

# Anti-Liberalism: Historical Comparison, Rhetoric, and Politics

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**Abstract.** Anti-liberalism is both a kind of rhetoric and of politics. This chapter presents some of their distinct features. Looking at recent cases in Europe invites a comparison with the past through the early decades of the twentieth century. Similarities and differences can be observed, but as an exploratory method, historical comparisons provide limited knowledge that needs to be enriched with insights into current examples of anti-liberal rhetoric and politics. They no longer come from young, unstable democratic regimes but from consolidated democracies. This significant difference suggests a revision of the standard or traditional view about anti-liberalism.

**Keywords:** anti-liberalism; political rhetoric; emergency rule; European democracies; parliamentarism; populism.

## 1. *Introduction*

For several decades after the end of World War II, European democracies were to a great extent immune to political extremism. In general elections, parties on the limits of the political spectrum received a negligible share of the vote. The tide began to change at the turn of the century, when far right and far left parties emerged as virtual candidates to se-

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cure parliamentary representation and enter governments. They competed on platforms critical of the status quo, which was identified with the institutions, politicians, and performance of representative democracies. Advocating a new type of politics that despised the procedures of representation, arguing that representation was not democracy (which disfigured a constitutional discussion started in eighteenth-century France, then exported to America), they endorsed anti-liberal and anti-parliamentary views and policies.

Some years later, those same features have become mainstream, distinguishing discourses and practices of moderate parties and governments as well. What for some time seemed a malaise of Hungarian and Polish governments, extensible in a lesser degree to the rest of Eastern Europe, has ended by leaving marks on the parliaments and governments of the whole continent, and so some similar effects are observed in countries such as Greece, Italy, France, the Netherlands, Portugal, Spain, Germany, or the Nordic countries.

A salient triggering factor for this move has been the generalized adoption of emergency rule in response to the COVID-19 pandemic. Its sharpest evidence, from March 2020 onward, is documented largely through the downsizing of the role of parliaments and a matching heightening of executives ruling by decree (see a comparative overview in the Covid-19 Civic Freedom Tracker website, <https://www.icnl.org/covid19tracker>). A pitfall such as that can be considered a democratic backsliding, as it deprives decision-making of elemental conditions for democratic deliberation. Furthermore, it tests the capacity of democratic regimes to keep their constitutional orders working and safe.

Against this backdrop, it may be of interest to underline how the upsurge of anti-liberal discourses and politics has run parallel to the history of liberalism since the formation of liberal democracies through the nineteenth century. In constit-

uent and other parliamentary debates held in America and Europe, the advancements and setbacks of liberal views were always produced in opposition to competing ideologies. The broadening of freedoms, one of liberalism's common threads, was seen with reservation by conservative intellectuals and political representatives and deemed a threat to tradition by reactionaries.

Interestingly, afterwards, during the 1920s and 1930s, the social and political consequences of the world financial and economic crisis were roughly interpreted – by scholars, politicians, and journalists – as linked to structural flaws of democratic regimes (a representative example is in part the European coverage of Hobsbawm 1994's praised account of the twentieth century, later persuasively revised by Judt 2005). For decades, this authoritative interpretation upheld the belief that the rise of fascist regimes was a sort of logical sequel to democracies' ungovernability troubles. Parliamentarism was regarded therefore as an ineffectual kind of politics unfit to provide stability and growth.

In this chapter, I will argue that, first, in spite of its interest, the comparison between former and current cases of anti-liberalism strengthens Reinhart Koselleck's skeptical view of the limited learning potential of the notion of *historia magistra vitae*; second, anti-liberalism adopts a rhetoric merging appeals to *true* democracy with anti-parliamentary claims, which places it next to populism and makes it reminiscent of the conceptual and institutional continuity that exists between liberalism, parliamentarism, and democracy; and third, anti-liberal politics is not an external reaction to constitutional democracies; rather, it comes from the same political actors who have representative duties and, in that sense, instrumentalize the constitutional rules of the game in democratic regimes.

Similarities between former and current patterns of anti-liberalism are undeniable, yet there are meaningful differences, since the present cases are found in consolidated democracies whose institutional buffers (sophisticated checks and balances contrasted with those of the past) suggest that they rely on sounder protective resources to withstand the effects of anti-liberalism. All in all, the political consequences of looming democratic backsliding look as uncertain as they appeared a century ago because of their negative impact on political culture, the running of institutions, and the constitutional order of democratic regimes. Before proceeding with the argument, a brief conceptual note is in order.

## *2. Liberalism's plurality*

Liberalism is a multifaceted tradition of legal, moral, political, social, and economic thought and practice. As such, through intellectual debates it develops into immaterial products as idea or concept, ideal, theory, and ideology. This theoretical repertoire in turn inspires experiments with institutions that take shape in constitutional designs discussed and carried out by political representatives. It also provides the grounds for noninstitutional actions, ranging from individual initiatives to collective strategies of social movements, to defend and promote liberal views.

Instead of a single heritage transmitted in terms of a canon, it makes sense to appreciate the historical diversity of a tradition whose intellectual origins date back to the seventeenth-century contributions in natural rights and social contract debates (Rosales, 2013). There were insightful discussions around freedom, but no liberals at that time, intellectuals or politicians, with a clear conscience that they were vindi-

cating liberal views, needless to say a liberal programme of government, against what hindered their growth (customs, norms, material conditions). Those controversies, however, created the appropriate circumstances to turn individual freedoms into enforceable rights, the transit that describes the historical passage from moral argumentation to politics or, more precisely, liberal politics.

Since the second half of the eighteenth century, being the Scottish Enlightenment arguably one of its most creative milieux, liberal ideas propagated in academic circles, such as the philosophical rationale and the legal protection of moral autonomy, rational enquiry to counter dogmatism, or the guarantor role of the state in the economy, spread to public discussions gaining then political relevance. By the end of the century, they crystallize in parliamentary settings into a new language of constitution-making – individual rights thereby providing the foundations for modern constitutional states.

Throughout the nineteenth century, the early liberal language of constitution-making, heralding a political culture rooted in individual rights, fuses with institutional blueprints from the republican and parliamentary traditions to be further tested in institutional experiments in American and European political regimes. Their achievements were successively conceptualized as representative government, parliamentary democracy, and liberal democracy. The three concepts and institutional arrangements are synonyms, each underscoring elements from their respective traditions that became central to the founding of representative democracy.

Thus, the first meant the recasting of government as a representative institution that ended a path of change beginning in the Middle Ages with the enactment of legal constraints on royal power, followed by other constitutionalist conquests in the course of the republican tradition. The second was an up-

shot of the parliamentarization of politics connecting the office of political representation with the principle of political responsibility, thus transforming representation into a politically consequential figure, which marked off modern parliamentarism from its former variants. The third signified the integration into the functioning of political institutions of the principle of publicity and the constitutional protection of civic rights.

The birth of representative democracy fairly illustrates how liberalism intermingles with other traditions (in this case republicanism and parliamentarism) to produce new institutions and to generate new intellectual debates. It was a century-long conflictual undertaking to accommodate tenets and institutional arrangements from the three traditions, and more than complementing each other, their merging resulted in novel institutional formulas in response to theoretical and practical challenges of modern politics. That openness to hybridity and innovation is but a feature of their conceptual malleability. In the case of liberalism, revealed through its plurality of versions, this was also a cause for its contested character. This explains that liberalism is interpreted not just in diverse ways but also in opposite ways. Anti-liberalism, its traits and historical forms, is here a case in point.

### *3. Historical comparisons and their limited learning potential*

Comparing the political atmosphere of European democracies in the early decades of the twentieth and the twenty-first centuries is a most interesting exploratory and historiographical exercise that reveals how tricky, albeit necessary, the uses of historical times become for political analysis. What separates them goes beyond the impression in certain moments

making the belief that a given time can be understood with the hermeneutic clues of another one. This affects both scholarly and nonacademic study and writing, although journalism and popular science enjoy a wider freedom. Arguably, the knowledge most people acquire about politics comes through the media.

Looking back and forth to examine political events and the fortunes of political ideas in the case of anti-liberalism is open to speculation. That is a legitimate license, but the range of speculative hints expands in particular when playing with a cyclical interpretation of history. The propensity to establish interpretive links is enticing, and it is necessary to introduce some rationality in the comparative exploration of the past. Nevertheless, beyond imagined or illusory resemblances and asymmetries (for example, those implying that recent anti-liberalism is simply an updated version of an old pattern), lies the appraising potential of comparisons.

We learn through them to discern the distinct features of events and, likewise, that dissimilar circumstances or conditions may produce similar results. What can be expected? Reasonably, a thoughtful enquiry of causes of political events and a prudent foresight of their consequences. The former belongs to historical research, a different practice from the politics of the past (which is a way of doing politics, not research), whereas the latter, with the interplay of information and prospects, characterizes the practice of economics and politics.

Recent unease about anti-liberal discourses and policies (e.g., because of growing government checks on freedom of expression or dissent, deeper scrutiny over the privacy of individuals, or the overuse of decrees at the expense of regular parliamentary legislation) endorsed by parties and governments of moderate backgrounds, the same ones that only of

late were wholeheartedly opposed to them, invites to compare the ongoing experience of European democracies with their past. A first guess is how difficult it was for those political regimes of the early twentieth century to react from comparatively ill-equipped institutional systems and a public opinion eager for urgent measures.

If currently a settled comparative awareness regarding anti-liberalism is that arbitrary constraints on basic freedoms and rights are not an exclusive policy of dictatorships, in the past, there was no previous knowledge or shared experience to learn to confront its advance. A century ago, the discrediting of parliamentary democracies when facing the challenge of anti-liberalism, staged largely under the guise of fascism and initially aired by revolutionary, anti-systemic parties, was slowly endorsed by moderate parties and governments as an inevitable outcome of or way out to their impotence to keep political stability at curbing the economic crisis and social unrest.

Even though the judgment was distorted, as the political regimes were not wholly responsible for the financial and economic depression nor by themselves, isolatedly, were they able to tackle a worldwide threat, from Italy to Germany, France and Spain, crossing indeed the whole continent, the therapy to such challenge, a promise of strong government, captured the attention of needy voters. It arrived, but at the price of undermining basic liberties and in the long run thwarting economic recovery. A foremost strategy, shortcutting the lengthy parliamentary procedures of democratic decision-making, was met in the 1920s and 1930s by the resistance of still very young and unsteady democratic regimes. The aftermath is widely known.

A century later most European democracies rely on robust constitutional safeguards, and yet, what was unthinkable only some decades ago is happening, apparently as an iteration of a bygone process. At this point Reinhart Koselleck's reserva-

tions about the enlightening capacity of history as “*magistra vitae*”, in Cicero’s words, are justified (Koselleck, 1979, pp. 38-66). Many lessons can be drawn from history, but none of them precludes that comparable or new problems arise, and none of them vaccinates intellectuals against misleading speculations and politicians against irrational engagements and decisions. Underlying either case there is conceivably a moralizing belief in the learning power of history.

In response to anti-liberalism, the design of institutions explains their own endurance up to a point, since by some means, they counterweigh the impact of anti-liberal moves, although not indefinitely. Representative institutions are arranged to fend off the costs of negligent politicians until new elections give electors the chance to replace them. Other factors such as socioeconomic conditions and the political culture play their part as well. Yet, since institutions are not self-regulatory systems, it is at the end the intervention of political actors that makes them work or breakdown.

Certainly, even if external conditions vary, the features of anti-liberalism in discourses and practices retain across time a family air, which makes it possible to recognize them as they share a contempt for what liberalism entails, namely, a bet on the advancement of freedoms that historically has followed a growingly egalitarian and universalist course. Those same features also belong to the ideal of parliamentary democracy in a quite indistinguishable way. Relatedly, Carl Schmitt’s criticism of parliamentary democracy in the Weimar Republic indeed scolded its liberal tenets as much as its parliamentary procedures (Schmitt [1926] 1985). His criticism furthermore conjectured, questioning historical evidence, that democracy and parliamentarism envisaged incompatible aims.

For analytic purposes, it is easy to detect his conceptual ‘confusion’ since his irony toward parliamentary practices

displayed rather deep animosity toward liberal politics. Overall, beneath his contempt for the Weimar Republic's performance in times of crisis was his grasp of the unity of liberal parliamentarism. Successful as his thesis became, dissecting the crisis as twofold, Schmitt's alternative, that is, a plebiscitary notion of democracy, was and is far from presenting a fitting response. Ever since then, the recurrent spawning of flaws in democratic regimes has spontaneously and quite thoughtlessly suggested new crises in sight (see e.g., Schmidt-Gleim, Smilova, and Wiesner, eds., 2022).

Take for instance, Yascha Mounk's book (2018) on the crisis of liberal democracy, where he diagnoses it by pointing to the growing divergence, observable in many constitutional democracies, between their liberal and their democratic components, which is a mechanistic way of approaching it that leaves out other parts of their architecture. It is true that liberal democracies rest on a tension between the liberal safeguard of constitutional protection of individual rights and the democratic decision-making method of majority rule, but the merging of tenets and institutional standards from republicanism, parliamentarism, and liberalism gave rise to a richer type of political regime than that presented as a fusion of elements from two traditions.

As liberalism and democracy are coming apart, argues Mounk, there could be rights and rule of law without democracy but also democracy without rights. Maybe, but not so much. The former has always been the case for constitutional states from the seventeenth until the nineteenth century. Not all of them have later become democratic, even if all acknowledged rights are supported by various rule of law arrangements (for example, England's Bill of Rights of 1689); in addition, rule of law is a condition for democracy, not democracy itself. The latter is a contradiction in terms. A politi-

cal regime that enforces no rights cannot be democratic, although it is possible to detect the downgrading or the loss of rights in democratic regimes.

In this regard, the comparative accounts of democratization, compiled and methodologically perfected since the 1980s by various scholars, research teams, and institutions, point out the many institutional differences that characterize democratic regimes across the world. Synchronically that diversity is perceived by any observer, although for reasons of language economy, or because of the influence of model thinking, mentions in the comparisons are usually made to liberal democracy or representative democracy in singular, as if there were a single model with numerous variants. The comparative knowledge suggests otherwise, even though democratic regimes, diverse as they are, share constitutional tenets and operate through analogous institutions and procedures.

Diachronically, those reports measure the ups and downs of each democratic regime with respect to the democratic benchmarks resulting from that comparative insight. And so, as, for example, the Economist Intelligence Unit's Democracy Indexes make plain, those metrics are dynamic. The classification of political regimes goes from full to flawed democracies, which in early 2023 comprised more than a third of the 167 states examined (almost equaling the entire world population), followed by two other categories, hybrid regimes and authoritarian regimes which together represent more than two-thirds of the world population (Economist Intelligence Unit 2023). Understandably, due to a confluence of evaluative factors, a political regime qualifying as full democracy a given year can remain stable or change its score or rating in the future.

If contrasted with the Economist Intelligence Unit's first Democracy Index (2007) drawn on data from 2006, by 2023 the first two groups, where democratic regimes are classed, have lost approximately ten percent of their members, whereas hybrid regimes have undergone a twenty percent increase and authoritarian regimes, almost a ten percent increase. On the other hand, although if compared with the data of 2021 there appear hopeful signs at the democratization overview, compared with the ranking of 2007, there are signs for concern. Both changes describe through 2022 a general democratic backsliding that is especially acute in countries from Africa, Asia, and Latin America most in need of democratizing improvements. The adoption of anti-liberal policies cracking down on freedoms partly explains this disquieting drift.

#### *4. Anti-liberalism and its rhetoric*

In those countries, anti-liberal policies and political measures are often wielded under the promise of delivering strong government. Democratic government is thus presented as weak (see Rachman, 2022, pp. 16-24). No wonder, young democracies face the endemic challenge of working in precarious conditions. Overcoming their fragility by strengthening their systems of institutions and creating a new political culture is the highest challenge in the path toward democracy. Anti-liberal moves are also imposed with the paradoxical excuse to restore law and order in the case of social unrest or, more frequently, of intolerance to political pluralism. Those reactions are served by a legitimizing rhetoric that plays with the resources of parliamentary democracy precisely to alter their

meaning and purpose, pretending with that theatrical performance some sort of public respectability.

What is more intriguing, is when anti-liberal measures are promoted by political actors of advanced democracies. In the example mentioned in the introduction to the chapter, emergency rule through the COVID-19 pandemic, their rhetoric was quite similar to that used by leaders of authoritarian regimes. The recourse to emergency rule was justified as the last best option left to tackle the spread of the pandemic. Underneath that move were mentions of public health and security.

Furthermore, the comparison also surfaces a significant parallel between the rhetorical styles of anti-liberalism and populism, regardless of the democratic character of the political regimes in question. As is well known, in the scholarly literature, it is frequent to speak of 'illiberalism', although the term falls short of the conceptual accuracy of the term 'anti-liberalism' even if assuming its complex semantics. Anti-liberalism reproduces a rhetoric appealing to genuine democracy, whatever it means, which, in anti-liberal eyes, turns out to be incompatible with representative, parliamentary practices. Populism, under its various forms covering the entire ideological spectrum, is an anti-pluralist reaction that precisely aims to subvert the representative mechanisms of liberal democracy.

Looking at the causes that hinder democratic change surveyed by the Index, one is the instrumentalization, for illegitimate purposes, that democratic politicians inflict on the representative institutions they should honor. There, constraints on freedoms are paradoxically justified in the name of democracy, that is, of a genuine understanding of democracy that aims to protect citizens, among other dangers, from traditional politicians and from representation's supposedly al-

ienating effects. Denying this contradiction (that curbs on freedoms protect them) has become a cliché among anti-liberal and populist leaders. Incidentally, such allergy to reality and zeal for lying is one of the symptoms of posttruth politics (on its antecedents in democratic politics, see Runciman, 2008, pp. 194-226).

Thus, the constitutionalist brakes that restrain the exercise of political power to make it comply with its legal limits, on which the institutions of representative democracy are built, are deemed obstacles to the very realization of the will of the people as the expression of popular sovereignty, which is best embodied by the will of alternative (anti-liberal or populist) leaders. The rhetorical operation is quite rudimentary. Here, the appeal to the will of the people is meant to stand for the *real* will of the *real* people, an essential capacity and an essential political subject that cannot be mediated by any representative device or actor but is addressed and directly personified by anti-liberal or populist politicians alone. Populism's anti-pluralist reactions press on by means of anti-representative rhetoric and politics that can also be fairly identified as anti-liberal.

Abolishing those representative procedures and legal safeguards, the rule of law decays and, with it, the constitutional protection of basic rights. The result, as Mounk further argues, is a controversial blend of what he calls illiberalism and democracy: 'What sets it apart from the kind of liberal democracy to which we are accustomed is not a lack of democracy; it is a lack of respect for independent institutions and individual rights' (Mounk, 2018, p. 10). The judgment's reasonableness remains after replacing the first term with anti-liberalism. As Jan-Werner Müller (2016) contends, choosing the expression 'illiberal democracy' turns misleading since its use allows authoritarian and populist leaders to present themselves as democratic, though not liberal politicians, but dem-

ocratic after all. The expression became popular after the 1990s in Eastern Europe to describe regimes that kept holding elections despite their continuous violations of rule of law tenets (e.g., separation of powers) and the resulting lack of checks and balances as institutional roadblocks.

Hence, not the term itself but what the term means is its most revealing feature (see Sajó, Uitz, and Holmes, eds., 2021). Dispensing with the expression, which is still in use, would make the analysis gain in conceptual accuracy. Underlying its meaning was the upsetting recognition that the many difficulties the new regimes had to face to consolidate their representative, liberal institutions soon became a serious barrier to their full democratization. Among other reasons, because political changes from authoritarian regimes have different timings from those of economic and social changes, even if they are concurrent groups of changes. They further demand of citizens different efforts and sacrifices. Since the political consolidation of democratic ruling proceeds very slowly, it is tempting, although wrong, to attribute to democracy the overall difficulties. Last, as underscored by Madeleine Albright (2018), some of those ‘illiberal’ reactions may display indeed new forms of fascism.

Coming from a former politician and diplomat, Albright’s ruminations are of interest. They focus their attention on the link between form and content in politics. Their detachment makes sense to help discern the real content of political decisions stripped off rhetorical adornments. Yet, the form is what becomes visible when arguing political actions and marks the content’s real tone. Anti-liberal rhetoric fulfils two major tasks in this sense. It creates the delusion of democratic politics without parliamentary procedures. It further presents as non-contradictory the assumption that peace and freedom are not compatible with each other, that a loss of freedom is a fair

price to pay for social peace, and in no lesser degree for economic growth.

However, if in the 1920s and 1930s anti-liberal rhetoric assumed fascist claims and, in many countries, these were brandished by paramilitary groups and political parties popularized by friendly press, that is not the case a century later in Europe. There are extremist groups, violent, but their presence is marginal in party systems. Fascism, indeed, has come to mean many things – Stanley Payne (2021) coined the phrase of ‘anti-fascism without fascism’ – and in some cases it denotes the political options considered detestable or that do not fit in the mold of political correctness.

The cases of Hungary’s and Poland’s governments and parliamentary majorities somehow evoked the pattern of Putin’s Russia, a nonliberal regime close to China’s authoritarian regime that rested on a successful market economy. It is to be seen whether a faulty economy would still help sustain that politics. Social peace, political stability, and economic growth were presented as the main, if not the sole, goals of ruling. Another difference with the past was the fact that in both cases rulers were challenging the European Union and what it represented as an economic club whose contractual relations are underpinned by democratic values.

### *5. Anti-liberalism as politics*

With their decisions, the Hungarian and Polish representatives introduced regressive legislation (Krasztev and Van Til, eds., 2015; Koczanowicz, 2016). So, there was much more than Eurosceptic rhetoric. It was anti-liberal rhetoric and politics. Amending laws and passing norms hindering basic rights proved their determination to roll back liberal reforms of the

previous decades, ranging from freedom of opinion and press freedom to judicial independence and women's rights. De-nounced by the opposition and independent media, they exploited the constitutional rules for the benefit of party anti-liberal interests. Even though the maneuver was largely contested, in successive elections, they kept receiving support – the political opposition increasingly intimidated and cornered. It was an added irony that the political leaders lived on respectable democratic credentials earned as dissidents and over the transition years.

Some months after the first major political changes took place in Eastern Europe since the spring of 1989, Ralf Dahrendorf (1990) published a reflection on the expectations they raised. His is a scholarly contribution, heterodox in the transitology literature, that has healthily stood the test of time keeping its evocative lucidity. Distilling accumulated knowledge from comparative democratization, in a letter written in the footsteps of Burke's 1790 on the French Revolution, he distinguished three groups of changes that would be involved in the transition process. Each one described its own timeline. A series of early legal changes to both repeal the ban on political pluralism and authorize the calling of elections leading to constituent parliaments were reachable in a matter of months. This first group of changes paved the way for the rest, which proceeded at a lengthier pace.

Overhauling the economic model, usually departing from centrally planned toward market economy, took longer, although the normative regulations needed should soon enter the agendas of transition parliaments and governments. The change would take years but looked reasonably feasible if the right policies were adopted and the new political regimes were not left alone in such a complex endeavour of economic restructuring. International cooperation was vital to grant the

new regimes external recognition, but this proved of little avail if the economic hardships were seen by citizens as a consequence of democratization. As illustrated by the Polish case (Balcerowicz, 1995, pp. 340-369), the imminent risk was that lessening civic support would lead to a legitimacy crisis. Therefore, political intelligence was crucial to explain to citizens how political and economic reforms, even if interconnected, relied on different causality chains.

The farthest-reaching goal concerned civic changes. Dahrendorf metaphorically said that those changes would take some sixty years. They would clearly engage several generations of citizens over several decades. What was at stake? Clearly, the cohesion of the changes into liberal regimes. Drawing on Dahrendorf's reasoning, it is possible to guess that, on the one hand, they had to assume the re-education of representatives, most of whom bore political responsibilities in the previous regimes, namely, in dictatorships. This was not an easy challenge, as it directly touched upon the new legality but one that infused political expectations with a dose of realism. On the other hand, long-term changes should rely on an intergenerational learning of democratic habits and a shared commitment to weave the fabric of a new political culture which was probably the most difficult achievement of the whole process.

Electoral victories of the Law and Justice party in Poland since 2005 and of the Fidesz–Hungarian Civic Alliance since 2010 have given both parties a wide support, legitimation, but their divisive methods and reactionary measures question their legitimacy. Poland's and Hungary's leaders went ahead with them, knowing the slowness and leniency of the European Commission's disciplinary procedures and their poor impact on national politics.

Seen in perspective, one of the lessons that can be drawn from their experience concerns the political timing of democratic consolidation: how lengthy it is and how complex it becomes because of the diversity of changes it comprises and by engaging political actors from various generations with dissimilar expectations about their democracy. All historical cases have described irregular paths, none of them linear, and this spells out, among other factors, that the temporalities of political changes, vertiginous in the early moments, stretch soon afterwards.

Another lesson to be considered is much older and common to all democracies. It has to do with their fragility if compared to authoritarian regimes. It shows the other side of democratic politics, where independently of the legitimacy conferred by pluralist elections, civic engagement becomes a fundamental resource to keep alive the political culture of democracy. As institutions are not self-regulatory instruments and in cases where political representatives in general and rulers in particular fall short of their political responsibilities, the political engagement of citizens turns in practice the final bulwark against democratic backsliding.

Even if that risk seemed to be circumscribed to far right and far left parties, incentives for anti-liberal moves became unexpectedly available to all parties when since 2020 European governments declared emergency rule. Argued with public health arguments, that is, with the hope to contain the spread of the pandemic until contagions could be under control, emergency rule gave them the chance of ruling by decree, in a disproportionate way. Surprisingly, in most if not all cases, the declaration received a parliamentary sanction, even though it meant a drastic decrease in parliamentary activity and, accordingly, the government's temporary freeing from constitutional checks and balances. Constraints on basic

rights were enforced and governments' legislative capacity extended beyond pandemic conditions, in some cases later declared unconstitutional by constitutional courts.

## *6. Concluding remarks*

That experience has been a reminder of the fragility of democracies and their vital reliance on civic factors. It has shown how tempting it becomes for respectable politicians to adopt anti-liberal measures as long as they give them the chance of governing almost with unrestricted capacity to legislate. Further, it has enlarged the focus of attention to cover the entire continent, acknowledging that anti-liberal moves are not a problem of young democracies alone but of any democratic regime.

This chapter has shown it, first, by enquiring into the learning effects of comparisons among historical cases of anti-liberalism, given the ease with which in scholarly and public debates current cases are addressed with interpretive clues from the past. That exploratory operation enriches the knowledge reservoir about political challenges of constitutional democracies but provides only a limited help to understand and face the different anti-liberal discourses and practices appreciable of late in European democracies. The study has then selected a number of distinct features of anti-liberal rhetoric. Compared to that of the 1920s and 1930s, it keeps resemblances, such as its anti-parliamentarism (see, e.g., Gijzenbergh, 2012), but it is now more sophisticated, and certainly more widespread in the era of internet politics. In its strategy to uphold the view that democracy is possible without parliamentary and liberal institutions, or with them reduced

to their minimum expression, it approaches the anti-pluralist views of populism.

In its last part, the study has paid attention to anti-liberalism's passage from rhetoric to politics. Some decades ago, it was observed in the young democracies of Eastern Europe, and it was deemed one more obstacle to democratic consolidation. Anti-liberal politics was solely attributed to extremist parties and politicians. No longer. Recent examples of mainstream parties from advanced democracies tell a different story implying that the obstacle is stronger than thought and suggesting that old therapies need to be revised.

A recurrent argument has resurfaced around the significance of civic factors in sustaining the political culture of democratic regimes. True, political participation is channeled through representative institutions, and political representatives assume the crucial condition of democratic politics. Yet, especially in dire straits of underperformance of institutions, the political responsibility of citizens becomes a valuable resource to make democratic regimes work better.

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MARTA POSTIGO  
GABRIELLA SILVESTRINI  
MAURO SIMONAZZI  
(eds.)

CONSTITUTIONAL  
DEMOCRACY  
AND THE  
CHALLENGES OF  
ANTI-LIBERALISM  
*Lessons from Experience*



# Constitutional Democracy and the Challenges of Anti-Liberalism

*Lessons from Experience*

EDITED BY

MARTA POSTIGO – GABRIELLA SILVESTRINI – MAURO SIMONAZZI



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# POLIDEMOS

Centro per lo studio della democrazia  
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