

MIGRANTS' RIGHTS, POPULISM AND LEGAL RESILIENCE IN EUROPE

Bringing together scholars of migration and constitutional law, this volume analyses the problematic relationship between the rise of populism, restrictions of migrants' rights and democratic decay in Europe. By offering both constructive and critical accounts, it creates a nuanced debate on the possibilities for and limitations of legal resilience against populist erosion of migrants' rights. Crucially, it does not merely diagnose the causes of restrictions of migrants' rights but also proposes how the law might be used as a solution. In this volume, the law is considered as both a source of resilience and part of the problem at three distinct levels: the legal-theoretical, the European and the national level. It is a major contribution to the literature on migrants' rights, offering a nuanced account of how legal resilience might be used to safeguard migrants' rights against further erosion in populist times. This book is available as Open Access.

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Edited by Vladislava Stoyanova , Stijn Smet
Frontmatter
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Contents

<i>Acknowledgements</i>	<i>page</i> vii
<i>Editor Information</i>	ix
<i>List of Contributors</i>	xi
<i>List of Abbreviations</i>	xiii
Introduction: Migrants' Rights, Populism and Legal Resilience in Europe	1
<i>Stijn Smet and Vladislava Stoyanova</i>	
PART I THEORETICAL AND CRITICAL PERSPECTIVES ON RESILIENCE	47
1 Populism, Immigration and Liberal Democracies: Inherent Instability or Tipping of the Balance?	49
<i>Vladislava Stoyanova</i>	
2 On Population Design: Using Migration Law to Dismantle Constitutional Democratic Institutions	70
<i>Patricia Mindus</i>	
3 Viciously Circular: Will Ageing Lock the European Union into Immigrant Exclusion?	94
<i>Gregor Noll</i>	
PART II RESILIENCE AT THE EUROPEAN LEVEL	115
4 Coloniality and Recent European Migration Case Law	117
<i>Thomas Spijkerboer</i>	

vi	<i>Contents</i>	
5	Migration as a Constitutional Crisis for the European Union <i>Alezini Loxa and Vladislava Stoyanova</i>	139
6	Possibilities and Limits of European Union Action against Democratic Backsliding and Decline of Migrants' Rights in Member States <i>Jan Wouters and Maaïke De Ridder</i>	165
7	The Loss of Face for Everyone Concerned: EU Rule of Law in the Context of the 'Migration Crisis' <i>Barbara Grabowska-Moroz and Dimitry Vladimirovich Kochenov</i>	187
	PART III RESILIENCE AT THE NATIONAL LEVEL: CASE STUDIES	209
8	In the Hands of a Populist Authoritarian: The Agony of the Hungarian Asylum System and the Possible Ways of Recovery <i>Kriszta Kovács and Boldizsár Nagy</i>	211
9	'Good Change' and Migration Policy in Poland: In a Trap of Democracy <i>Barbara Mikołajczyk and Mariusz Jagielski</i>	236
10	Criminalising Migrants and Securitising Borders: The Italian "No Way" Model in the Age of Populism <i>Stefano Zirulia and Giuseppe Martinico</i>	259
11	The Restriction of Refugee Rights during the ÖVP-FPÖ Coalition 2017–2019 in Austria: Consequences, Legacy and Potential for Future Resilience against Populism <i>Margit Ammer and Lando Kirchmair</i>	280
12	Right-Wing Populism, Crumbling Migrants' Rights and Strategies of Resistance in Belgium <i>Ellen Desmet and Stijn Smet</i>	301
13	A Stable Yet Fragile System? Legal Resilience against Rights Erosion in Current Swedish Migration Policy <i>Rebecca Thorburn Stern and Anna-Sara Lind</i>	330
14	'Populism? It's Administrative Law, Stupid!' How Administrative Law Subverts Legal Resilience <i>Bas Schotel</i>	355
	<i>Index</i>	377

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We hope the analyses presented in this edited volume can bring us closer to securing better protection for the human rights of migrants in Europe.

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Abbreviations

AMS	Labour Market Service in Austria
B-VG	Federal Constitutional Law in Austria
BBU-G	Federal Agency for Care and Support Services in Austria
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ESIFs	European Structural and Investment Funds
CAT	Committee against Torture
CD&V	Christian Democratic and Flemish
CEAS	Common European Asylum System
CERD	Committee on the Elimination of Racial Discrimination
CEU	Central European University
CJEU	Court of Justice of the European Union
CPR	Common Provisions Regulation
FPÖ	Freedom Party of Austria (Freiheitliche Partei Österreichs)
FrÄG	Aliens' Law Amendment Act in Austria
MFF	Multiannual Financial Framework
N-VA	New Flemish Alliance (Nieuw-Vlaamse Alliantie)
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
ÖVP	Austrian People's Party (Österreichische Volkspartei)
PiS	Law and Justice (Prawo i Sprawiedliwość)
PR	proportional representation
SAR	International Convention on Maritime Search and Rescue
SD	Sweden Democrats
SOLAS	International Convention for the Safety of Life at Sea

SPÖ	Social Democratic Party of Austria (Sozialdemokratische Partei Österreichs)
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
UNCLOS	United Nations Convention on the Law of the Sea
UNHCR	United Nations High Commissioner for Refugees