

Is Europe Losing its Democratic Compass?

Authoritarian Populism, Restrictions of Migrants' Rights and Democratic Decay in Europe

13-14 February 2020

Co-organized by Hasselt University and Lund University
Venue: Gamla Biskopshuset, Biskopsgatan 1, Lund



13 February 2020

9:00 – 9:15: Opening Remarks, Mia Rönnmar, Dean of Lund University's Law Faculty

9:15 – 10:45: Panel 1 – **Theoretical and Comparative Perspectives**

1. *Nativism v Cosmopolitanism: A European Crossroads*, Neil Walker (Edinburgh Law School)
2. *What is Left to Say About Illiberal Democracy 10 Years Down the Road: Comparative Constitutional Perspectives*, Renáta Uitz (Central European University)
3. *Viciously Circular: Will Aging Lock us Into Immigration Exclusion?*, Gregor Noll (Gothenburg University)

Discussant: Michaela Hailbronner (University of Giessen)

10:45 – 11:15: Coffee break

11:15 – 12:45: Panel 2 – **Democracy, the Rule of Law and Belonging**

1. *On Population Design*, Patricia Mindus (Uppsala University)
2. *What Is Immigrant Sanctuary? Illiberalizing Nationalism and the Regulative Scope of Borders*, Linda Bosniak (Rutgers University)
3. *Rule of Law, Citizenship and Change*, Dimitry Kochenov (University of Groningen)
4. *International Migration Law and Populist Agendas*, Jaya Ramji-Nogales (Temple University)

Discussant: Gregor Noll (Gothenburg University)

12:45 – 14:00: Lunch at Gamla Biskopshuset, Lund

14:00 – 15:30: Panel 3 – **Migrants' Rights and the Rule of Law**

1. *Our Authoritarian Administrative Law: Authoritarian Tendencies in Administrative and Immigration law*, Bas Schotel (University of Amsterdam)
2. *Rule of Law, Authoritarian Legalism and Refugees*, Cathryn Costello (Oxford University)
3. *Proportionate Exclusion and Inclusion?*, Vladislava Stoyanova (Lund University)
4. *The Concept of Emergency in the post-2015 Migration Case Law of the European Courts*, Thomas Spijkerboer (VU Amsterdam)

Discussant: Boldizsár Nagy (Central European University)

15:30 – 16:00: Coffee break

16:00 – 17:30: Panel 4 – **The Prototypical Cases**

1. *The Return of the Schmittian: Constitutionalism in Hungary*, Kriszta Kovács (WZB Berlin Social Science Center)
2. *In the Hand of an Illiberal Populist: the Agony of the Hungarian Asylum System and the Arbitrary Migration Governance in Hungary*, Boldizsár Nagy (Central European University)
3. *Judicial Independence (Non)Internalized? On the Polish Community of Judges, Quasi-Constitutional Changes and the Struggle for Power*, Karolina Podstawa (Maastricht University)
4. *Poland's Current Approach to Migration from a Human Rights Perspective*, Barbara Mikołajczyk (University of Silesia)

18:30 – 20:30: Dinner at Gamla Biskopshuset, Lund

14 February 2020

9:00 – 10:30: Panel 5 – **New and/or Future Cases? (I)**

1. *Authoritarian populism and democratic decay in Austria? How to deal with Austrian 'Einzelfälle'*, Lando Kirchmair (University of Salzburg)
2. *Restriction of Migrants' Rights as a Means of Authoritarian Populism: The Case of the ÖVP-FPÖ Coalition 2018-2019 in Austria*, Margit Ammer (Ludwig Boltzmann Institute for Human Rights, Vienna)
3. *Constitutional Counter-Narratives and Populism: The Italian Case*, Giuseppe Martinico (Sant'Anna School of Advanced Studies)
4. *The Rise of an Italian 'No Way' Model: Fighting Illegal Immigration through 'Security Decrees'*, Stefano Zirulia (University of Milan)

10:30 – 11:00: Coffee break

11:00 – 12:30: Panel 6 – **New and/or Future Cases? (II)**

1. *The Good, the Bad and the Ugly in the Constitutional Matters of Migration in Slovenia*, Saša Zagorc (University of Ljubljana)
2. *"Don't Let the Sun Go Down on Asylum": Dispersal of International Protection Structures in Slovenia*, Neža Kogovšek Šalamon (The Peace Institute)
3. *Right-wing Populism in Belgium: Caught between Democratic Decay and Constitutional Resilience?*, Stijn Smet (Hasselt University)
4. *Crumbling Migrants' Rights, Populist Policies and Strategies of Resistance: The Case of Belgium*, Ellen Desmet (Ghent University)

12:30 – 13:30: Lunch at Gamla Biskopshuset, Lund

13:30 – 15:00: Panel 7 – **New and/or Future Cases? (III)**

1. *Sweden: The Constitution and Populism*, Anna-Sara Lind (Uppsala University)
2. *Blame it on the Populists? Changes in the Swedish Migration Policy and Legislation post-2015*, Rebecca Stern (Uppsala University)
3. *A Bulwark of Militant Democracy or a Bastion of Human Rights? How German Constitutional Law Reacts to Right-wing Extremism and the Anti-immigrant Right*, Tim Wihl (Free University of Berlin)
4. *Driven by Panic and Populists: German's Return Turn*, Constantin Hruschka (Max Planck Institute for Social Law and Social Policy)

15:00 – 15:30: Coffee break

15:30 – 17:00: *Restoring Europe's Democratic Compass by Taking its Fundamental Values Seriously*, Jan Wouters (University of Leuven) – followed by closing discussion, chaired by Jan Wouters.



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