

## **Liberal Reactions to Populism: the case of Bulgaria**

**Bulgaria is a particularly good case study for the response of mainstream liberal-democratic parties to populist newcomers since politics in the country has been dominated by various types of populists since 2001.**

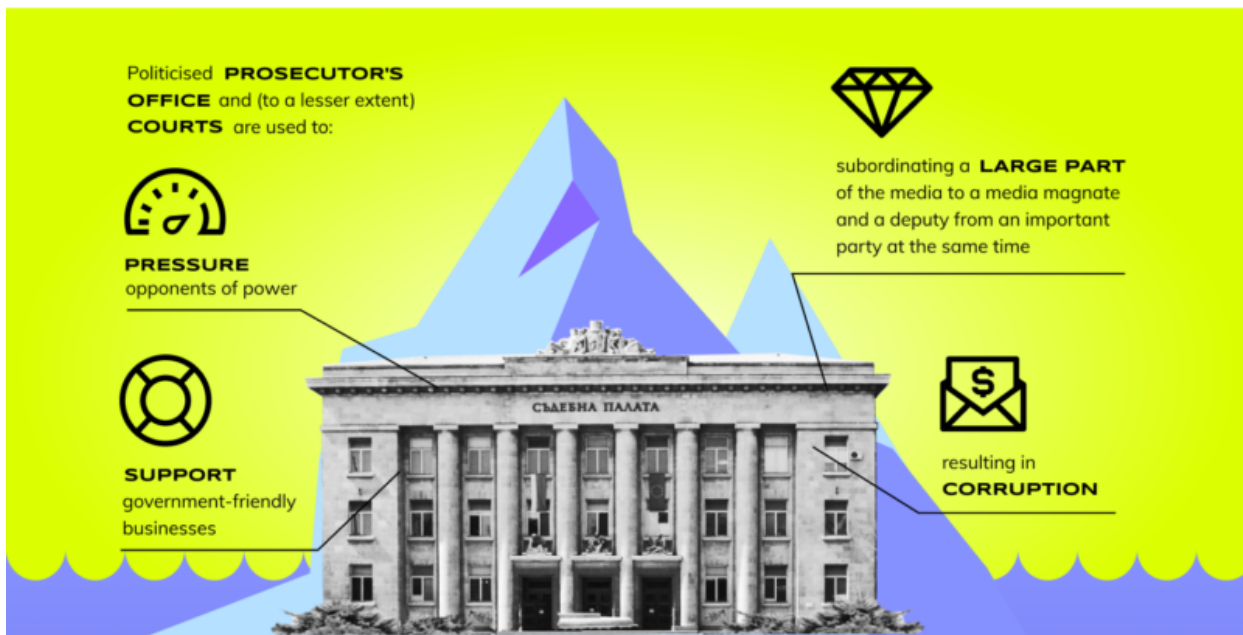
- **The constitutional alarm is a liberal response to the rise in populism, but it is not working in Bulgaria. Populism is diverse, and not all of its iterations can formally be considered a call to autocratic rule. Although in Bulgaria the ruling GERB party can be considered centrist-populist, it cannot be unequivocally accused of being a threat to the constitution.**
- **Another reaction is a moral alarm, but this is ineffective. On the contrary, the “mainstream” parties have changed their position to fit in with the populist agenda. Perhaps the most interesting of these cases is that of the Socialist Party (former communists), which instead of moving towards European Social Democracy, have become to some extent a Eurosceptic, xenophobic and homophobic party, openly fighting against LGBT rights and the Istanbul Convention.**
- **If the main centre-left party in the country made such “agreements”, there were no obstacles for centre-right parties to succumb to this type of populism. As a result, it is an almost universal issue in Bulgaria that “gender ideology” is not in line with the constitution and that North Macedonia should not be allowed to start accession negotiations with the EU until it recognises the Bulgarian version of its history. Both of these issues were initially driven by radical populists, but have gradually been adopted by mainstream parties as well.**

Contemporary populism is a complex phenomenon, which has generated serious conceptual and theoretical debates. One aspect of populism seems fairly undisputed, however - its illiberal or anti-liberal nature. Takis Pappas defines populism as [“democratic illiberalism”](#) [1]. The dominant [“ideational” approach to populism](#) [2], championed by scholars like Cas Mudde and Jan-Werner Müller, also acknowledges the illiberal nature of populism. Populists - by presenting “the people” as homogenous - in practice [reject pluralism](#) [3], which is an essential element of any liberal doctrine. Thus, it is no surprise that liberals have been alarmed by the rise of populist parties and have become - willingly or not - the main

opposition to them.

Yet, beyond this superficial friend-foe picture of the relationship between populism and liberalism, there is a much more complex reality. First, there is hardly a liberal consensus on the precise dangers that populism presents to liberal democracy. Secondly, populists sometimes endorse parts of the agenda of liberal parties. For instance, many populist politicians have actually lowered the tax burden or have advocated policies of low taxes, which is normally appealing to middle class liberals. Such endorsements have lured support - occasional or more committed - for populists from the liberal mainstream.

## THE ICEBERG OF CRISIS OF THE RULE OF LAW IN BULGARIA



### WHAT EXACTLY IS IT ABOUT?



Formally, the prosecutorial office and the courts are **INDEPENDENT** from the authorities and guarantees of their independence are enshrined in the constitution and the legal framework.



One of the reasons is the way members of the Supreme Judicial Council (responsible for appointing and promoting magistrates) are themselves appointed - with a **TWO THIRDS** majority in Parliament. To achieve this supermajority, an agreement of various parties is required, including the DPS, the party mainly representing the ethnic Turks in Bulgaria, whose support as 'king makers' has been **CRUCIAL** for the survival of successive governments.



Mainstream parties have **ALIGNED** themselves with the populist agenda.



Despite these guarantees, the prosecution and (to a lesser degree) the judiciary have become **DEPENDENT ON POLITICIANS**



Because DPS's support is so important, its **LEVERAGE** in filling the highest positions in judicial authorities, regulators and the prosecutor's office, has also been high.



The politicised prosecution does not pursue corruption at the highest levels of power or against powerful government-friendly businessmen. For example, it systematically **REFUSED TO INVESTIGATE** the media magnate MP Delyan Peevski, despite various corruption and trading-in-influence cases in which he was allegedly involved. The reason for this is that Peevski had a powerful 'weapon' in the form of his oligopolistic media empire.

In this essay, which draws on the work done by the team from the Centre for Liberal Strategies within the collaborative [H2020 project “Populism and Civic Engagement”](#) [4], I attempt to map a spectrum of liberal reactions to the rise of populism, which reflect the complexity of the challenge. These reactions range from constitutional panic that populism undermines the fundamental values of liberal democracy to opportunistic endorsement of populist parties and politicians for the achievement of particular liberal policies. Each of these responses has political relevance and has been favoured by specific liberal communities, and each have their strong points and their deficiencies. The purpose of the essay is not to offer an overall and definitive judgement in favour or against some of them, but rather to explore their logic and provisionally evaluate their adequacy *vis-à-vis* their own goals.

Bulgaria is a particularly good case study for the response of mainstream liberal-democratic parties to populist newcomers since politics in the country has been dominated by various types of populists since 2001, when a newly formed movement of the former Bulgarian tsar Simeon II won the parliamentary election and ruled (together with minor coalition partners) until 2005. This centrist, Berlusconi-type of populism was complemented by a more radical (nationalistic, xenophobic and homophobic) version of a populist party - Ataka - which emerged in 2005. In the following years still other centrist and more radical populist parties emerged. On the centrist side, GERB of the charismatic leader Boyko Borissov and There's Such A People of TV personality Slavi Trifonov were able to win parliamentary elections: GERB actually became the dominant party in the country during 2009-2020. On the more radical side, various “patriotic” and nationalist parties have emerged, which have played more marginal roles. This avalanche of populist players has offered very diverse challenges to liberals and mainstream parties, which allows us to explore a variety of responses.

## **Constitutional alarm**

This is the strongest liberal reaction in terms of antagonism to populism. In its framework populism is seen as a danger to the constitutional order of liberal democracy. This reaction is modelled on the “militant democracy” response to radicalism in the pre-war and the post-war period. The idea is simply that specific political players are too dangerous for democracy and therefore they should not be allowed to compete on a par with the others.

It is true that “militant democracy” in post-war Germany targeted political parties such as the communists and the former Nazis, who arguably had it as their “fixed ideological purpose” to undermine the liberal democratic order. Even authors that acknowledge the illiberal element in contemporary populists argue that it is a democratic phenomenon: populist parties are democratic players. Thus, the standard “militant democracy” measures

cannot be directly applicable to populist parties: for example, to be banned by a (constitutional) court.

Yet, the “militant democracy” logic is still alive among many liberals, who perceive populists in power as autocrats. This is a position, which is extremely common in Hungary, for example, where the liberal opposition regularly portrays Viktor Orbán as an authoritarian leader. Indeed, scholars of populism have also argued that Hungary has actually ceased to be a democracy and has transformed itself into some hybrid form of regime.

If this is the case, there is a legitimate argument that the constitution of liberal democracy should protect itself against players who aim and act to undermine it. This discussion is especially relevant in the context of the EU, which has very clear value requirements for its member states. It is no surprise therefore that the constitutional issue of the membership of Hungary and Poland – countries run by populists – have already appeared on the political agenda. Art. 7 (TEU) procedures have been opened against both countries based on the claim that they have violated key constitutional values of the EU. At least theoretically, these procedures could result in (temporary) suspension of key membership rights of both countries.

Thus, the “militant liberal democracy” approach is not just a theory but is an actual political stance against Viktor Orbán’s regime taken not only by Hungarian liberals, but also by a wide coalition of European mainstream parties. Similar remarks could be made for the case of Poland.

The populist response to this challenge is that Orbán and his followers indeed have a different vision of democracy – illiberal democracy. They have quite readily taken up the constitutional challenge and have made their alternative vision of democracy – as vague as it is – into their political banner. Partly due to the pan-European reaction against him, Viktor Orbán has become not only a national leader but also an inspiration of European conservatives and nationalists, who start to see his agenda as an opportunity to transform Europe in a conservative and nationalist direction.

Thus, the liberal “constitutional alarm” reaction has one very strong point. It is very intense and is capable of building an international front against specific populist players. At the same time, however, this type of reaction runs serious risks. First, it allows and actually encourages populists to flirt with authoritarian and autocratic practices, as long as they step back from the brink of a real collapse of the liberal democratic order. In doing so, they both become the focus of huge political attention, and still may reasonably argue that they should not be excluded from the democratic process or expelled from the EU. This political

brinksmanship is actually advantageous for populist political leaders because they become the focus of European attention and they are still procedurally safe – the membership rights of their countries cannot be suspended.

Arguably, Hungary and Poland are currently in this type of situation. It is true that the very procedures of Art. 7 have serious shortcomings, but the main reason for the lack of uniform reaction on behalf of the EU towards them is the fact that both countries cannot simply be qualified as non-democracies.

The second risk posed by the constitutional alarm reaction is that it elevates populism to the level of constitutional politics. It is no longer a routine political challenge within democracy, but an opponent, who has a different constitutional vision. Liberals see this vision as illegitimate, but they have been forced to start discussing it in earnest. And in this way it becomes part of the political debate but on a higher, constitutional level. Instead of tying themselves to the mast of the liberal constitution, liberals risk making the very constitution a matter of debate and contention.

In short, the constitutional alarm strategy raises the bar for liberals – they have taken it upon themselves to argue that populists have actually crossed the borders of liberal democracy and have become autocrats. This is not always easy to prove since many populist players may be willing to preserve strategic ambivalence. Thus, instead of just arguing that Hungary cannot expel a university or impose specific restrictions on NGOs, liberals have opted to show that these are not isolated and clearly punishable violations of the Orbán regime, but are, in fact, elements of the structural transformation of Hungary into an autocracy.

Of course, they may be right. But so far Orbán has been able to score many points on “isolated issues” – like the attack on the CEU and the restrictions on NGOs – by arguing that his vision of “illiberal democracy” is still generally compatible with democracy and the constitution of the EU. And these “small” victories on “isolated issues” doubtlessly give his supporters – domestic and international – confidence and boldness.

The Bulgarian case study is a graphic illustration of the point that constitutional alarm does not produce tangible results for liberals, especially when it comes to “centrist” forms of populism. Of course, having a former tsar becoming a prime minister does put a strain on constitutional democratic institutions. But even in this case the argument that Simeon II was a danger to the constitutional order did not gain much currency in either the country or internationally. GERB and There Is Such a People are populist parties built around prominent personalities – they too have shown some disregard of formal institutions and a

tendency to favour personalistic decisionism. But all of this has not amounted to a credible argument that centrist populism should be treated as a constitutional threat. The case of more radical populist parties in Bulgaria - like Ataka, VMRO and Revival (Vyzrazdane) is more complex. The courts have tried to ban at least one of them - Revival - on the grounds that it is illegally connected with Russia. These challenges themselves have been rather dubious from the point of view of the rule of law. All in all, the Bulgarian experience suggests that constitutional alarm does not work in all contexts - in some of them the populist challenge is ambiguous in its stance to liberal democracy and cannot be recognised by many as a call for autocratic government.

## **Moral alarm**

The second type of liberal reaction to populism consists of a soul-searching exercise. Liberals often treat the rise of populism as a product of specific failures of liberal democracy. Ivan Krastev and Jan Zielonka, for instance, have produced convincing and intriguing accounts of crises, which liberal governments have not been able to tackle adequately. [Krastev points out](#) [5] that migration, in particular, produces challenges, which the global liberal order cannot meaningfully address. Similarly, he and Stephen Holmes have argued that there has been [a counter-reaction to the “age of imitation”](#) [6] of the liberal order, which has produced a conservative, nationalistic twist in global politics. Zielonka has depicted [populism as a counterrevolution to liberalism](#) [7], drawing on real and perceived problems of democratic governance, economic inequality, unprincipled foreign policy, etc.

There are two types of failures of liberal democracies which morally alarmed liberals most commonly put forward. The first type is socio-economic failures resulting in deprivation or relative deprivation of considerable groups in society. The second type of failure is cultural: some liberals believe that social change over the last decades has been too fast and has not been properly explained to people (especially those living outside the big cities), which has produced a “cultural backlash” to liberalism.

Liberal moral alarm leads in political terms to calls for accommodation of some of the claims of populist players. A revival of the social-democratic programme of welfarism is often advocated as an antidote to populism. Further, taking seriously the “conservative turn” in cultural attitudes may lead to calls for moderating the liberal agenda on immigrants, sexual minorities, etc.

Moral alarm combined with a fear of losing votes has led some mainstream centre-right parties with a liberal bent to take themselves a more conservative turn. In Austria, for

example, the Austrian People's Party under Sebastian Kurz has adopted some of the positions of populist players in order to stem their rise. The CDU in Germany has had serious discussion about the direction it is going to take after the departure of Angela Merkel. And the most obvious examples are probably the transformation of the British Conservatives after Brexit and the US Republicans after Donald Trump's election as president.

Bulgaria has been a spectacular case in which "mainstream" parties have changed their positions in order to remain in tune with populist agenda. The most interesting case is probably that of the Socialist party (former communists), which instead of moving in the direction of European social democracy, have become, to a degree, a Eurosceptic, xenophobic and homophobic party, openly campaigning against LGBT rights and the Istanbul Convention - a flagship Council of Europe international treaty on the rights of women and sexual minorities. A former leader of BSP - Sergei Stanishev - is the current head of PES. Yet, his national party currently espouses policies and rhetoric, which are very far removed from the family of European socialists. If the major centre-left party in a country has made such "accommodations" one can imagine what "centre-right" parties have done. As a result, it is almost a common ground now in Bulgaria that "gender ideology" is not compatible with the constitution, and that North Macedonia should not be allowed to start membership negotiations with the EU until it recognises the Bulgarian version of its history. Both of these issues have been initially driven by radical populists but have gradually become adopted by mainstream parties as well.

In more general terms, the advantage of the "moral alarm strategy" is that liberals and mainstream voters and politicians do not present themselves as dogmatic ideologues but appear responsive to social change. Further, this strategy of partial accommodation seems to prevent or moderate extreme social polarisation and antagonism, which the "constitutional alarm" reaction obviously entails. And finally, this is a strategy, which promises to liberals that they are going to remain to be the "mainstream": all that is needed is some sort of accommodation of populist claims.

The "moral alarm" reaction and its political implications have serious weaknesses, however, as the Bulgarian case study suggests. First, one danger related to it is the fanning of myths about certain non-existent failures of liberal governance - global or local. For instance, populism has been on the rise even in countries which have developed spectacularly in economic terms over the last decades - Poland, the Czech Republic and Hungary. Economic deprivation has anything but fallen in these places for all social groups. It is true that scholars have pointed out that a more relevant term is "relative deprivation": the subjective feeling of loss of status vis-à-vis some other group. But even in these terms there is flimsy



empirical evidence that this is the driver of populist voting: voters for Fidesz in Hungary, ANO in Czechia hardly fall in the category of the “relatively deprived” in economic terms. [The voters of GERB in Bulgaria even negatively correlate to relative deprivation](#) [8] and this is not a surprise: they generally come from the bigger cities and the capital.

Secondly, this approach dramatically prioritises the fears, anxieties and uncertainties of the middle sections/classes of society. It is true that for various reasons the anxieties of these groups have increased over the last decades, and their relative social and economic weight in comparison to the super rich – the top 1% – has decreased. But the standard welfare state prioritises the concerns of the poorest members of society – they are the ones that should be provided with safety nets, public services, they should be lifted out of poverty. The liberal moral alarmists actually shift the focus and put not the predicament of the poorest, but the anxiety of the middle classes as their top priority. This is one of the reasons why the rise of populism has not led to the revival of the social democrats and welfarism – their “classical” agenda has different priorities. And as a result, in many countries the rise of populism has not led to a greater attention to the concerns of the most needy: in Eastern Europe, for instance, populism has been openly directed against the Roma and has made affirmative action one of its major targets, and the liberal reaction to that has not been very impressive. Bulgaria is a good illustration of this point.

Thirdly, in cultural terms, this strategy risks exacerbating the “conservative turn”. The moral alarm reaction may be based on a dubious assumption: that society has its “own values” irrespective of the actions of politicians. The politicians have to attune to these values: if liberals have grown distant from them, they should retract some of their claims. But the picture is much more complex and reflexive than that. Sometimes a [change of attitudes may be a product of the work of political entrepreneurs](#) [9]. For instance, Bulgarians have grown significantly more reserved around LGBTIQ rights over the last decade and the reason for that is not some deep social change, but [the “mainstreaming” of homophobic speech by populist parties \(including some radical populists that have participated in the government\)](#)[10]. In such a way, morally alarmed liberals can easily become instrumental for the mainstreaming of the illiberal agenda.

## **Opportunistic support for populists**

This is probably the least studied reaction, since it is somewhat counterintuitive given the conceptual opposition between liberalism and populism. But [it does happen both at the level of voters and at the level of party leaders](#) [11], who may act strategically in certain circumstances.

Many voters for mainstream liberal parties have been frustrated by the workings of cartelised parliamentary politics: even if their party wins elections, the gains are relatively moderate, because of the various constitutional and quasi-constitutional gag rules and agreements among all parliamentary parties. In short, the electoral winners may change, while policies will most probably remain the same.

Populists, as an anti-establishment force, promise to radically transform the political system by breaking the various agreements and compromises on which the cartelised system is based. Everything becomes up for grabs – any and all policies could be reopened and contested. Some liberal voters in such circumstances could be tempted to vote for populists in order to achieve a political goal, which a mainstream liberal party would fail to secure. For instance, further reduction of taxes could be something, which in a cartelised political process is simply out of bounds. Thus, a populist actor could help push through agendas, which before their arrival on the scene, had been seen as too radical. For instance, many centrist voters have been lured by Donald Trump's tax policy in the US, with Viktor Orbán introducing a flat income tax rate of 17% in Hungary.

Strategic voters for populists would hardly endorse visions of “illiberal democracy”, but they could nonetheless still lend their support to populist parties. This support is of course conditional: as long as the populist party delivers on the issue of interest, and as long as this party does not become too dangerous to the liberal democratic order as a whole, strategic supporters may stick with their opportunistic choice.

Similarly, the political leaders of mainstream parties may be tempted to coalesce at various moments with a radical populist party in order to be able to pass their agenda more easily through parliament. Normally, the opposition would try to prevent the more radical populist agenda, which would put the governing mainstream party in a favourable position: its own agenda would start to appear “centrist” and more consensual.

Even more importantly, populists in many countries fall into two categories: radical and centrist. The centrist populists (of the technocratic Babiš or the mediatic Berlusconi type) are more capable of attracting *strategic* mainstream voters, while the more radical populists (nativists, nationalists, radical-right parties) cater primarily for *ideological* voters, harbouring alternative visions of democracy or even autocracy.

Bulgaria has been a good example of the interplay between strategic voting for centrist populists and ideological voting for more radical ones. As a result of this process, voter volatility in the country is extremely high – the emergence of new parties and regular changes in voter preferences have become quite common. A further consequence of this

strategic voting is that the borderline between populist and non-populist players in the country has become blurred and even erased. Most of the parties at present have some sort of populist origin, or - in the case of the socialists - have accommodated many of their policies.

The opportunistic strategy of support for populists has the advantage of integrating them fully in liberal democratic party politics. The borderlines between the populists and the mainstream are becoming increasingly blurred, not only in the case of Bulgaria. Indeed, there are some countries in Eastern Europe - Hungary in particular - in which the populists have already become "the mainstream".

The downside of this strategy is also obvious, however. The question it raises is can liberal democracy survive if most of the major parties become in one way or another populist and ambiguous in their commitment to liberal democracy. Liberal democracy without liberals - maybe this is what Victor Orbán means by his much-discussed phrase of "illiberal democracy".

There is a less sinister interpretation of what is going on, of course. It is wholly possible that liberal-minded voters have become so confident in the robustness of the liberal democratic framework that they can allow themselves to experiment with occasional, opportunistic support for parties, which define themselves as challengers to this order. Maybe this confidence is warranted.

## **Conclusion**

The aim of this essay was to show the complexity of liberal reactions to the rise of populism. There is a whole spectrum of such reactions, which is defined by differences in terms of the definition of the dangers populism presents to liberal democracy and the antagonism of the liberal response to it. Each of these strategies has been tested in specific contexts. Each of them has shown advantages but also some disadvantages and risks. It does not appear that some of the mentioned reactions should be given universal status: all of them are highly contextual because populism itself is a multifaceted and contextual phenomenon. The Bulgarian case study was presented to stress the already mentioned contextuality: in the Bulgarian case the latter two reactions - the "moral alarm" and the "opportunistic support" - have been much more common, which does not necessarily mean that the "constitutional alarm" strategy is irrelevant.

In short, this essay aimed to contribute to the assessment of the adequacy of these responses by providing a conceptual framework and elaborating on their logic. The final

answer to such questions is not analytical, however - it is rather normative and political, and in a democracy the voters have the major say on such matters.

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*\* Photo: Boyko Borisov, leader of the GERB party, EPP Summit 29 October 2009, author: European People's Party. Source: Flickr (CC BY 2.0).*