1. Introduction: populism and the politics of human rights

Alison Brysk

While analysts have debated the merits and tendencies of populism for decades, a human rights analysis of the current wave of populism is urgently needed—because in turbulent times, populism kills, maims, and imprisons. Every chapter of this book testifies to the violent repression of the “enemies of the people” by populist regimes on every continent: from assassinated criminal suspects in the slums of the Philippines to imprisoned academics in Turkey, from murdered journalists in Mexico to homophobic hate crimes in Central and Eastern Europe, from violence against women in Brazil to attacks on migrants and minorities in India and the U.S. Worldwide, the promise of expanding government by the people ends up crushing some of them—those who are defined as outsiders or threats to the nation.

This collaborative project will assess and analyze the impact of populism on human rights in a turbulent era. How do contemporary forms of populism in different locations generate threats to human rights? Which rights are impinged most, and what is the effect on vulnerable populations and the future of democracy? What responses are available to the international rights regime, liberal institutions, and rights advocates to contest these effects? Our essays shed light on the functions of populism as:

- both a cause and response to a decline in rights,
- a source of mobilizing rhetoric that seeks to displace rights norms,
- a glue for constructing new coalitions and counter-movements to evade both citizenship and rights universalism,
- a strategy of performative governance, and
- a characteristic of regimes in Hungary, Poland, Brazil, Mexico, Turkey, India, the Philippines, and the United States under Donald Trump.

This opening chapter will survey the phenomenon of populism and existing literature on its political dynamics, in order to assess populism’s inherent dilemmas and the logic of their impact on human rights. Can declining democracies maintain political rights under exclusionary nationalism? How does redistributive populism’s potential improvement of social rights square with
its anti-institutional suppression of civil liberties? Why does populism’s cultural politics frequently conflict with gender rights and evince contradictions between mobilizing women for public participation while repressing feminism and reproductive rights?

THE RISE OF POPULISM IN A TURBULENT ERA

In the turbulent generation of the 21st century, the post-Cold War world order of insecurity and a new wave of neo-liberal globalization have been met with the rise of populism on every continent. Many contemporary populist movements and regimes echo prior waves, but the current conjuncture seems to generate particular consequences for human rights—notable as a backlash against the relative gains of liberal internationalism and democratization since the 1990s (Heller 2020, Kenny 2019, Stockemer 2019).

Populism is a mass mobilization contesting the status of economic, political, and cultural elites in the name of a national demos, often spearheaded by a charismatic leader (Rovira Kaltwasser et al. 2017). Hedetoft (2020) characterizes populism as a hyper-moralistic “religion of nationalism” in which the pure people must reclaim sovereignty from a corrupt elite, intrusive international order, and invading Others. Similarly, Finchelstein (2017) points to “an extreme sacralizing understanding of politics.” He emphasizes populism’s dialectical positioning as a champion of “true democracy” against the real or imagined tyranny of cosmopolitan elites, the deep state, international institutions, and/or globalization writ large. In this social imaginary, the leader embodies the nation.

We bridge prior debates and treat populism as a multi-faceted phenomenon. In turbulent times, populism operates at the same time as a family of ideologies, a mobilization of movements and parties contesting power, a strategy of performative governance by charismatic leaders, and a resulting characteristic of declining democratic and aspiring authoritarian regimes. When populist movements and parties assume power, populist regimes generally propose a varying combination of economic redistribution and ethnonationalist control “for the people” along with direct control of governance “by the people” that legitimates some level of illiberalism. The precise mix of redistributive, ethnonationalist, and direct anti-institutional elements in a populist program defines the spectrum of populisms characterized by analysts as left vs. right populism, classic vs. second-wave populism, and inclusionary vs. exclusionary populism (Stockemer 2019, Finchelstein 2017, Weyland 2017, Crewe and Sanders 2020). Our cases reflect some variance across the spectrum of populisms that shape their impact on human rights, but we see more overarching similarities inherent to the nationalist forms predominant in our times.
Populism is less a precise political ideology or governance program and more a worldview oriented to restore trust, social bonds, and morality to society because of a conviction that the social contract or ethos has been broken. Because populists are usually reacting against the shifting terms of the neo-liberal social contract, they may also reject the liberal concept of a citizenship contract to different degrees in favor of an organic collectivist vision of society. The collectivist vision may be religious, ethnonationalist, or even socialist. Regardless of content, the populist vision attempts to restore solidarity by reestablishing sovereignty and self-determination of the body politic, which requires reestablishing borders.

As the liberal international order and liberal democracy expand freedoms but cannot deliver the full package of social and economic citizenship, populist movements attempt to substitute cultural citizenship for the cosmopolitan international regime of legal rights. Thus, the political formula of populism is a substitution of cultural citizenship for the perceived deflation of national citizenship, political self-determination, status, and dignity. Because of this cultural substitution, populism is also characterized to different degrees by a transgressive and antagonistic performance of pride in local low culture, glorification of the native, and channeling of the allegedly repressed “silent majority,” often aligned with officially taboo assertions of male dominance (Ostiguy 2017).

WHY POPULISM AND WHY NOW?

Populism is rising everywhere, but has gained most traction in stagnated middle-income societies and declining developed democracies that have experienced increased inequality and demographic shifts in response to globalization. These structural challenges have worsened social conditions at the same time they have weakened historic political parties and political institutions’ capacity to manage the resulting social conflict, and opened space for the rise of outsider political entrepreneurs. As one analysis describes the associated social ethos, the neo-liberal logic of “no alternative” has shifted to a “politics of fear” (Vormann and Weinman 2020). Our chapter by Shafir reminds us that it is ironically reactionary elites that manipulate this structural crisis and promote populism among grassroots populations displaced by globalization. Populist politicians cultivate a narrative of national decline not because elites themselves have lost ground, but because they fear losing status-based privilege to a period of modernizing expansion of rights and/or destabilizing revolutionary movements. Thus, national elites mobilize through populist leaders and build coalitions with the losers of globalization with a rhetoric and performance of nationalism and cultural citizenship, a process we see clearly
in our chapters on Brazil and Central Europe as well as the U.S. As Hedetoft (2020: 2) summarizes the process:

The congruity between “state” and “nation” … is under siege and in the process of breaking down. Anarchy and disaggregation domestically are threatening, sovereignty is being eroded, borders are being forced open, cultural and societal diversity is gaining ground and people (at least large parts of the people) are losing both the horizontal and the vertical trust, which is the essential linchpin of national cohesion and identity…

The crucial point, I believe, is that nationalism offered an attractive package consisting of self-determination, freedom of expression, economic development, cultural belonging, educational opportunities and political influence, all wrapped in the form of “rights” and spiced with intimacy, familiarity and clear demarcations between “us” and the rest of the world…. (Introduction)

Our essays highlight several aspects of this process to interrogate. While populism worldwide is based on appeals to the losers of globalization, we need to identify further the particular role of the displaced populations in each state’s historic projects of emancipation and self-determination in order to profile populism’s relative appeal and rights impact in each country. Krpec and Wise offer a comparative perspective on the relative success of populism in neighboring countries of Central and Eastern Europe based on this model that we can extend across our cases. Are the losers of globalization who are nostalgic for nationalism defined by their labor, race, religion, or region? The role that these constituencies played in the establishment, definition, development, and defense of the polity will condition their leverage and capacity to build coalitions for the populist project. In Turkey and India alike, religious and rural populations disadvantaged by liberal globalization are the core constituency for populism, while in Brazil and the U.S. populism appeals to insecure sectors of a racially advantaged middle-class who fear losing ground to both globalization and progressive redistributive projects. The losers of globalization are rural, religious, and racialized in Central Europe, India, Turkey, Brazil, and Mexico alike.

We also seek to understand the pathways through which such anti-elite mobilizations arise and achieve power. Dani Rodrik (2021) identifies several political pathways that translate globalization shocks and economic insecurity into right-wing populism: voter demands for illiberal protectionism of trade and borders, cultural shifts to defensive identities—often linked to growing social gaps, the rise of political candidates and parties with illiberal nationalist ideologies, and nationalist socialization of voters by anti-globalization political entrepreneurs. The chapters by Sagnic and Shafir point to strikingly similar “cultivated experiences of decline” in Turkey and the U.S. These chapters, along with Moreira, Bruhn, and Krpec and Wise, also document the electoral
logic of cross-class populist appeals to displaced constituencies as the basis for populist political parties and movements in Brazil, Turkey, Mexico, Poland, and the U.S.

**COMPARATIVE PATTERNS OF POPULISM ACROSS TIME AND SPACE**

Populisms are generally classified by their levels or configurations of inclusion vs. exclusion, redistribution, performative personalism, ethnonationalist appeals, and anti-institutional vocation (Mudde and Rovira Kaltwasser 2012). Finchelstein (2017) profiles historical waves of classical inclusive redistributive populism—epitomized by Peronism and distinguished from fascism—followed by the neo-liberal populism of Fujimori and Berlusconi, and currently split between neoclassical left and right varieties. Neoclassical redistributive left populism predominates in Latin America in countries such as Mexico, while neoclassical right-wing nationalist and personalist forms are more present in Europe, the U.S., the Philippines, and Turkey. We will assess the political dynamics of the impact of these different patterns of populism on civil, political, equity, and social human rights.

Regionally, populism in Latin America’s stagnated middle-income societies usually proposes a more redistributive agenda under more personalist leadership than European declining democracies. Such declining democracies in Europe and the U.S. are more prone to ethnonationalist appeals in response to immigration—echoed in India’s struggles to redefine citizenship regimes. Yet the role of religion fundamental to classical populism has shrunk in Latin America—except Brazil, wavered in the Philippines, and grown in modernized Europe, along with Turkey and India. We find that both a redistributive agenda and religious appeals shift populism towards illiberal anti-institutionalism and the promotion of social goods without rights. We see these patterns in our cases of Mexico, Turkey, and India.

Historically, second-wave populism in a given polity is often more performative and less programmatic than its antecedents, as in the Philippines. However, the global diffusion of populist repertoires and transnational alliances of populist leaders have now fostered some convergence across these sociologically rooted patterns. Bolsonaro, Orbán, and Trump spoke openly of their exchange and mutual emulation of populist ethos and strategies. Moreover, there is a cross-cutting trend towards the increasing association of populism with illiberal ethnonationalism rather than previously predominant civic-republican nationalism—that may be more inclusive and relatively compatible with liberal institutions. We see that exclusionary ethnonationalism is a second strike on civil liberties, minorities, migrants, and women in Hungary, Poland, Turkey, and the U.S. Finally, performative personalism of populist
leaders comprises another vector of the contemporary populist threat to both political rights and gender equity in Mexico, Brazil, Turkey, the Philippines, and the U.S.

**POPULIST THREATS TO RIGHTS**

While populism in theory could enhance human rights by deepening democracy and broadening political engagement (Johnson 2020), populism in practice across our cases harbors a logic of illiberal necessity to contain global and national elites, as they are perceived to threaten the security of “the people.” Populism poses systematic and inherent threats to due process rights, minority rights, gender equity, civil liberties, often ultimately culminating in repression of physical integrity and failures of its signature social rights.

**The People vs. the State**

Populism promises to improve the terms of membership in a society by limiting its scope to “the (real) people,” privileging plebiscitary democracy over the rule of law, and disrupting institutional or Constitutional checks and balances on popular will. As our chapters by Krpec and Wise, Sagnic, and Singh show, there is an inherent threat to accountability and due process in populisms in Central Europe, Turkey, the Philippines, and India. Our chapters on these cases document a process of systematic institutional hollowing and attack by the populist regime or party on the autonomy and coherence of the state, epitomized in administrative backsliding in India.

**The People vs. the Other**

By this illiberal logic, populism tends to be inimical to minority rights and their institutional representations that challenge the dominance of the demos and its charismatic leaders. The hegemonic construction of cultural citizenship in reference to an imagined past is usually exclusionary and discriminatory—and often explicitly xenophobic. We can see this dynamic of populist leaders’ appeal to and reinforcement of structural ethnic and racial dominance in our studies of Hungary, Brazil, Turkey, and the United States.

**The People’s Patriarch vs. Feminism and Gender Rights**

Populist personalism is often a patriarchal performance, as the strong leader promises the restoration of security and organic social bonds as a father figure. Moreover, when the terms of cultural citizenship are explicitly ethnonational, illiberal populism is grounded in a revival of patriarchal policies and social
practices to produce population and police bloodlines of the body politic. Thus, populism tends to result in deterioration of women’s and SOGI rights to reinforce male dominance of the masses, suppress modernizing challenges to personalist authoritarianism, and militate towards nationalist population policies (Donà 2020). We can see the affinity of populism with gender backlash starkly in our chapters on Brazil, Turkey, and the Philippines—as feminists are labeled as traitors to the traditional family that will protect and reproduce the nation. Populist patriarchy also works as a strategy to demobilize political participation and opposition, as we see in Ayoub and Page’s analysis of state homophobia in Europe and Bruhn’s discussion of attacks on feminism in Mexico.

**The People in Power vs. Civil Society**

As populist regimes struggle for governance, mobilization of “the people” and charismatic leadership cannot deliver sustainable alternatives to neo-liberal globalization and beleaguered liberal institutions. Thus, regardless of their original program and principles, even populists who were champions of civil liberties and pluralism in opposition often suppress civil society once in office—as we see strikingly in Bruhn’s discussion of Mexico. From Latin America to Turkey to the Philippines, flailing populist regimes are pushed to suppress the fundamental freedoms necessary for the independent and critical production of knowledge and free expression. Populists who come to power defending democracy need to narrow open societies, because open media and academic critique will reveal the failure and costs of the rising regime’s unstable promises of mass participation, equity, and revaluation of the “forgotten man” (Rogenhofer and Panievsky 2020).

**The People in Power vs. the Populist Social Program**

Ironically, this democratic deficit of populist regimes also spills over to undermine the fulfillment of its signature social rights: food, water, housing, education, labor, and health rights. Social rights are interdependent with civil rights, and the fulfillment of social rights is dependent on good governance: transparency, expertise, and institutional accountability. Across our cases, some of the renewed political struggle in populist regimes is related to claims for social rights to land, water, and development for grassroots and indigenous populations in Brazil, Turkey, India, the Philippines, and Mexico. Cooper and Aitchison (2020) profile the systemic features of populism that impinge on rights response, from crony capitalism to the erosion of democratic institutions, from ethnic nationalism to toxic masculinity. They conclude that the authoritarian agenda of deglobalization, the rise of the surveillance state,
regression in human rights discourse and norms, and rising inequality pose direct threats to all rights—and specifically condition pandemic response and health rights in a deleterious direction. Although not addressed specifically in our chapters, it is a marker of populism’s interdependent loss of social rights that the U.S., Brazil, and India are notable for the worst pandemic responses in their respective regions.

EMERGING THEMES OF OUR ANALYSIS

Our chapters contribute to key debates on the nature of populism and the future of human rights: assessing populism’s contribution to rights decline, tracking political pathways in the state of the populist threat, and analyzing the changing role of the international rights regime. How much does populism explain about the decline of rights and democracy? We show that populism is likely to arise in environments that are already suffering declines in social rights, self-determination, and the integrity and effectiveness of liberal institutions. Populist mobilization does not cause these problems, but the sacralization of nationalism, personalization of leadership, unbounded majoritarianism, and governance gap together deepen the negative spiral from a rights-based society to an atomized low-intensity citizenship held together by pockets of tribalism.

We go on to trace some of the bridges that translate nationalist perceptions and populist movements into abusive regimes and policies. Ayoub and Page’s chapter shows how even nominally democratic discriminatory populist regimes can suppress political participation through homophobic signaling, reinforcing their own power and reshaping public opinion. Singh’s chronicle of nationalist party distortion of the Indian Civil Service traces how populism can undermine state capacity and bureaucratic autonomy. Moreira and Sagnic track the reciprocal relationship between populist regimes’ foreign policy and reinforcement of repressive nationalist state power in Brazil and Turkey.

Overall, this book suggests that international influences play multiple roles in the dynamics of populism and its impact on human rights, expanding academic analysis of populism as a local reaction against the global. Beyond the initial observation that populism is generally an anti-elitist reaction against economic globalization—seen most clearly in our Mexico, Brazil, Turkey, and Poland cases—the state’s national interests dictated by geopolitics can inspire or cement populist/nationalist appeals and legitimize repression. We can see a security dialectic of this nature from Turkey to the Philippines to the U.S. and India. Once in power, nationalist populist leaders and regimes across all of our cases ironically turn to “transnational nationalism” for models and support.

On the other hand, opposition to populism and the defense of rights also often depends on appeals to transnational networks and the international human rights regime. After a generation of liberal integration, human rights
institutions and international law are lamentably associated with the intrusive forces of economic globalization. This connection has been exploited by populist leaders in all our cases to delegitimate and suppress the freedoms of civic opposition—and in the Philippines, to foster violent silencing. In this way, the post-Cold War human rights playbook seeking to transform authoritarian regimes and abusive practices “from above and below” may backfire, as inalienable rights become alienated from the process of national domestication and translation that has proven most successful in the global promotion of human rights.

WHAT IS TO BE DONE?

Our analysis shows that in a turbulent era of populism, normative appeals to rights, liberal institutions, and the international human rights regime remain necessary but do not prove sufficient. The experience of cases across every region suggests that rights advocates must contest populism at the national, social, and ideological level in new ways that go beyond the global norms of the previous era.

In the face of citizenship deflation, defenders of democracy must first attend to governance as the foundation for rights: economics, elections, institutions, and public policy. Besides critiquing populist process violations, liberal democrats must directly contest populists’ performance—their economic failures, unsustainable bubbles, and broken promises (as occurred in the U.S.). The historical pattern of the political economy of populism highlighted in Krpec and Wise suggests that declining democracies must win back dual constituencies. Liberal democrats must appeal first to those elites who were using populists to attack state control of the market, but need economic competence to function and are suffering under incoherent anti-institutional populist regimes. Defenders of democracy may be able to detach such apolitical business sectors from underwriting populist parties and regimes’ attacks on state capacity and administrative autonomy.

At the same time, democrats must also reach out to the masses who have been betrayed by the failed promises of redistribution—and compete on performance. In tandem, aspiring democrats must elevate their efforts to provide the public services and good governance that formed the basis or claim for some local, religious, or ethnic populist movements and parties (for example, in Turkey, India, and the Philippines). Rights-based governance means restoring economic fairness in public policy (Protzer and Summerville 2022)—the equality of opportunity that is the fundament of social rights that has declined notably in developed democracies such as the United States. This will prove the most challenging agenda, and requires rebalancing the role of social rights advocates within the human rights movement.
At the social level, democratic movements and parties must oppose the legitimacy and illiberalism of populism by building broad popular counter-coalitions. To successfully contest populist inclusion, such coalitions must be cross-class, multicultural, and gender-balanced. Some analysts point the way towards a new articulation of “positive identity politics” to transcend illiberalism (Main 2022). To make these coalitions effective, rights advocates must reverse populist undermining of electoral institutions and political participation, so that populists can be legitimately defeated by these disillusioned constituencies.

Across societies, our cases show that it is critical for democracy and rights advocates to safeguard the local authenticity of civil society and opposition forces so that populist regimes cannot target them as foreign. Sagnic’s discussion of Turkey unpacks the rhetorical and legal delegitimation of opposition and rights movements, which has also been prominent in Hungary, Brazil, the Philippines, and India. Reinforcement of rights-based but multi-sectoral national coalitions and regional resource exchanges—without physical or legal international presence—offer the best potential response.

In the realm of ideology, our analysis shows the need to craft and promote new rights norms and frames to meet the turbulent era of populism. As Mudde (2021) reminds us, if populism is an illiberal response to undemocratic liberalism, a revitalization of liberalism is the only adequate counter. “It is high time that liberal democrats began to tell a convincing story again…. We need many different stories, reflecting and acknowledging the many different groups our societies count … Time to return to a pluralist Zeitgeist” (p. 595). Social movements, coalitions, and institutions must refuse to frame political conflicts or social problems as civilizational conflicts or culture wars—even with illiberalism. Instead, we must promote humanizing alternatives based on bridging ties and organic traditions of equity and justice. Proactively, rights advocates need to reclaim the moral narrative and inclusion of marginalized populations in the nation and family as a foundation for the restoration of cultural citizenship. Campaigns that recenter the social rights and self-determination challenged by globalization have the potential to rebuild the indivisibility of rights in a post-liberal world.

ACKNOWLEDGEMENT

Funding for the February 2022 workshop on Populism and Human Rights at UCSB was provided by the Mellichamp Chair in Global Governance.
REFERENCES


