

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> | |

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