first one is the concept of *the Political* and the massive anti-liberalism elaborated on by Carl Schmitt. Schmitt describes the depoliticisation tendencies caused by liberalism and he also argues that the bureaucratic nature of liberalism promotes law instead of politics. (2) The second pillar is the Weberian concept of *leader democracy*, which argues that the political leader, who is creative and charismatic, has a strong political responsibility. (3) The third pillar is *political constitutionalism*, which is a counter-theory of legal or liberal constitutionalism and points out that political institutions (parliaments and governments) cannot be restricted by legal institutions, above all judges or constitutional courts.

What is common in these three theories is *repoliticisation*. The populist governing parties accused the opposition and the European Union that their politics is anti-politics and bureaucratic, they cannot make political decisions, and they thereby endanger the (Hungarian and European) political community. On the one hand, this can be a very successful political strategy, on the other hand, constantly making enemies can destroy the political community.

According to my hypothesis, the populist promise of political leadership is inherently false, because instead of repoliticisation, populist forces monopolize political representation and liquidate political responsibility. My second hypothesis deals with the paradoxical nature of the current Hungarian governing populism: while the governing parties promise more *political* and emerging influence of people on political decisions, it could be confusing that the Hungarian government excludes certain groups from politics (preventing the holding of referendums; starting political wars against NGOs). This is the paradoxical nature of Hungarian governing populism: the governing parties would like to be seen as populist forces, but they act like elites.

It has been analyzed here that elitist populism and illiberal democracy are the two core concepts which can synchronize and converge the various (and sometimes contradictory) political theoretical backgrounds (concept of the Political, leader democracy and political constitutionalism) of the Orbán's regime. From my point of view, these are the political and ideological preconditions of this regime. At the end of this study I will briefly conclude the main symptoms and dangers that come from this multi-theorized (elitist, populist and illiberal) regime.

## 2. Notions and Main Definitions of Populism

In recent decades, the study of populism has grown (Chwalisz 2015; Urbinati 2013). According to Mudde (2004), a populist *Zeitgeist* had, already by the early 1990s, begun and overwhelmed Western democracies (Pappas 2015). The study of populism began only in the late 1960s. Pappas (2015) stated that “during subsequent decades there emerged at least four distinct waves, or ‘generations’ of scholarship on this phenomenon”: the pioneers (beginning in the 1960s, these scholars put the investigation of populism into the agenda of comparative politics and they failed to create a common definition of populism); classical populism (in the 1970s and 1980s the authors and the adherents of this tendency wanted

to understand the socio-economic determinants of mass political movements); neoliberal populism (which the scholars call ‘neopopulism’, implements neoliberal policies while also enjoying remarkably high levels of popular support) and the contemporaries. I will not go into detail about the definitions, I will refer here only the main contemporary trends and theorists, although it is clear that the notion and definition of populism remains the subject of controversy among scientists. It has been argued precisely by Pappas (2015), that ‘populism is understood primarily in terms of actors (the ‘people’, some elite, a leader); actions (mass mobilization, strategic leadership); style (moralistic, dichotomous, majoritarian); domain (old–new, left–right, democratic–nondemocratic, European–non-European); consequences (polarization, social homogenization, charisma); and normative implications (threat to or corrective of democracy).’

## 2.1. Populism as Political Communication and Strategy

According to a very common interpretation of populism, the phenomenon is a successful form of political communication in conjunction with a political strategy. De la Torre argues that ‘[a] style of political mobilization based on strong rhetorical appeals to the people and crowd action on behalf of a leader (...). It is a rhetoric that constructs politics as a moral and ethical struggle between *el pueblo* and the oligarchy’ (de la Torre 2000: 4). Kazin defined populism as ‘[a] language whose speakers conceive of ordinary people as a noble assemblage not bounded narrowly by class, view their elite opponents as self-serving and undemocratic, and seek to mobilize the former against the latter’ (Kazin 1995: 1). Besides the rhetorical and political communication approaches, it has been argued that populism is ‘[a] political strategy through which a personalistic leader seeks or exercises government power based on direct, unmediated, uninstitutionalized support from large numbers of mostly unorganized followers’ (Weyland 2001: 14).

## 2.2. Populism as Political Logic and Discourse

Ernesto Laclau’s conceptualisation of populism has the biggest impact in the area of political and social theory (Moffit, Tormey, 2014: 384). Populism has been defined by Laclau (2005) as a structuring logic of political life, evident wherever equivalence triumphs over difference. According to Laclau populism is not just only *a* political logic, it is *the* logic of the political. From this standpoint, “the ‘people’ become (...) the possibility of any renewed and effective political project and, indeed, the very subject of the political. And if ‘the people’ are the subject of the political, then populism is the logic of the political.” (Moffit, Tormey 2014: 384). Laclau argues: “if populism consists in postulating a radical alternative within the communitarian space, a choice in the crossroads on which the future of a given society hinges, does not populism become synonymous with politics? The answer can only be affirmative.” (Laclau 2005: 47).

The discourse analysis of populism has emerged from the ‘Essex School’, and this approach overlaps with the Laclauian framework. According to Panizza, populism can be seen

as ‘an anti-status quo discourse that simplifies the political space by symbolically dividing society between “the people” (as the ‘underdogs’) and its ‘other’” (Panizza 2005: 3).

### 2.3. Populism as an Ideology

Over the past few years, the conceptualisation of populism as an ideology has become the dominant position in the (European) literature (Moffit, Tormey 2014: 383). Mudde characterized populism “as a thin-centred ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, ‘the pure people’ and ‘the corrupt elite’, and which argues that politics should be an expression of the *volonté générale* (general will) of the people” (Mudde 2007: 23). Mudde proposed a minimal definition of populism in order to apply it to comparative empirical research. According to his approach, populism does not exist in any pure form, but rather is always present in mixed iterations with other ideologies (Moffit, Tormey 2014: 383). Other scholars (Rovira Kaltwasser 2012; Abts, Rummens 2007; Canovan 2002) are convinced that populism is the ideology of democracy. Abts and Rummens pointed out that populism as a thin-centred ideology advocates the sovereign rule of the people as a homogeneous body (Abts, Rummens 2007: 409).

### 2.4. Populism as a Form of Democracy

There is a tradition to analyse populism in the context of democracy (Mény, Surel 2002a; 2002b; Mouffe 2000; 2005a; 2005b). Moreover, Lijphart (1999) has defined populist democracy as a democratic subtype, and Takis S. Pappas argued that the next task is to reconceptualise populism in the context of contemporary pluralism (Pappas 2014: 2). Pappas elaborates (2015) that “populism could be defined as the idea that political sovereignty belongs to and should be exercised by ‘the people’”. Pappas characterizes populism and populist democracy as a counter-concept of liberal democracy.<sup>1</sup> That’s why Pappas’ minimal definition of populism is thus: contemporary populism is *democratic illiberalism*. Pappas suggests that “viewing populism in democracy as the complete opposite of political liberalism and as featuring three interrelated – and mutually reinforcing – characteristics: first and foremost, the idea that society is split along a single cleavage, ostensibly dividing the good ‘people’ from some evil ‘establishment’; second, the promotion of adversarial and polarizing politics rather than of moderation and consensus seeking; and third, the adherence to the majority principle, as well as a certain predilection for personalist authority over impersonal institutions and the rule of law.” (Pappas 2014: 3–4). From this point of view, populism is one face or subtype of representative democracy beside liberal democracy (or democratic liberalism). While the main idea of liberal democracy is that voters should control democratic institutions, populism put forth that these institutions are to serve the people. So, populism is democratic but not in a liberal way.

### 3. The Political Theories of the Orbán's Regime

The (populist) political theory of the governing party alliance (Fidesz-KDNP) is based on three main pillars. (1) The first one is the concept of *the Political*, as elaborated by Carl Schmitt. Schmitt describes the depoliticisation tendencies caused by liberal democracies; he also argues that the bureaucratic nature of liberalism promotes law instead of politics. (2) The second pillar is *leader democracy*, which argues that the political leader, who is creative and charismatic, has a strong political responsibility. (3) The third pillar is *political constitutionalism*, which is a counter-theory of legal or liberal constitutionalism and points out that the political institutions (parliaments and governments) cannot be restricted by legal institutions, above all judges or constitutional courts. These theories promise repoliticisation (instead of depoliticization, bureaucratic and anti-political nature of liberalism), and this populist promise means a new political construction, which is based on the people's voice and free from ideological debates.<sup>2</sup> How these three pillars have constituted the political theory of Orbán's regime since 2010 will be elaborated in the first part (I.) of this study.

According to Agamben (2014), a massive depoliticization tendency has been occurring in the modern societies: 'What was in the beginning a way of living, an essentially and irreducibly active condition, has now become a purely passive juridical status, in which action and inaction, the private and the public are progressively blurred and become indistinguishable.' It means that citizenry and the public sphere has been dissolved in the private sphere, the public has lost its core political nature, and it has been depoliticized. In my point of view, current populism can be seen as a core response to the crisis of political representation, which is the general trend of depoliticization.

#### 3.1. A Renaissance of Carl Schmitt

Carl Schmitt elaborated the dangers of depoliticization (2000; 2005; 2007; 2008). From Schmitt's perspective, modern politics has become such a complex system, that we cannot say easily what is political and what is non-political. Schmitt aimed to create a very clear boundary to explain what is political and introduces a category called *the Political* (*das Politische*) which depends on distinguishing friend and enemy. Schmitt, summarized by Bellamy and Baehr (1993), "blamed the failure of liberalism to appreciate or resist the challenge posed by democracy on its lack of an adequate conception of the political and hence of the state" (Bellamy, Baehr 1993: 43).

Schmitt's approach, elaborated in *The Concept of Political*, has fundamentally influenced the political advisers around the Orbán's Governments.<sup>3</sup> According to Schmitt, liberalism would like to take normative decisions and make consensus, but from Schmitt's approach there is no consensus in the political sphere or at least it is undesirable. He is convinced, in my point of view this is one of the core elements of current populism, that dangers and disputes concerning the political could only be achieved through *political* decision – liberalism denies the relevance of the political. After the Hungarian regime change in 1989, the established liberal democracy actually has shown this anti-political attitude: the political

elites and the institutions of liberal democracy could not have built the social and popular base of democracy, moreover a cohesive political community has not been created in the past decades. According to Laclau: “We will call a demand which, satisfied or not, remains isolated a *democratic demand*. A plurality of demands which, through their equivalential articulation, constitute a broader social subjectivity we will call *popular demands* – they start, at a very incipient level, to constitute the ‘people’ as a potential historical actor.” (Laclau 2005: 74). In my point of view, the liberal democracy established in Hungary has not created and satisfied these popular demands and Orbán promised, on the basis of Schmitt’s perception of politics, to repair this situation (he calls his regime ‘National Cooperation’) (Hungarian Government 2010). As I will show, this populist reasoning is totally false and Orbán would not like to repoliticize Hungarian politics.

Moreover, as Schmitt stated, liberalism denies the concept of the enemy which is the core element of Schmitt’s theory. This is the reason why liberal democracies hesitate to act as political situations and crises require. According to Schmitt: “Liberalism (...) existed (...) in that short interim period in which it was possible to answer the question ‘Christ or Barabbas?’ with a proposal to adjourn or appoint a commission of investigation” (Schmitt 2005: 62). In this point of view, it can be stressed that liberalism tries to depoliticise and neutralise all the political conflicts and turn political battles towards legal and economical fields. Schmitt denied the liberal rationalist’s faith in the ultimate ethical harmony of the world. “Good consequences do not always follow from good acts, or evil from evil ones; similarly, truth, beauty and goodness are not necessarily linked. Most important, he recognized that we are often faced with difficult or tragic choices between conflicting but equally valuable ends – for no social world can avoid excluding certain fundamental values. In this situation, as Weber insisted, we cannot escape the responsibility of choosing which gods we shall serve and by implication deciding what are to count as demons.” (Bellamy, Beaher 1993: 45). The dilemmas of politics can be solved politically, through political decisions which take place in the state. Liberalism has no positive and adequate theory concerning the state and that is why the liberalism cannot handle the pluralism which is the main source of political conflicts. Schmitt and Weber both argued that morals and politics are distinct, the problems based on this fact can be handled only a political way, through political debates and decision, not from a liberal perspective (metaphysically and through rational discussion).

Schmitt is convinced that the locus of the mentioned political decisions is the sovereign state. The sovereignty of the state is a matter of politics and lies outside of the law. The sovereignty of the state is crucial in why the ‘sovereign is he who decides on the exception’ (Schmitt 2005: 5). The state of exception shows the real nature of politics: “The existence of the state is undoubted proof of its superiority over the validity of the legal norm. The decision frees itself from all normative ties and becomes in the true sense absolute.” (Schmitt 2005: 12). According to Schmitt, the legal-based approach of liberalism overlooks that the legal instruments and the rule of law are products of political struggles (Bellamy, Beaher 1993: 46). Liberalism is so dangerous for Schmitt because it attempts to deny the need for a sovereign (state) and with this the political basis of law has become questionable.

### 3.2. Leader Democracy

Another pillar of Orbán's regime is leader democracy which shows the appreciating role of political leadership. Leader democracy is an elitist political theory and its main Hungarian theorist is András Körösényi, who pointed out '[b]eside Max Weber's concept of *Führerdemokratie*, it was Joseph Schumpeter who put the emphasis on the role of political leaders in his concept of competitive democracy' (Körösényi 2005: 359). Körösényi applied Schumpeter's approach to the problem of leadership in representative democracy and combined Schumpeter's theory with Max Weber, Carl Schmitt, Bertrand de Jouvenel and Michael Oakeshott.

Körösényi compared leader democracy, which is a minimalist concept of democracy, to deliberative and interest-aggregating models of democracy which aim to set up criteria for the normative justification of democracy. Unlike the other theories, "leader democracy belongs to the Schumpeterian tradition; it is a descriptive-explanatory account of democratic politics. It does not aim to catch the best form of democracy, and does not even address the perfectibility of it." (Körösényi 2005: 360). According to Körösényi (2005), leader democracy is sceptical of the feasibility of democracy in the sense of self-rule by the people. It has been argued in leader democracy that citizens are less competent than politicians, but "they may be capable of giving some overall retrospective assessment of the achievement of the government" (Körösényi 2005: 361).

Leader democracy is not self-rule of the people but a form of leadership and representative government with democratic elements and that is why it is one of the fundamental pillars of Orbán's regime. Körösényi pointed out the theoretical bases of representation in leader democracy: "Schmitt's personalistic idea of representation and Weber's concept of charismatic leadership applied to democratic legitimacy express the personalized character of leader democracy." (Körösényi 2005: 377). Since 2010, it has been proven in Hungary that the main political leader (the Prime Minister) is the leader who is authorized to act politically. The domination of the Prime Minister is not the well-known phenomenon of chancellor democracy (Mommson 2007), because in leader democracy the political leaders are active political representatives. Accordingly, the representation is not a static but a dynamic action, where political leaders act in contingent political situations: "the representatives are political leaders with a free mandate for leadership" (Körösényi 2005: 377). In this sense, representation is political representation,<sup>4</sup> and furthermore political representation is leadership.<sup>5</sup>

Leader democracy is the personalization of politics, and this nature of leader democracy has changed the subject of representation. According to Körösényi, the decline of parliament and the crisis of representation "turn our attention to the question of whether we may or should apply the concept of representation to the executive, i.e. to the government. In my view, the answer can be only affirmative. Therefore, both the government (and prime minister) of a parliamentary system and the head of state of the presidential form of government are to be considered as the subject of representation." (Körösényi 2005: 368). The weakest point of classical legislative representation is that it serves for discussion, debate and deliberation, but not for action. From an action-based approach, the political leader needs to be a subject of representation. Körösényi added that

“[r]epresentation in leader democracy means leadership (acting, in Hannah Pitkin’s terminology) and not a descriptive mirroring of the composition or will of the people. Leader democracy combines democracy and representation in a way that produces responsible government, where office holders are accountable and responsible to the people.” (Körösényi 2005: 378).

These theoretical aspects are the core promises of the Orbán’s Governments: the leader represents the will of the people and because of this the devaluation of parliamentary representation becomes invisible to the society. Körösényi assumes that the leader democracy provides a strong normative justification: the accountability and responsibility of leaders. Moreover, leader democracy produces responsible government (Körösényi 2005: 378).

As I will elaborate in the fourth part of this study, a regime based on inter alia leader democracy can very easily lose this responsibility. It will be argued here that the greatest danger is the identification of the political representation with leadership. The leader can vitalize the representative institutions but cannot take over the role of the parliament. It has been shown by Körösényi that the political leader (Prime Minister) “does not reflect the diversity of the nation through his acts, i.e. he does not represent it in a descriptive sense” (Körösényi 2005: 369). If the political leader assumed that (s)he could overrule the diversity of the political community and its representation in the parliament, the leader democracy could become very dangerous.

### 3.3. Political Constitutionalism

Since 1989, legal constitutionalism has been the main paradigm of Hungarian legal and political thinking (Antal 2015). The Constitution of 1989 and the jurisdiction of the Hungarian Constitutional Court were based on this concept. The Court’s jurisdiction can be explained and characterized by legal constitutionalism.

The idea of constitutional rights and the rule of law are at the centre of legal constitutionalism. This concept has been elaborated in the United States and its practice has been supported by the US Supreme Court. Bellamy states that “[l]egal and political constitutionalism have often been identified with the American and British political systems respectively. The tendency to take an idealized version of the US Constitution as a model has been particularly prevalent among the highly influential generation of liberal legal constitutional theorists who grew to intellectual maturity under the Warren Court.” (Bellamy 2007: 10). According to this concept, constitutions secure the rights central to a democratic society. “This approach defines a constitution as a written document, superior to ordinary legislation and entrenched against legislative change, justiciable and constitutive of the legal and political system’ (Bellamy 2007: 1). The judicial review and the Constitutional Court are essential for surveying democratic practices. According to Bellamy, legal constitutionalism is founded on two pillars: “The first is that we can come to a rational consensus on the substantive outcomes that a society committed to the democratic ideals of equality of concern and respect should achieve. These outcomes are best expressed in terms of human rights and should form the fundamental law of a democratic society. The second is



that the judicial process is more reliable than the democratic process at identifying these outcomes” (2007: 4).

Consequently, the courts, especially the Constitutional Court, can overrule the will of the people incorporated in parliamentary decision-making processes. Under the concept of legal constitutionalism, very strong liberal democratic institutions can be created and the procedural legitimacy of the constitutional system could be relatively strong, while, unfortunately, the political elite do not pay attention to the trust in democracy. The starting point of legal constitutionalism is a basic law that enshrines certain rights or norms beyond the realm of political disagreement and law-making (Glencross 2014: 1165.).

In 2010, the Hungarian political right gained supermajority in the Parliament. Viktor

Orbán's Government has totally redesigned the constitutional system and legal constitutionalism has collapsed. The new Hungarian Constitution (Fundamental Law) was based on political constitutionalism. The foundational premise of political constitutionalism is that a constitution can only exist in ‘the circumstances of politics (...) where we disagree about both the right and the good, yet nonetheless require a collective decision on these matters’ (Bellamy 2007: 5). This is very similar to Schmitt's conception of the political. Bellamy argues that legal constitutionalism attempts to take certain fundamental constitutional principles outside of politics, viewing them as preconditions for the political system. This means depoliticization and creates apolitical politics. Hence, politics and politicisation allow for much broader participation in determining core political debates via ‘party competition and majority rule on the basis of one person one vote’ (Bellamy 2007: viii). According to this concept, democracy needs to be defended against judicial review. As Bellamy puts it, “[t]he judicial constraint of democracy weakens its constitutional attributes, putting inferior mechanisms in their place. That is not to say that actually existing democracy is perfect and decisions made by judicial review necessarily imperfect, merely that the imperfections of the first cannot be perfected by the second” (Bellamy 2007: 261). Political constitutionalism can be seen as a constitutional concept which recognizes the core element of the concept of *the Political*. Bellamy and Beaher pointed out the Schmittian roots of political constitutionalism: “Schmitt maintained that the decision over what is legitimate activity or not can only be made politically, not by a court on the basis of legal norms. He believed that the courts have neither the will nor the authority to act in such circumstances” (Bellamy, Beaher 1993: 49).

Political constitutionalism is founded “on a normative claim, namely that only political methods for resolving disagreements can be conducted in a way that respects political equality” (Glencross 2014: 1165). Summarizing the main elements of current Hungarian political constitutionalism are: the restriction of the Constitutional Court's power, which was the main counterweight institution of the Government's power; the reinforcement of the Government's power; the stable majority of the Government in the Parliament; the control over the Parliament by the Government; the power of Government to overrule the decisions of the Constitutional Court, raising the dilemma of an unconstitutional constitution; the concentration of powers instead of the separation of powers.

## 4. The Political and Ideological Precondition of the Political Theories Defined the Orbán Regime

Populism and the current Hungarian Government's political approaches have been theorized in the previous parts of this study. I would like to use this theoretical framework to analyse the Orbán regime and investigate the true nature of its populism. In accordance with Bellamy and Beaher, I am really convinced that we could learn a lot from populism and the political concept of Carl Schmitt: "A more political and democratic liberalism is one that begins by divesting itself of the rationalistic mind-set. Such a liberalism recognises its own contingency; it understands that its 'final vocabulary' is a product of history, not necessity, but is willing to fight for the convictions this vocabulary expresses (...) liberalism can use Schmitt as a resource, particularly through adopting aspects of his friend-enemy distinction. By so doing, liberalism loses its gloss of universality and self-righteousness, but gains the political will to defend its values." (Bellamy, Beaher 1993: 57–58).

On the one hand, I will elaborate here the *elitist populist* nature of the Orbán regime which can be seen as a cohesive force according to these various ideological backgrounds. On the other hand, I will refer to *illiberal democracy* as an ideological and democratic theoretical framework of this regime.

### 4.1. Elitist Populism

It can be embarrassing but the Orbán's regime cannot be characterised by pure populism: on one hand, it has elitist characteristics, on the other hand – if we identify populism as some kind of repoliticisation – the regime is considerably anti-populist. This paradox comes from the fact that not all of the political theoretical pillars behind the Orbán's regime are populist. In the three mentioned political theories, populism and elitism have merged: the various notions and approaches of populism has influenced these three concepts in different ways. While leader democracy is a pure elitist theory, political constitutionalism has strong populist elements, and the political theory of Carl Schmitt has a Janus face, because in the middle of this theory stands sovereignty, this is not popular sovereignty, but the sovereignty of the state – the sovereign state decides on the exception, enemies and friends (see Table 1). In addition, the strong common point in these three pillar is not populism, but a crucial need for repolitization. According to the main notions of populism (communication-strategy, logic-discourse, ideology, and form of democracy), Orbán's regime indeed has strong populist roots, but – from my standpoint – this should not be the most dangerous point of this regime.

Instead of worrying about the pure populist nature of contemporary Hungarian politics, the most dangerous phenomenon is that the Schmittian concept meets with the leader democracy and the political leader begins to exercise state sovereignty. From that point, the populist promise of political leadership becomes inherently false, because instead of repoliticisation, the populist forces monopolize the political representation and eliminate political responsibility. This means that more 'elitist populism' equals less politicisation. So, the political theories of Orbán's regime have an inherent contradiction.

**Table 1: The Populist Nature and Tendencies of the Orbán Regime**

Populism and Repoliticisation / The Theoretical Pillars	Populism as Political Communication and Strategy	Populism as Political Logic and Discourse	Populism as an Ideology	Populism as a Form of Democracy	Need for Repoliticisation
Carl Schmitt's Theory	+	-	-	-	+
Leader Democracy	-	-	-	-	+
Political Constitutionalism	+	+	-	-	+

*Source: Author.*

The elitist character of a populist regime is neither undiscovered nor unprecedented in the literature. For instance, Enyedi Zsolt (2016) emphasized the merging of populism and elitism: through the Hungarian example his study “investigates how elitism can be integrated into an overall populist appeal”. Investigating the extreme right-wing discourses in Italy and Germany, Manuela Caiani and Donatella della Porta (2010) have discovered that there are some “tensions in the conceptualization of ‘populism’ when applied to the extreme right (...). On the one hand, there is a hierarchical (elitist) and exclusive conception of the people, according to which the extreme right identifies itself as with the people (‘we’ are the people, the people are ‘sovereign’) but allocates to itself the task of protecting a passive people. Within an elitarian vision of the society, the ‘pure’ people are in fact presented as unable to (re)act politically, and in need of a ‘guide’ (explicitly indicated in the right itself). The extreme right discourse on the people is not only elitist, but also exclusivist, as not only corrupt political elites but also other groups (e.g. ethnic minorities, political adversaries, supranational actors) are excluded from it.” (Caiani, della Porta 2010: 19). Enyedi adds: “Fidesz, however, did not establish a pure aristocratic-representative system and has not turned against plebiscitary procedures tout court. Populist techniques became in fact an integral part of the regime, albeit in a rather specific form.” (Enyedi 2016: 13).

## 4.2. Illiberal Democracy

The other factor besides elitist populism which ensures ideological and democratic theoretical cohesion is illiberal democracy, which has become some kind of ‘trademark’ of the Orbán regime (see: Orbán 2014). Populism and illiberalism goes hand in hand. As Ivan Krastev stated (2007): they were tearing Central Europe apart. In my point of view, illiberal democracies are populist regimes where the political community has been captured by the illiberal elites. As it has been elaborated in this study, contemporary populism can be seen as *democratic illiberalism* which is a completely opposite phenomenon from political liberalism (Pappas 2015). In his famous study, Fareed Zakaria (1997) concluded that “illiberal democracies gain legitimacy, and thus strength, from the fact that they are reasonably democratic. Conversely, the greatest danger that illiberal democracy poses – other than to its own people – is that it will discredit liberal democracy itself, casting a shadow on

democratic governance. This would not be unprecedented.” Illiberal systems are convinced that they are democratic but not in a liberal way. As it has been analysed by Zsolt Enyedi, Orbán and his advisers prepared the post-2010 illiberal period: “not only by pointing out the dangers of a rights-based constitution, free markets and the dominance of liberal norms, but also by emphasizing that frequent alternations in power and the direct dependence on the shortsighted and materialistic masses are an obstacle to solving long-term societal problems.” (Enyedi 2016: 11). In this point of view, illiberalism equals an ideological and political framework which can be a comfortable background in the light of the various ideological pillars of the regime.

## 5. Symptoms and Dangers

Consequently, I will briefly describe the main symptoms and dangers concerning the situations when populist thinking meets elitist approaches and illiberalism and they strengthen each other's worst features.

### 5.1. Privatization of Politics

It has been argued here that the cohesive force of the diverse political theories behind Orbán's regime is politicisation. It is true, but Orbán would not like to politicise the whole political community, just his voters (or, as it has been shown by the referendum on migration, he fails when he tries to repoliticize the Hungarian voters). Therefore, the strategy of repoliticisation is supplemented with the strategy of *depoliticisation*. This means a permanent need for political enemies (European Union, IMF, World Bank, foreign financial circles, domestic opposition, NGOs and migrants). This regime cannot work without a created image of political enemies: this image politicises the voters of governing parties and depoliticises the opposition and the NGOs who are dissatisfied with the government.

### 5.2. Broken Political Representation

I have pointed out that one of the greatest political dangers caused by the current Hungarian regime is the identification of the political representation with leadership. The leader cannot take over the role of the parliament; this would equal the serious degradation of parliamentary representation. Unfortunately, since the Hungarian regime change the political power of the Parliament has been continuously weakened, while executive power and that of the Prime Minister have centralized considerable political capital. After 2010, members of the Parliament have become incapable of implementing accountability. The political leader rules not just the executive but the legislative branch as well. It is not just about the separation of power, it is a question of political representation: for instance, the Hungarian Prime Minister decides who the President of the Republic should be without any public authority to do so.

This is a triumph of the political over the (rule of) law; this is a victory for Carl Schmitt and leader democracy. But it needs two factors to flourish: on the one hand, the totally irresponsibility of the leader, on the other hand, the maintenance of a permanent state of exception.

### 5.3. Politics of Irresponsibility

Political and legal responsibility are the core elements of representative democracies; without enforceable responsibility the political system will collapse. After 2010, the political and legal responsibility of MPs and members of the government have been changed to political loyalty towards to the political leader. Broken political representation means political (and legal) irresponsibility: if we look to the current Hungarian corruption situation (Corruption Research Center Budapest 2016), we understand that irresponsibility can destroy the political community. In a leader democracy, the political leader expropriates political representation and the elected representatives are deprived. There is no leadership without responsibility, there is no responsibility without representatives who are ready to ensure accountability.

### 5.4. Politics of a Permanent State of Exception: When the Exception is the Norm

It has been pointed out that the broken political representation reveals the triumph of the political over the law – in normal political circumstances. But today, particularly in a leader democracy, the state exception has become ‘a permanent technology of government’ (Agamben 2014).<sup>6</sup> According to Agamben, the modern government and state has changed: ‘It means an epochal transformation in the very idea of government, which overturns the traditional hierarchical relation between causes and effects. Since governing the causes is difficult and expensive, it is safer and more useful to try to govern the effects.’ (Agamben 2014). These symptoms are much stronger in a system like Orbán’s Government. Governing the effect and ruling the political moments are essential for a populist, leader based regime which is interested in the dominance of the political over the law: “The exception reveals most dearly the essence of the state’s authority. The decision parts here from the legal norm, and (to formulate it paradoxically) authority proves that to produce law it need not be based on law.” (Schmitt 2005: 13). Orbán’s regime is based on this permanent state of exception (for instance the sixth Amendment of the Fundamental Law has created a new state of exception situation concerning the migration crisis), the borders of which have been gradually expanded. Only in this exceptional situation can such an elitist populism work.

### 5.5. Politics without Morals

Paradoxically, the political theoretical backgrounds of the Orbán system have strong moral roots: Schmitt and Weber are really convinced about the strong relationship between morality and politics (political). Orbán’s regime has lost this normative basis. It is the ultimate

depoliticisation, when the political leader replaces the public good for the private good. There is no political will to investigate and debate how we can enhance the public good.

## 6. Conclusions

This study aimed to investigate the political theoretical backgrounds of the Orbán regime. It is a new phenomenon in the European political sphere because a populist opposition party has become a successful governing populist force. I am convinced that this success can be explained by two factors. The first one is the political theoretical pillars (concept of the Political, leader democracy and political constitutionalism) in which the common point is repoliticisation, but they suffer from serious tensions. The second one is the solution of these tensions which is a mix of elitist populism and illiberal democracy. These paradoxical phenomena can be seen as the most interesting subjects for political and other social sciences. Elitist populism proves that a political leader, who comes from the political or economic elite, can be seen and accepted as a populist politician and organize political (hate) camping against the elite (or against the political forces stigmatized as an elite by him/her) or other political targets. Illiberal democracy claims that democracy is not necessarily a (neo)liberal political form. At first sight, elitist populism and illiberal democracy seem to be paradoxical and confusing terms; in fact, the new populist formations in the 21st Century on the political right can be characterized by elitism, populism and illiberalism. However, the main common point within these tendencies is repoliticisation; as I pointed out, Orbán's hybrid regime has repoliticized only its political supporters and tried to depoliticize the rest of the political community.

## Footnotes:

1. Pappas argued: "(...) the foregoing conceptualization of populism entails four essential attributes of 'the people': its potential to form a political majority; its allegedly homogeneous 'over-soul' nature; its embattled social positioning in an ostensibly bipolar world; and its belief of holding the moral right. All those attributes draw from early republicanism and, while not extraneous to the democratic principle, are fundamentally inimical to contemporary political liberalism." (Pappas 2015).
2. See The Program of National Cooperation, which was the program of Orbán's Government in 2010 and it has been adopted by the Hungarian National Assembly: "For lack of a social contract Hungary during the era of transition was controlled by elite agreements and invisible pacts; fruitless debates hampered the country's progress. On account of this the country in recent years was smothered in the battle of private and partial interests; our common national causes were obscured." (Hungarian Government 2010:: 9).
3. As Balázs pointed out "It was only after the millennium that the concept of leader democracy has stirred up some interest, not unrelated to the growing influence of Carl Schmitt (more on that later) and the no less spectacular rise of Viktor Orbán on the political Right that was partly mirrored by the strong personality of Ferenc Gyurcsány, the once-leader of the Socialist Party." (Balázs 2014: 12).

4. In accordance with the claims of Carl Schmitt, Körösényi implied the nature of politics: “The political sphere is an independent, autonomous dimension where the political process is self-evident, not subject to any other sphere.” (Körösényi 2005: 377).
5. Körösényi pointed out that the representative role of political leaders based on non-rational elements and the personal charisma of the leader. “Max Weber used his concept of charismatic leadership to analyse democratic legitimacy. He differentiated between democracy with and without leadership. Democracy with leadership is established through the transformation of charismatic leadership to everyday demands.” (Körösényi 2005: 370). From the standpoint of leader democracy personal image, political abilities and qualities are more important than rational arguments, persons are more important than issues, political stands.
6. “While the state of exception was originally conceived as a provisional measure, which was meant to cope with an immediate danger in order to restore the normal situation, the security reasons constitute today a permanent technology of government.” (Agamben 2014).

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