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**Article — Published Version**

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## ... Because the homeland cannot be in opposition: analysing the discourses of Fidesz and Law and Justice (PiS) from opposition to power

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### ABSTRACT

Drawing on Ernesto Laclau's theory of discourse, hegemony, and populism, this paper analyses the development of the discourses of Fidesz in Hungary and Law and Justice (PiS) in Poland from opposition to power with a focus on how authoritarianism is articulated, especially in relation to populism. The post-foundational discourse analysis finds that populism takes on an authoritarian expression only in certain discursive combinations, mostly with nationalism, while authoritarianism follows a range of different logics (populist and non-populist alike), including nationalism and social welfarism without populism (PiS) or what Laclau refers to as institutionalism (Fidesz).

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The people has the right to oust the government in a democracy too if it governs against the will of the people, if it endangers the existential interest of the people. – Viktor Orbán in 2007 as Leader of the Opposition

## Introduction

On 14 April 2018 – six days after parliamentary elections in which the ruling Fidesz party won a two-thirds majority of seats for the third straight time – civic activists organised a mass anti-Fidesz rally in front of parliament in Budapest under the slogan “We are the Majority!” Before the start of the speakers’ programme, the organisers played a series of short video clips on the display screen, including that of Viktor Orbán pronouncing the above quote in his 2007 speech. Something strange then happened: many of the protesters spontaneously applauded and cheered at the younger Orbán’s populist affirmation of the sovereignty of a “people” against a government deemed illegitimate. On 20 April, Orbán (2018a) responded to the protesters in a radio interview with a past quote of his own: “*The homeland cannot be in opposition*” – (in)famously uttered in his 2002 speech rejecting the legitimacy of the new government after his own election defeat, now re-deployed to deny the same move to oppose his government.<sup>1</sup> In 2010, after all, Fidesz had declared in a parliamentary resolution that the Hungarian people – “after 46 years

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of occupation, dictatorship, and two chaotic decades of transition” – had finally “regained its right and capacity to self-determination” and inaugurated a “System of National Cooperation” by giving the party a two-thirds parliamentary majority (Országgyűlés 2010, 4).

This brief sequence of language games (in the sense of discursive practices, or words tied performatively to actions) already points to the need for conceptually disentangling populism from what might be termed authoritarian closure, or the short-circuiting of democratic contestation over popular sovereignty via an exclusive claim to the latter. The Orbán of the 2007 soundbite illustrates how populism, understood in some way or another as the construction of an antagonistic divide between a popular subject and a power bloc (e.g. Canovan 1999; Mudde 2004; Laclau 2005a; Stanley 2008; Hawkins 2009), can function as “the ideology of democracy” (Canovan 2002) and a “series of discursive resources” (Laclau 2005a, 176) open to different uses; the Orbán of 2018, by contrast, formulates an exclusive claim to popular sovereignty so as to deny a people/power divide and thus block the emergence of populism. Seen this way, the discursive afterlife of Orbán’s (2002) quote – far from demonstrating a necessary link between populism and authoritarianism – suggests that not only is populism “ambivalent” (Rovira Kaltwasser 2012) in its democratic or authoritarian character, but authoritarian closure itself can follow a logic making use of or opposed to populism.

This paper examines this contingent interplay of populism and authoritarian closure in the discourses of the two ruling parties most prominently associated with authoritarian “backsliding” in Europe: Fidesz in Hungary and Law and Justice (PiS) in Poland. The basic proposition is that these two oft-cited cases of authoritarianism – and increasingly also of populism – point to the contingent and dynamic nature of the authoritarianism/populism link as well as the importance of unpacking the interplay of populism and nationalism. The paper takes up an understanding of populism as a discursive logic (Laclau 2005a, 2005b) conceptually distinguishable from institutionalism on the one hand and the likes of nationalism or nativism on the other in terms of the degree and type of antagonistic division, respectively (Stavrakakis and Katsambekis 2014; De Cleen and Stavrakakis 2017; Stavrakakis et al. 2017), in order to analytically parse the type(s) of discourse articulating the authoritarian closure. Based on a discourse analysis grounded in Laclau’s post-foundational theoretical framework, it will be argued that the authoritarianism of Fidesz and PiS emerges in different discursive combinations: (1) populism specifically in conjunction with PiS’s anti-liberalism (directed against the alleged conspiracy of the “*układ*” and the liberal opposition) or as a secondary element to Fidesz’s nationalism (Orbán’s 2002 “homeland” that cannot be in opposition against a “foreign”-like government), illiberalism and nationalism (Orbán’s “illiberal state”), or illiberalism, nationalism, and nativism (“Stop Soros”); (2) institutionalism as opposed to populism (Orbán’s 2018 “homeland” that cannot be in opposition against his government); and even (3) nationalism and social welfarism without populism (the current PiS government’s discourse of “good change”). The analysis is preceded by a theoretical reflection on populism in relation to democracy and then an overview of populism as an analytical concept from the chosen perspective.

## From Lefort to Laclau (and Canovan): populism as a constitutive moment of democracy

The democratic theory of Claude Lefort (1986, 1988) provides a useful starting point for reflections on the relationship between democracy and populism by foregrounding the constitutive yet ambivalent role of “the people” in democracy. Lefort understands democracy as the form of society that recognises its permanently divided character and, in particular, the irreducible gap between “the people” and power. The paradox of democracy is that power supposedly “emanates from the people,” but it is ultimately “the power of nobody” (Lefort 1986, 279) insofar as no claimant to power can claim to be identical with “the people” and thus foreclose all alternative claims; indeed, democracy can only function if power remains permanently contestable as an “empty place” whose composition is always the contingent outcome of a “conflict of collective wills” as opposed to being invested with a transcendental ground such as divine right (Lefort 1988, 17–18). This does not mean, however, that democracy dispenses with the notion of a unity of society altogether: indeed, precisely because there can be no complete and permanent unification of society in the body of a sovereign, the contest for power takes on heightened importance as the process by which “society apprehends itself in its unity and relates to itself in time and space” (Lefort 1988, 17) in a permanent search for partial, contingently grounded unities. Formulated in terms of a “post-foundational” ontology (Marchart 2007), the absence of an ultimate ground of the social is thus a productive absence that generates a never-ending contestation (i.e. politics) over partial groundings. Democracy is thus sustained by conflicting claims to “the people” – as an entity “whose identity will constantly be open to question” (Lefort 1986, 304) – but only as long as none of them insist that *only they* can legitimately represent “the people” and that the latter becomes identical with power once its sole legitimate representatives come to power. “Totalitarianism,” following Lefort, is founded on this claim that “the people” is fully reconciled with power and can once again be permanently embodied by a leader, thus short-circuiting the democratic contestation between competing claims to “the people.”

Müller (2014, 2016) understands this exclusive claim to represent “the people” as the defining feature of *populism* as such, citing not least the examples of Fidesz and PiS; populism, from this perspective, comes close to being synonymous with totalitarianism in the Lefortian sense of “the image of a pre-procedural people, as represented by a party or a single leader [...] seek[ing] to occupy democracy’s empty space of power” (Müller 2014, 488). With this kind of axiomatic approach, the question of the relationship between democracy and populism is easily answered from the outset (Stavrakakis and Jäger 2018). Other theorists of populism such as Margaret Canovan and Ernesto Laclau have drawn rather different conclusions from a broadly Lefortian understanding of democracy: namely, that populism is quite simply a means of enacting the people/power gap that sustains democracy – with a totalitarian subversion of this gap being a possible, but far from necessary, outcome. For Canovan (2002), populism is, to begin with, “the ideology of democracy” that professes to “cash in democracy’s promise of power to the people” (Canovan 1999, 2); in her reading of Lefort, Canovan (2002, 41) notes that populism with “its craving for transparency in the exercise of popular sovereignty must harbour totalitarian possibilities” – but so must, in the same vein, democracy itself as long as it is sustained by the (constitutively incomplete) promise of popular sovereignty. For Laclau

(2005a, 154), if politics is a never-ending struggle for hegemony between competing constructions of the social, populism constitutes “the political act *par excellence*”: the moment of instituting the social space in terms of a division between “the people” as such and power. Indeed, “the end of populism coincides with the end of politics” (Laclau 2005b, 48) insofar as politics in a democracy presupposes the constant possibility of activating the people/power gap on which democracy is founded and reclaiming “the people” against constituted forms of power. Totalitarianism in a Lefortian sense would then emerge if this reclaiming is articulated in an exclusive and totalising manner so as to foreclose the possibility of alternative claims and thus short-circuit the people/power gap that is the precondition for democratic politics. This denial of contingency, suggestive of a heightened potential for authoritarianism, is characteristic of (if not exclusive to) discourses that naturalise “the people” in terms of a transcendental (e.g. ethnic or nativist) essence in addition to pitting it in populist terms against a power bloc (Stavrakakis and Katsambekis 2014; Möller 2017; Stavrakakis et al. 2017).

Following both Canovan and Laclau, in short, the possibility of populism as the general operation of constructing a “people” against power is already inscribed in the founding promise – the “symbolic *dispositif*” (Lefort 1992) – of democracy, but whether specific forms of populism end up upholding or disabling the latter is indeterminate. Populism always entails activating the democratic *dispositif* in some way, even as it carries the potential of subverting the latter with the same gesture and turning the democratic opening into authoritarian closure if the claim to “the people” becomes exclusive and totalising. Arditì (2004, 2005) understands populism in this vein as a “spectre” or “symptom” that represents both an internal moment and limit of democracy; the relationship between populism and democracy is “undecidable” (Arditì 2004, 2005) or “ambivalent” (Rovira Kaltwasser 2012), but a heightened possibility of authoritarianism can emerge if populism is coupled with naturalising discourses of “the people” and becomes “exclusionary” (Mudde and Rovira Kaltwasser 2013) in this sense (see also Möller 2017). The rest of this paper, after briefly introducing populism as an analytical concept following Laclau (2005a, 2005b), takes up the analysis of Fidesz and PiS to illustrate the contingent and dynamic nature of this populism/authoritarianism link in action.

## Discourse, hegemony, populism: an overview

Laclau (2005a, 2005b) proposes that the basic unit of discourse can be conceptualised as a *demand* addressed to a locus of power and that there are two basic modes in which politics takes place: a primarily differential, or *institutionalist*, articulation of demands treats each demand as particular and separate – thus constructing the social space as a field of differences without an antagonistic frontier running through it – whereas a primarily equivalential, or *populist*, articulation generates a *chain of equivalences* of unfulfilled demands around the name of a “people” along an *antagonistic frontier* against a power bloc supposedly blocking their collective realisation. This would mean that any equivalential construction of a collective subject is populist to some extent; yet not every equivalential articulation of demands takes on the name of a “people” or is addressed to “power” (Stavrakakis 2004). Subsequent applications of Laclau’s theory have emphasised that populism is distinguishable not only from institutionalism in terms of the degree of

equivalence/difference and antagonism/non-antagonism, but also from the likes of nativism or nationalism in terms of the logic of antagonistic division: underdog vs. power in populism as opposed to national vs. foreign in nationalism and nativism (Stavrakakis and Katsambekis 2014; De Cleen and Stavrakakis 2017; Stavrakakis et al. 2017). It becomes possible to speak of an institutionalist or populist *discourse* given a recurrent structuration of articulations around a *nodal point* that, in institutionalism, defines a locus of power (e.g. “System of National Cooperation”) that stands in a non-antagonistic relation to a field of demands addressing it or, in populism, constructs a specifically underdog subject against a power bloc (e.g. “elite,” “oligarchy”) – as opposed to a national subject against a national Other(s) (nationalism) or external immigrants (nativism). These logics are, to be sure, combinable but conceptually distinct (e.g. “the people” against *foreign* powers pointing to a joint articulation of nationalism and populism).

Populism thus becomes distinguishable from institutionalism on the one hand and nationalism or nativism on the other in terms of the degree and type of antagonistic division, respectively. The defining feature of institutionalism, in a formal sense following Laclau, is the construction of a non-antagonistic relation between the addressers and addressees of demands – from Václav Havel’s famous inaugural line as president, “People, your government has returned to you!” to Angela Merkel’s technocratic crisis-management discourse of “*Alternativlosigkeit*” or, indeed, Orbán’s (2009) notion that the coming Fidesz landslide would mark the passage from a polarised “field of dual power” to a “central field of power” occupied by a single party “formulating the national concerns [...] in their naturalness.” Taken to an extreme, institutionalism can amount to a denial of the need for political conflict altogether, which Mouffe (2005) refers to as “post-politics”; yet the political as antagonism returns whenever a collective identity is articulated against something else – such as when Merkel referred to the first Troika memorandum with Greece as the only way to prevent the Eurozone from becoming a “transfer union,” or when Orbán redefines the terrain of “the nation” against new enemies such as the figure of Soros. The latter example also illustrates how institutionalism and populism (in combination here with nationalism) can dynamically coexist and indeed alternate within the same discourse.

Essex School or post-foundational discourse analysis is grounded in this “methodological holism” (Marttila 2015) of drawing on discourse-theoretical categories as analytical tools for the study of discursive practices. In any given ensemble of articulations, the identification of *differential* or *equivalential* relations between discursive elements (or demands) and their structuration around *nodal points* makes it possible to trace the formation of *antagonistic frontiers* pitting a *chain of equivalences* against a *constitutive outside* on the other side of the frontier (see also Howarth and Stavrakakis 2000; Marttila 2015; Nonhoff 2019). The analyses that follow, which draw on a variety of sources such as party programmes, leaders’ speeches, published interviews, and electoral campaign slogans and billboards, are structured both by this conceptual framework and by the overarching question of how authoritarian claims are discursively articulated. Post-foundational discourse analysis is particularly useful in this vein for performing the critical-interpretative work of unpacking the structures of meaning behind the construction of political subjects and “unmasking” (Marttila 2015) the ways in which these are embedded in hegemonic claims over the construction of social order (De Cleen, Glynos, and Mondon 2018).

## Fidesz and the “System of National Cooperation”: the homeland that can only be in government

### *From populist nationalism to social populism*

Fidesz, founded in 1988 as a liberal youth party in opposition to the communist regime, underwent a “nationalist and anti-liberal turn” (Enyedi 2015) in the mid-1990s and took up a nationalist imaginary of the “system change” (*rendszer váltás*) that had already found expression in Prime Minister József Antall’s famous statement in a 1990 congress of his Hungarian Democratic Forum (MDF) that “as much as the prime minister of this country of 10 million, I would like to be the prime minister of 15 million Hungarians in spirit” (see also Palonen 2018). The post-communist Hungarian Socialist Party (MSZP), which won a landslide in the 1994 elections, dislocated precisely this claim in criticising the MDF-led government for failing to be “the government of freedom” and “the government of the nation” and for “achiev[ing] the ominous division of the country instead of unity.” The MSZP (1994) presented a largely technocratic-institutionalist discourse promising to “lead the country out of the crisis” and to deliver “the economic and social modernisation of the country” (including “honest and effective privatisation”), proceeding to implement a package of austerity measures (the “Bokros package”) in coalition with the Alliance of Free Democrats (SZDSZ). In this context and in the wake of the MDF’s 1994 electoral collapse, Fidesz’s discursive strategy was to equivalentially link a series of oppositions – “national” vs. “cosmopolitan” (nationalism), “civic” vs. “left” (right-wing), “nation” vs. “elite” (nationalism and populism) – onto an antagonistic frontier against the social-democratic/liberal camp and thus position itself as a clear pole within what Orbán (2009) would call a “dual field of power.” An early example of this could be seen in a 1997 speech in which Orbán denounced the politics of the MSZP-SZDSZ coalition in the following terms:

At the end of this road one finds an ‘open society,’ weakened, bled, shaken in its morals [...]. An ‘open society’ where there is no country anymore, only habitat, there is no homeland anymore, only an investment-site. Where no nation, only population exists. Where progress equals assimilation into world-wide processes. Where progress does not serve the interests of the nation but simply satisfies the ambition of the narrow power elite to become world citizens.<sup>2</sup> (Cited in Enyedi 2015, 237)

In this primarily nationalist or national-conservative discourse – organised around the nodal point “civic Hungary” – populism came into play to the extent that those opposed to “the nation” or “the national interests” were interpellated not only as “cosmopolitans,” but also as “elites.” In the aftermath of the Fidesz-MDF alliance’s defeat in the 2002 elections following its first term in government, this populist nationalism escalated into an exclusive claim to represent and mobilise “the whole” of the true “homeland” against a “foreign”-like power in government – as Orbán (2002) made clear at an open-air rally two weeks after the election:

The civic Hungary is not the one smaller or bigger part of this country. The civic Hungary is the whole. The civic Hungary is what the people as citizens constitute independently of governments. [...] Homeland exists even if it comes under the influence of foreign powers, if the Tartar or the Turk rampages. [...] Homeland exists even if the governing responsibility is not ours. [...] It may be that our parties and our representatives are in opposition in the National Assembly, but we who are here on the square will not and also cannot be in opposition, because the homeland cannot be in opposition.



This antagonistic frontier pitting a one true “homeland” against a “foreign”-like power carried deeply authoritarian implications by foreclosing alternative claims to “the whole” through the exclusive identification of the latter with “our parties.” This exclusive claim was formulated in terms of a nationalist imaginary of a transcendental “homeland” in all its existential struggles against “foreign” forces, coupled with the populist opposition between “the people as citizens” against the new government. In the same speech, Orbán called for the creation of “Civic Circles,” which followed a logic of permanently mobilising this populist frontier of “people” vs. government around a nationalist agenda, organising protest actions on “national,” “Christian,” “anti-communist,” and “anti-liberal” identity issues in particular at the peak of their activity between 2002 and 2004 (Greskovits 2017, 6). Yet the failure of Fidesz’s “yes” campaign in the 2004 referendum on granting citizenship to ethnic Hungarians abroad – a further attempt to occupy the ethno-nationalist imaginary appropriated from the MDF – was followed by a tactical shift of demobilising the Circles and emphasising “popular” or “plebeian” signifiers over that of “civic Hungary” (Enyedi 2015). This could already be seen in Fidesz’s (2006, 31) campaign discourse in the 2006 elections, in which it supplemented its national-conservative campaign slogan “Work – Home – Family” with the populist-inflected promise of “plebeian governance [that] is thrifty and stands on the side of the people,” avoiding “luxury expenditures” and cutting “the costs of government.” This discourse took on a full-fledged social-populist thrust in the aftermath of the elections, which saw the dislocatory shock of the re-elected MSZP-SZDSZ government’s austerity measures as well as the leaking of PM Ferenc Gyurcsány’s expletive-laden secret speech, which featured an admission about lying about the country’s finances to win re-election, sparking mass protests and riots in Budapest. Here, Fidesz’s social populism appealed to a “people” swindled by the government and suffering under austerity against an “aristocracy” in power continuing to enjoy its privileges. Instead of “the nation” as the exclusive terrain of “our parties” against a “foreign”-like government, Orbán (2007a) now interpellated “the people” as the subject of democracy standing above and beyond “the parties” – and even left/right differences – against a socio-economically privileged “aristocracy,” as exemplified in his 2007 National Day speech:

In a time of calamity, the moment comes as scheduled when every citizen of the homeland understands: the affairs of the country do not belong to the trusteeship of the parties. It is the inalienable property of the people. [...] [He/she] understands: what is left or right is not at stake now. The chosen ideology, the divided history does not matter now. There will now be a new majority or a new aristocracy. Freedom and welfare, or despotism and decay. There is no other path, the new majority must defeat the new aristocracy protecting its privileges.

In a September 2007 speech on the “social crisis,” Orbán (2007b) expanded on the people/aristocracy frontier in the starkly socio-economic terms of poor/rich and not only honest/dishonest or work/non-work:

There has been enough of the impoverishment whereby millions of people cannot pay their bills at the end of the month. Enough of the government not taking into account the elderly, the sick, the students, and the needy. [...] Enough of how those who work, raise children, take care of each other, try to survive with dignity get less and less, while the loafers, the lying millionaire swindlers, the tricksters enjoying the protection of the state get more and more. [...] Enough of how people get by poorly, while those in power get more and more luxury, greater and greater wealth, more and more privilege.

Fidesz's social populism in this phase articulated an immanent critique of actually existing democracy: the simple argument being that democracy had been *de facto* suspended by a prime minister not only lying (by his own admission) to win re-election, but also carrying on in government with his austerity measures even in light of this fact and the ensuing wave of popular opposition. Orbán (2007c) even declared in a June 2007 interview that "in Hungary today there is no democracy. Instead, a non-democratic multi-party system is at work." Within this division of the field, Orbán (2007a) positioned Fidesz as the defender of not only public services but also democracy itself, announcing an (ultimately successful) referendum initiative on reversing the government's introduction of hospital and university tuition fees as "the last constitutional instrument" for expressing the popular will:

We have done what democratic opposition can do. We have made clear: The people has the right to oust the government in a democracy too if it governs against the will of the people, if it endangers the existential interest of the people. Yes, it has the right! It has the right, on one condition: if it has already made use of every instrument for expressing the will of the people and the government fails to submit to the clear and unambiguous will of the people. [...] After the referendum, the government either does what the people want or it will become oustable.

### **Authoritarian institutionalism**

In Fidesz's social-populist phase, it was not so much the construction of the popular underdog that had authoritarian implications, but rather the far-reaching institutional conclusions subsequently drawn from it. On the ground constituted by the oppositions majority/aristocracy and democracy/non-democracy, Fidesz's hegemonic claim was that in the supposedly radical absence of democracy and order – an organic crisis situation in which police had to resort to firing rubber bullets at protesters in Budapest – the party, in organising the "new majority," would be restoring democracy and order as such and thus putting itself in a position to redefine the very meaning of democratic order with its own particular conceptions thereof. In a 2009 speech at a party event in Kötcse, Orbán (2009) spoke openly of the possibility that Fidesz would occupy the "central field of political power" with its own conceptions of the national interest for the foreseeable future:

So much is certain: there is the real possibility that the Hungarian politics of the next 25 years will not be determined by the field of dual power that, with constant value debates, generates divisive, petty, and unnecessary social consequences. Instead, there will emerge for a long time a large governing party, a central field of political power that will be capable of formulating the national concerns – and does this not in constant debate, but rather represents them in their naturalness.

The notion of a "central field of political power capable of formulating the national concerns" pointed to an institutionalist construction *par excellence*, following Laclau, of a non-antagonistic relation between a field of demands and a locus of power; yet the supposedly "natural" link between Fidesz and "the national concerns" without the need for "constant debate" suggested an *authoritarian* institutionalism founded on an exclusive claim to the nation. After winning a two-thirds majority of seats in the 2010 elections, Fidesz adopted a parliamentary resolution titled the "Declaration of National Cooperation," which interpreted the election result as a victory for "national unity" and as a mandate to

institute a new system called the “System of National Cooperation” (NER), with the new parliament being a “constituent national assembly and system-founding parliament” (Országgyűlés 2010, 2, 6). The NER is founded on this notion that the new order built on “peace, freedom, and accord” amounts to a restoration of sovereign order as such: “after 46 years of occupation, dictatorship, and two chaotic decades of transition, Hungary has regained the right and capacity to self-determination” (Országgyűlés 2010, 4). The far-reaching institutional changes that followed can be read as enactments of this exclusive claim to popular “self-determination” – including the unilateral drafting of a new constitution by the ruling party, a systematic dismantling of institutional checks, and a large-scale colonisation of the state, packing formally independent state organs with party personnel and subjecting them to two-thirds voting thresholds so as to make future policy changes difficult (see also Bánkuti, Halmai, and Scheppele 2012, 139–41 for an overview). Here, authoritarian closure no longer takes the form of a populist nationalism in opposition pitting a one true “homeland” against an illegitimate “foreign”-like government, but an institutionalism constructing the “nation” as reconciled once and for all with its sole legitimate representatives: a case in point being Orbán’s (2018a) 2018 post-election message to the protesters that “the homeland cannot be in opposition” – and that *they are not allowed to be populist* like he himself was in 2007 – against his government.

Fidesz’s institutionalism can likewise be seen in its strategy of differentially incorporating opposition demands – especially (if not exclusively) from Jobbik (Enyedi 2015; Krekó and Mayer 2015; Enyedi and Róna 2018). As documented by Enyedi and Róna (2018, 263), numerous high-profile Fidesz policies in government, from the nationalisation of private pension funds to references to the Holy Crown and Christian values in the new constitution, were co-opted from Jobbik’s programme. In May 2015, Jobbik called for a “referendum on immigration” in opposition to a refugee quota system at the EU level – a demand that Fidesz then co-opted with the 2016 referendum (the country’s first since 2008) on “the obligatory resettlement of non-Hungarian citizens into Hungary” by the EU. In another notable example, the government withdrew Budapest’s 2024 Olympic bid in February 2017 in response to a referendum initiative on the issue – spearheaded by the fledgling Momentum Movement, which, as its name suggests, sought to use the referendum campaign to forge an equivalential chain of related grievances (such as corruption and neglect of public services). Fidesz’s strategy of preventing or co-opting opposition-initiated referenda is thus indicative not only of an institutionalist orientation toward defusing antagonistic frontiers against the government, but also an *authoritarian* institutionalism that seeks to monopolise (and close off for others) the democratic mechanisms for expressing such conflict – including the very instrument of the referendum that Orbán had previously exercised in the name of “democratic opposition.”

### ***Illiberal nationalism reloaded (with populism)***

Orbán’s “illiberal state” speech of 2014 inaugurates a more radical phase in Fidesz’s discourse in which the institutionalism of the NER alternates with a potent mix of illiberalism, nationalism, and populism directed against ever newer threats to the “national interest.” Populism thus re-emerges in Fidesz’s discourse not as a continuation of post-2006 social populism, but as part of a primarily illiberal and nationalist logic of articulating a

new “national” form of state organisation against foreign and domestic forces threatening the “nation.” Orbán (2014) defined his “illiberal state” around the nodal point “national interest” (long established in Fidesz’s discourse), now re-articulated in terms of such measures as the Hungarian state restricting the activity of “foreign”-funded activists and taking back control of the allocation of EU funds:

And these paid political activists are, moreover, political activists paid by foreigners. [...] It is very important, therefore, that if we want to reorganise our national state in place of the liberal state, then we have to make it clear that we are not facing civilians here, it is not civilians coming against us, but rather paid political activists who are attempting to promote foreign interests in Hungary. [...]

Now a debate has emerged between the [European] Union and Hungary because we changed this system and the government decided that whoever administers European Union funds in this new state conception, the illiberal state conception, has to be in the employment of the Hungarian state [...] contrary to the logic of illiberal<sup>3</sup> [sic] state organisation of the earlier 20 years. A new state organisation originating in national interests is emerging.

Orbán thus articulated the defence of “national interests” in nationalist and populist terms against a “foreign” locus of power and in illiberal terms against its alleged domestic agents within civil society. This discourse intensified markedly with the government’s “Stop Soros” campaign starting in 2017, which specifically constructed the figure of George Soros as a threat to the nation’s sovereignty in every way imaginable: from controlling opposition politicians and financing his own “Soros University” (the CEU in Budapest) to harboring a secret “Soros Plan” to relocate millions of African and Middle Eastern immigrants to Hungary via his “Soros Network” of activists. These signifiers and the crude depictions of Soros in government posters as a puppet-master controlling his “people of billionaires” point to an equivalential condensation of the enemy constructions long established in Fidesz’s discourse: both cosmopolitan and elite, both economically and politically power-wielding, simultaneously foreign and domestic, and liberal to the bone. Here, populism – in continued interplay with illiberalism, nationalism, and now nativism – is at its most authoritarian and conspiracist, constructing an image (exemplified in government posters ahead of the 2018 elections) of the entire spectrum of opposition parties from Jobbik to MSZP-Dialogue as held together by the power and money of Soros and conspiring against the nation to “dismantle the border closure.”

Orbán’s (2018b) 2018 National Day address, which he used as a campaign speech ahead of the parliamentary elections, again put in stark relief the discursive strategy of equivalentially linking the oppositions of people vs. elite, national vs. cosmopolitan, but also “democracy” vs. the forces of political and economic liberalism:

On the one side we, the millions with national feeling, on the other side the cosmopolitan elite. On the one side we who believe in nation states, in the protection of borders, in the value of family and work, and facing us those who want open society, a world without borders and nations, new-style families, devalued work, and cheap labour [...]. National and democratic forces are on the one side, supranational and anti-democratic forces on the other. This is the situation in Hungary 24 days before the election.

A wide-ranging antagonistic frontier emerges from these overlapping oppositions, all of which were present at some point in Fidesz’s discourse during the previous 20 years: the populist nationalism of “nation” vs. “cosmopolitan elites” and their project of “open

society" (already seen in Orbán's 1997 speech); a trace of the earlier social populism of defending "family and work" against powerful economic forces; and the post-2014 mix of illiberalism, nationalism, nativism, and populism that identifies ever more existential threats to the "nation" – not only "mass immigration" (nativism), but "mass immigration" as a project of "international speculators" centred on "the empire of George Soros" (nationalism and populism). Populism plays here the role of a radicalising supplement that equivalently expands the terrain for these oppositions by tracing everything back to an opposing locus of power – Soros – that accommodates ever newer targets for Fidesz's illiberalism, nationalism, and/or nativism.

## Law and Justice (PiS): from the "nation" against the "układ" to "Budapest in Warsaw"?

### *Between nationalist and anti-liberal populism*

In a similar vein to Fidesz's 1990s re-invention, PiS emerged in a context in which a logic of party competition pitting shifting alliances of the "post-Solidarity" centre-right against the post-communist centre-left had reached its limits with the splintering of the Solidarity Electoral Action (AWS), which had succeeded the Democratic Left Alliance (SLD) in government after the 1997 parliamentary elections. The AWS, as a heterogeneous equivalential unification of "the right," defined a terrain on which future projects claiming to represent the right could position themselves; in addition to calling for a "state built on patriotic and Christian values" and the "construction of a Right Poland of strong families and solidaristic generations," the alliance relied on the mobilisation of a left/right frontier in terms of opposition to "post-communist" rule under the SLD-led government and its alleged neglect of economic reforms (Szczerbiak 2004): the government "did not give ownership to society through privatisation and re-privatisation," with the result that "structures of nomenklatura oligarchy were reinforced" and instead of a true market economy, a "capitalism for their own" established itself (AWS [1997] 2004, 102).

The discourse of PiS, which was founded in 2001 and contested its first parliamentary elections that year, took up elements of this discourse while radicalising it in a populist and anti-liberal direction. PiS, too, began with a diagnosis of "serious crisis" (PiS 2001, 1) and of unredeemed transition: "Instead of common capitalism we got political post-communist capitalism" (PiS 2005, 7). Yet PiS's explanation for how this came about was a populist one, as opposed to a left/right logic of simply blaming the SLD: namely, that independently of which party was in power, the deeply structural problem was that "the old state apparatus as well as informal networks [*układy*] and interest groups" remained in place and exercised real power behind the scenes to ensure that "people of the old order undeservedly privileged at the beginning" retained their privileges (PiS 2005, 7). This also meant that a "primitive version of liberalism and vulgar political pragmatism" could not be the answer; instead, PiS (2001, 1, 4, 23) explicitly drew on the language of sickness and cleansing deployed in the interwar period by Józef Piłsudski's Sanation (*Sanacja*) movement to call for an uncompromising "sanation [that] must begin with the cleansing of elites" as the sole solution to the "deep illnesses of our State, enormous criminality and corruption, deep pathologies of economic life." In this joint articulation of populism and nationalism, populism took on the function of designating an opposing bloc of "elites," "*układy*," and "interest groups", while the collective subject pitted against these

“elites” was “the Nation” as a moral community – defined here not by ethnic or nativist exclusions, but in opposition to the ailments and “particularisms” preventing the realisation of its wholeness:

Everyone who wants the good of the Poles, who wants to do away with particularisms and serve the entire society, and not only the one or the other part of it, must remember that the Nation must be at the center of their thinking, of their action. The Polish Nation is the community of all those who, either by birth or by choice, have taken on “that great and difficult inheritance whose name is Poland” (John Paul II). (PiS 2001, 3)

In the 2005 presidential and parliamentary election campaigns, PiS extended this “Nation” vs. “elites” frontier onto an anti-liberal opposition between “solidaristic Poland” and “liberal Poland” as well as the call to institute a new order: the “Fourth Republic.” This meant a displacement of the frontier of two election cycles prior, when “Right Poland” stood under the unifying name of “*Solidarność*” against the SLD: PiS now excluded from the truly “solidaristic” camp the Civic Platform (PO), which had likewise emerged from the breakup of the AWS, attacking in particular the PO’s liberal economic policies such as the flat income tax of 15% (Szczerbiak 2007).

After winning the presidency and a parliamentary plurality, PiS held unsuccessful coalition talks with the PO before forming a minority government and then a coalition with the Self-Defence of the Republic of Poland (SPR) and the League of Polish Families (LPR). In government, PiS intensified its populist strategy of drawing an antagonistic frontier against the “*układ*” as an ever-present locus of power – a state within the state standing in the way of the government of “the Nation” – and the PO firmly in league with it, as confirmed by its “betrayal” of a coalition with PiS:

We were going to build the Fourth Republic with the Civic Platform. Even if its leaders took this goal seriously, they betrayed on the battlefield. The [Civic] Platform today is virtually the SLD. It defends the network [*układ*] of interests that has ruled in Poland for many years. (Kaczyński 2006)

What thus emerged was a potent mix of anti-liberalism and populism in power that identified the main (“liberal”) parliamentary opposition with the hidden, illegitimate powers-that-be. In a remarkable speech in parliament in March 2006, Jarosław Kaczyński laid out the construction of this antagonistic frontier in detail, not only pitting the “*układ*” against the (more righteous) “mass of people” (populism), but also identifying “liberalism” as the common ground between the “*układ*” and the PO (anti-liberalism):

There was a powerful network [*układ*] of the communist nomenklatura and all kinds of privileges tied to it, among them economic privileges to an enormous extent [...]. And then there was an enormous mass of people deprived of these privileges. I, perhaps as a polemic against Donald Tusk, will allow myself to say that this second group was better than the first. [...]

There was also [...] a powerful pool of social pathology, criminal pathology, pathology tied to corruption [...]. And a strong power had to fight this – it should have done so, because it did not. [...] And why did the *Solidarność* camp not construct this power? [...] [O]ne of the very important [reasons] was that a level of cooperation was quickly formed between post-communist forces and the forces, or a part of the forces to be precise, emerging from the *Solidarność* camp. This level was specifically the intake of liberalism. This level was lumpenliberalism. [...] A cooperation began at this level that, as it turns out – and this could be observed in the course

of Donald Tusk's intervention – lasts up to the present day. (Sejm Rzeczypospolitej Polskiej 2006, 26)

"Liberalism" (or "lumpenliberalism") thus took on the function of a nodal point equivalently linking the "*układ*" to the alleged traitors of "the *Solidarność* camp"; the displacement in PiS's discourse following the elections and government formation consisted in this new certainty that the PO and "liberalism" firmly belonged to the side of the "*układ*," both of which now had to be fought with all the means available to the government. The authoritarian implications of PiS's discourse thus arose from this joint articulation of anti-liberalism and populism in power, setting the stage for a permanent mobilisation of the antagonistic frontier against the hidden state ("*układ*") and the liberal opposition via the government's moves to occupy the state. Apart from the creation of a Central Anti-Corruption Bureau (CBA) and a new lustration law, the government introduced a series of legislation allowing for greater ruling-party influence on appointment practices for formally independent state organs such as the judiciary. In this context, PiS routinely referred to resistance to these measures from the Constitutional Tribunal (TK), opposition parties, and civil society as elements of the "*układ*" fighting back or at least as illegitimate sources of power impeding popular sovereignty (Stanley 2016) – with Lech Kaczyński (2007) even referring to the TK (in his capacity as president of the republic, no less) as an "arbitrary 'overbearing power'" (*nadwładza* – a signifier more commonly associated with the communist regime).

Of these two constitutive elements of populism and anti-liberalism, it was anti-liberalism, in particular, that organised the equivalential links between PiS and its two smaller coalition partners. The hallmark of the LPR had been a clerical-nationalist discourse interpellating a "catholic Nation" (centred on the notion of the "Pole-catholic"); LPR leader Roman Giertych used his position as Education Minister to campaign against the likes of "liberal pedagogy" and "homosexual propaganda." The SRP's discourse, which had combined anti-liberalism, nationalism, and populism, justified its government participation in anti-liberal (but largely non-populist) terms, with leader Andrzej Lepper referring to the government as "the chance to return the liberals to the junkroom of history" in a party report on the first four months of the coalition (SRP 2006, 332). PiS's own discourse, however, emphasised the equivalence with these parties in the populist terms of rooting out the "*układy*" within the state, with Jarosław Kaczyński (2006) justifying his party's choice of coalition partners with claims such as: "The [Civic] Platform was afraid of the creation of institutions like the Central Anti-Corruption Bureau, Lepper declares that he supports it." The premature collapse of the coalition resulted precisely from a dislocation in this militant populist discourse when Lepper was confronted with high-profile corruption allegations, including possible influence peddling through the CBA; Kaczyński proceeded to dismiss him in July 2007, triggering the SRP's departure from the government and ultimately also early parliamentary elections.

### **From anti-liberal to social populism**

In the 2007 parliamentary election campaign, PiS continued its governmental populist discourse against the "*układ*" ("We are winning the fight against corruption"), including a stark campaign video presenting a contrast between scenes of shady business deals occurring

“not long ago in Poland” and frustrated attempts at corruption “now” – followed by the rhetorical question “Will they return? YOU decide.” After the PO’s election victory and PiS’s return to opposition, however, a notable shift occurred in PiS’s discourse that also resembled Fidesz’s social-populist orientation during this period, suggesting a case of horizontal diffusion (Dąbrowska, Buzogány, and Varga 2019). PiS now shifted the target for its populism away from the hidden powers-that-be while re-articulating the antagonistic frontier between “solidaristic” and “liberal” Poland in the more social-populist terms of the common good of all vs. economic and political privilege, as the following excerpt from the 2011 parliamentary election programme illustrates:

The conception of liberal Poland criticised by us is a post-communist form of social Darwinism, masked by slogans about the freedom of the individual and the neutrality of the state. According to this conception, the status of the individual depends on his strength, defined by property status, cunning, acquaintance and influence network [...]. The opposing conception is the vision of solidaristic Poland – one in which the guiding principle is everyone’s care for the common good as well as the care of the community for the worth and just conditions for the functioning of each of its members. (PiS 2011, 14–15)

The notion of the “*układ*” now receded from PiS’s discourse in favour of a “Tusk system” that supposedly entrenched the dominance of this liberalism into a one-party monopolisation of the state. PiS’s (2014, 15) 2014 programme put forth this argument by pointing not only to “a new situation” characterised by “the expansion of liberal ideology, which in practice took the form of something like social Darwinism masked by slogans of individual freedom,” but also the establishment of a “Tusk system” characterised by

the takeover by one party of all key institutions. In this manner, that party established a major distributive mechanism and itself became the sole controller of privileges, promotions, and all bonuses. (PiS 2014, 18)

A shift thus took place within PiS’s joint articulation of anti-liberalism and populism: opposition to liberalism was no longer linked back to the “*układ*”, but articulated in social-populist terms against a (“liberal”) system of economic and political privilege. In effect, PiS now offered an additional narrative to that of the “*układ*”-liberal conspiracy: namely, that continuous one-party rule (by the liberals) was damaging both democracy and social cohesion and that PiS was the sole alternative for restoring both – not unlike Orbán’s social populism during this period. Indeed, it was in his concession speech on parliamentary election night in 2011 that PiS chairman Jarosław Kaczyński vowed that “there will come a day when we succeed in having Budapest in Warsaw” (TVN24 2011). The difference was arguably one of intensity: in the absence of economic recession, PiS’s social populism did not pit mass impoverishment against ever-greater luxury, while emphasising as a key dimension of “solidaristic Poland” the “moral value” of the state (PiS 2014, 11, 19) in unifying society and restoring social cohesion.

This moralised dimension – which had already been present in PiS’s anti-elitism and anti-liberalism, but now took on a social-populist thrust – set the stage for the party’s 2015 campaign discourse of “good change,” which promised a range of welfare measures including the flagship policy of “500 Plus,” a universal family allowance of 500 złoty a month for every second child onwards. This discourse was also accompanied by a tactical shift in speaker position – “PiS’s most important campaign decision” (Markowski 2016, 1312) – of replacing Jarosław Kaczyński as candidate for president and prime minister



with the more youthful and less divisive Andrzej Duda and Beata Szydło, respectively. In this context, populism conspicuously receded from PiS's 2015 campaigns, with both candidates largely avoiding the language of antagonistic division and performatively enacting an image of competence and inclusiveness. Duda insisted that he would be a "president of dialogue," while Szydło foregrounded an institutionalist logic of harmony between "citizens" and "those who govern", promising in a campaign broadcast

a package of bills for the first 100 days of the government. These drafts, if only the citizens trust us, will be placed in the Sejm immediately after the elections. We have been meeting you for a long time and know what you expect from those who govern. (PiS 2015)

With PiS winning the presidency and an absolute majority in both chambers, a flurry of new legislation indeed followed, but in the direction of an authoritarian expansion of ruling-party control over institutions – a "constitutional coup d'état" that, in contrast to its Hungarian counterpart, also resorts to formally unconstitutional means in the absence of a constitutional majority (Sadurski 2016). The discursive logic behind this authoritarianism has been the moralised defence of "good change," yet without the populist construction of an opposing power bloc – reflecting the post-2007 shift away from a permanent crusade against an ever-present "*układ*" and toward targeted opposition to a "Tusk system" that the change of government is supposed to dismantle. The narrative has thus not been one of an insurgent popular crusade against the powers-that-be, but rather a methodical, normalising one that refers to the Constitutional Tribunal as a "political organ" like any other that is simply changing hands with the change of government; the earlier populist construction of the "Tusk system" as a one-party monopolisation of the state now recedes into the background as an instituting horizon that defines a terrain on which PiS can now present itself as no worse than the previous government – exemplified by Kaczyński's repeated reference to opponents of the government as a "total opposition," re-deploying the same signifier that then-vice premier Grzegorz Schetyna (PO) had used against PiS. While PiS's authoritarianism thus draws on the instituting moments of a previously populist discourse, it itself follows a largely non-populist logic (in contrast to 2005–07) – relying instead on the nationalist and social-welfarist articulation of "good change" in enacting a universalist claim to work for the good of the entire nation (whose opponents are, in turn, placed outside the national imaginary) as well as the occasional moralised (but hardly populist) denunciation of the "worst sort of Poles" or, especially in the 2019–20 election cycle, "LGBT ideology." As Kaczyński claimed in an immediately controversial television interview:

In Poland there is this fatal tradition of national betrayal. [...] It is, so to speak, in the genes of some people, of this worst sort of Poles, and this worst sort is exceptionally active at the moment because it feels threatened. (Telewizja Republika 2015)

The interplay between a nationalist and social-welfarist defense of authoritarianism can be seen in Kaczyński's speech at a party convention marking the start of PiS's (2019) election campaigns. Here, Kaczyński articulated a divide between "Poland for all or Poland for some," whose most important aspects are "the issue of freedom and the issue of equality"; PiS has fought for both, he argued, by upholding traditional values of "Polish culture" (nationalism), but also providing for "the right to a dignified life for all Poles" (social welfarism) – and "this campaign will decide whether there will be this equality and freedom in

Poland or whether it will be undermined” by opponents of the government who are, by implication, fighting against PiS’s project of social inclusion (PiS 2019).

## Conclusion

A post-foundational discourse analysis can shed light on the discursive mechanisms by which populism functions as an immanent critique of actually existing democracy – the construction of a popular subject excluded from power, whether by the “new aristocracy,” the “*układ*,” or the “Tusk system” – and even produces an image of democracy in crisis<sup>4</sup> in invoking an unredeemed popular sovereignty; yet an exclusive claim to the latter can flip over the democratic claim into authoritarian closure – a heightened possibility if populism comes inscribed within discourses that reify “the people” into a naturalised pre-political unity. The discourses of Fidesz and PiS present a nuanced picture in this regard insofar as the populist opposition to power elites is intimately linked to the nationalist construction of a transcendental “homeland” or “Nation” from the beginning, but eventually also takes the form of a social populism pitting the common good against a government supposedly defending an entrenched system of privileges. Here, populism takes on authoritarian expression specifically in conjunction with nationalism (Orbán’s 2002 “homeland” that cannot be in opposition against a “foreign”-like government), illiberalism and nationalism (Orbán’s “illiberal state”), illiberalism, nationalism, and nativism (“Stop Soros”), or anti-liberalism (PiS’s alleged conspiracy of the “*układ*” and the liberal opposition), but not with social populism for either party. Additionally, authoritarian closure is articulated via institutionalism as opposed to populism (Orbán’s 2018 “homeland” that cannot be in opposition against his government), or indeed nationalism with social welfarism and without populism (the current PiS government’s discourse of “good change”). The key conceptual implication is that populism is characterised by a double indeterminacy: not only in the undecidability between democratic opening and authoritarian closure, but also as one of multiple possible logics around which a project of authoritarian closure can be organised and whose dynamic interplay with the likes of nationalism requires nuanced analysis. In the context of younger democracies with a bipolar logic of party competition (Orbán’s “dual field of power”), the stakes are particularly high – and the populism/nationalism mix particularly potent: it is the specific combination of populism and the delegitimisation of the main competition as being fundamentally outside the nationalist imaginary of a “homeland” or “Nation” that carries the potential for full-fledged authoritarianism.

## Notes

1. Orbán (2018a) addressed opposition politicians who had joined the protest in particular, while emphasising the distinction between individuals being in opposition *qua* individuals and claiming the name of “the homeland”: “If you are a politician, you have to serve the country; even when you lose, even when you win, you have to serve, you have to stand where the people place you, but from there you have to serve. They always try to twist things around, but I continue to hold my opinion that the homeland cannot be in opposition. You can be in opposition, but the homeland never.”
2. “World citizens” is a literal translation of *világpolgárok*, which also means “cosmopolitans.”
3. What is meant, of course, is “liberal” (an apparent slip of the tongue, verifiable with recordings of the speech).

4. In line with recent literature that links populism to the discursive production of crisis (Moffitt 2015; Stavrakakis et al. 2018).

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