

European populism in the European Union: Results and human rights impacts of the 2019 parliamentary elections

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Abstract: *Populism is a problem neither unique nor new to Europe. However, a number of crises within the European Union, such as the ongoing Brexit crisis, the migration crisis, the climate crisis and the rise of illiberal regimes in Eastern Europe, all are adding pressure on EU institutions. The European parliamentary elections of 2019 saw a significant shift in campaigning, results and policy outcomes that were all affected by, inter alia, the aforementioned crises. This article examines the theoretical framework behind right-wing populism and its rise in Europe, and the role European populism has subversively played in the 2019 elections. It examines the outcomes and human rights impacts of the election analysing the effect of right-wing populists on key EU policy areas such as migration and climate change.*

Key Words: *European parliamentary elections; populism; EU institutions; human rights*

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1 Introduction

2019 was a year fraught with many challenges for the European Union (EU) as it continued undergoing several crises, including the ongoing effects of Brexit, the migration crisis, the climate crisis and the rise of illiberal regimes in Eastern Europe. Accompanying these crises was the increasing success of right-wing populist parties in many EU member states. This gave rise to concerns in many quarters about a potential landslide win for these parties in the European parliamentary elections (EPE) scheduled for the spring. The 2019 EPE were held between 23 and 26 May 2019, where 512 million citizens from 28 member states voted in 751 Members of European Parliament (MEPs) (European Parliament 2020). The 2019 EPE saw losses in both the centre-right and centre-left parties, and despite gains for pro-EU environmentalist and liberal parties, there also was a gain for right-wing populist parties (European Parliament 2020).

Against the backdrop of the political developments surrounding the EPE in 2019, this article examines the impact of a rising wave of right-wing populism on key EU policy and human rights issues and institutional coherence. To do so, we provide an overview of the theoretical underpinnings of populism that provides a basis for the analysis that follows, drawing out aspects particularly relevant to populism in the context of Europe and the EPE. The third part explores in detail the EPE through the filter of the populist parties. Parts 4 and 5 examine how the outcome of the EPE *vis-à-vis* populist parties has impacted the EU from an institutional perspective and what effects the results have had on key EU policy and human rights issues such as migration and climate change.

2 Theoretical background

One of the significant challenges for scholars is to understand the political phenomenon of the radical right populist (RRPs) parties in the last two decades at the national level and, increasingly, at the international level. Even if there still is not a proper theory of populism and the term essentially is a politically-contested one (Müller 2017: 2) it is possible to establish some common characteristics shared among them. Moreover, by analysing the European type of populism found among RRP parties one can better understand not only their electoral performance, but the impact of these parties on EU policies.

RRP parties are to be found in many countries, may be traced back to the 1980s and generally seem to pose a threat to (liberal) democracy. They share a certain number of core values and frequently use populist strategies to reach and maintain power. However, there still is no consensus on how to define populism in the context of RRP parties or how to describe their international and transnational behaviour.

One criticism the term 'populism' faces is that it is commonly used as a battle term (*kampfbegriff*) to denounce political opponents and, at the same time, it is too vague to the point where it could be used to describe every politician (Mudde & Kaltwasser 2017). The ideational approach, by adopting a minimal definition of the concept, has become the most successful attempt to explain the causes and effects of populism, allowing it to be applied to many different countries and contexts. This approach focuses on defining populism mostly by a narrative in which a moral and Manichean distinction is made between the 'pure people' and a 'corrupted elite' (Hawkins 2018; Kaltwasser 2018). Accordingly, Mudde (2004: 543) defines populism as

a thin-centred ideology that considers society to be ultimately separated into two homogenous and antagonistic groups, 'the pure people' versus 'the corrupt elite', and which argues that politics should be an expression of the *volonté générale* (general will) of the people.

One of the major advantages of this approach is that it conceives populism as a 'thin-centered ideology', meaning that it always appears attached to other 'concepts or ideological families' (Mudde & Kaltwasser 2017: 19). This allows us to understand how we nowadays see populism, combined with a variety of different ideologies, including nationalism.

In order to define the ideological contours of the radical right-wing parties in Western Europe, we need to observe the discourse of 'the people' against 'the elites' in practice. For the RRP's 'the people' by their perspective not only are menaced from above by 'the elite' (political, cultural, financial and judicial, among others) but by the presence of the 'dangerous other' represented mainly by the figure of the immigrants, who would not share the values of the people and, therefore, would threaten the prosperity of the national state (McDonnell & Werner 2019: 21). In this sense, the contemporary RRP's in Western Europe share a number of core values and policies that may be summed up by their nativist, authoritarian and Eurosceptic positions (McDonnell & Werner 2019; Vasilopoulou 2018).

As Mudde (2019: 27) explains, nativism 'holds that states should be inhabited exclusively by members of the native group (the nation) and that non-native (or alien) elements, whether persons or ideas, are fundamentally threatening to the homogeneous state'. This aspect of the core values of the RRP's is essential to understand the electoral success of the radical right: The socio-cultural conflict dimension has been increasingly prominent in the public debates, with issues that touch on culture, values, and identity being at the centre of the difference between parties along the political spectrum.

While the socio-economic dimension has been put aside, a socio-cultural dimension has increasingly colonised the political discourse, and simultaneously issues such as immigration, border control and ethnic

tensions started to be placed higher on the voters' preference list. As a result, the mobilisation for the right-wing parties also increased (Arzheimer 2018; Rydgren 2018). Other issues, such as the climate agenda, considered part of the 'cosmopolitan elite agenda' (Lockwood 2018: 2) and, therefore, not compatible with the authoritarian and nationalistic values of the RRP, tend to be marginalised.

At the same time there is much discussion around the compatibility of the radical right with democracy, especially because of its authoritarian aspect. First, it is important to separate the radical right from 'right-wing extremism', which directly opposes democracy (Rydgren 2018). However, while portraying themselves as defenders of 'true democracy' and 'the will of the (pure) people', the RRP also reject notions of pluralism and many of the institutions that are inherent to the liberal democratic model, invoking popular sovereignty as a principle to criticise the judiciary and the media (Mudde & Kaltwasser 2017: 81).

This appeal for popular sovereignty is one argument for the adoption of Eurosceptic positions by the RRP, as 'many populist parties accuse the political elite of putting the interests of the EU over those of the country' (Mudde & Kaltwasser 2017: 19). For those parties, the EU stands for globalisation and multiculturalism and, thus, for a real threat to the cultural homogeneity of the European nation-states, consequently labelling established parties, mainstream media and intellectuals as elitist betrayers of their country for their support of the EU (Rydgren 2018; Vasilopoulou 2018).

However, it is important to note that not all parties of the radical wing family share the same opinion on European integration, with those that pursue withdrawal from the EU as their main goal, being a minority. Yet, most of them adopt a pragmatic approach to the issue. Their European position remains mostly defined by both their national context and the strategies followed by the other parties in their domestic system (Vasilopoulou 2016: 134-135).

Ultimately, as much as radical right-wing groups oppose a supranational system such as the EU, they consider it necessary to be politically engaged in the transnational level because as 'any other kind of political organisation, radical right organisations do not exist in vacuum, but instead are embedded in a larger context of multilevel governance' (Caiani 2018: 395). In fact, the RRP nowadays tend to be happy to demonstrate that they have a common project as their connections at the international level increase in substance. The most formal connection these parties represent is through alliances in the European Parliament (McDonnell & Werner 2019: 197).

Nonetheless, even if the group acronyms of the European Parliament alliances do not particularly resonate with the regular voter, the association with other foreign parties and especially other populist politician figures tend to be pursued by the RRP and seen positively by their supporters. Here, the strategies of the RRP tend to be split, either wanting to be seen as 'respectable radicals' able to secure mainstream alliances or as 'proud populists' (McDonnell & Werner 2019). Therefore, the parties that opted for the 'respectable radicals' label were going through a process of mainstreaming, while the 'proud populists' were attempting a 'normalising' approach. This process occurred not only in Europe, but throughout the world, as the RRP and their policies with time became more common and palatable for voters (McDonnell & Werner 2019; Mudde 2019). For this reason Caiani (2018: 407) writes that '[f]ar-right movements can be narrowly conceived as nationalist organisations, yet often their ideologies synthesise national and transnational visions' as parties or non-party organisations are more and more recognising the importance of the transnational arena and their mobilisation is being directed towards transnational institutions and politicians, particularly on the topic concerning European integration (Caiani 2018: 407).

The behaviour of the RRP in the last few years shows growth in both international populism and transnational populism even if the parties still do not act as an ideologically homogeneous group. As McDonnell and Werner (2019: 2018) put it:

This means in practice that radical right populists present themselves not only as working with like-minded parties in EP groups to defend their national 'peoples' from a series of bad elites and 'dangerous others' threatening them at national level but also as doing so to defend a European 'people' from elites and 'dangerous others' at continental level.

McDonnell and Werner (2019: 219) identify three main reasons for this. One reason is support for EU membership among the national public. The second reason is the possibility of reshaping Europe with their views because many of their key issues (for instance, immigration) are perceived as European issues. Finally, RRP increasingly see themselves as part of a worldwide political wave and no longer focus their activities only on their home states, but also on spreading their world views to as many other states as possible. Moreover, radical rights populists see their influence rising at both national and European levels, as the populist discourse based on a Manichean view of 'the people' versus 'the elite' is being translated into the notion of the respective national 'peoples' against the corrupt/evil elites (including the 'technocratic EU') and the 'others' (for instance, immigrants). 'The people' now is not merely a national concept but a transnational one, as the radical right populists in Europe feel that they no longer are alone in the EU and their presence is considered normal in the EU Parliament, as they seem to step up as 'saviours of Europe' (McDonnell & Werner 2019: 228-229). This development became evident during the

run-up to the 2019 European parliamentary elections and their results, as discussed in the following part.

3 Campaigns and results

A general atmosphere of uncertainty accompanied the run-up to the European parliamentary elections (EPE) in May 2019. This was due mainly to the success of populist RRPs in the aftermath of the 2014 EPE, Brexit, Trump's election and the issue of migration (Bolin et al 2019: 9). 2014 saw a significant increase in the success of populist right-wing rhetoric and ultimately witnessed the best results for radical right-wing parties in the EPE to date, where 73 out of the 751 elected members were from RRPs (McDonnell & Werner 2019: 4). The campaigns and results of the election are analysed in this part to ascertain the potential motives that are driving these RRPs and what lies behind their success.

3.1 Right-wing alliances in the European Parliament

As outlined in the theoretical background part, there is a key difference between those who are RRPs and 'right-wing extremists'. We are specifically interested in analysing those who make the distinction between 'the pure people' and 'the elite' (McDonnell & Werner 2019) and also those who are not actually opposed to democracy but rather defend 'true democracy' (Mudde 2017: 81). In this regard, the breakdown of the Right-Wing Populist Alliances of the European Parliament (EP) is made up of three political groups: the European Conservatives and Reformists; the Europe of Freedom and Direct Democracy; and the Europe of Nations and Freedom.

3.1.1 *European Conservatives and Reformists*

The European Conservatives and Reformists (ECR) currently is the second-largest group of RRPs in the European Parliament (European Parliament 2020). The ECR started by the UK Conservatives in 2009 as a Eurosceptic right-wing party. Despite initial rejection by the UK Conservatives, the Danish People's Party (DFP) and the Finns Party (PS) were accepted into the group before the 2014 EPE, where the group performed successfully. However, in the run-up to the 2019 election, both PS and DFP left the group and were replaced by the Spanish right-wing party Vox, the Forum for Democracy (FvD), the Greek Solution (EI) and also the Law and Justice Party of Poland (PiS), now the party with the highest number of seats in the group. The ERC agenda, according to their website, focuses on protecting and respecting EU member states, an EU immigration system that works, 'common sense' and sustainability, and notably 'an EU led by national governments not Brussels Bureaucrats' (ECR Website 2020). These values clearly align with the theoretical definitions laid out in part 2, in that

right-wing European parties may be summed up by their nativist, authoritarian and Eurosceptic positions. Although considered a right-wing group, there are some right-wing extremist factions within the alliance, namely, PiS of Poland and AfD of Germany as they have become much more radical-right. Despite discussions on whether to exclude these parties, the same conclusion as those of McDonnell and Werner should be drawn, whereby these parties are included in the post-2019 EP discussion because of their influence and role 'within the broader radical right populist family' (McDonnell & Werner 2019: 6).

3.1.2 Identity and Democracy

The Identity and Democracy (ID) group is the fifth largest group out of nine (European Parliament 2020) and was formed as a successor merging both the Europe of Nations and Freedom group and the Europe Nations and Freedom group leading up to the 2019 EPE (Carbonnel 2019). The group is an example of the largest homogenous radical right populist groups in the EP with the amalgamation of many key nationalist far-right parties from Europe such as the French Front National under Marine Le Pen, the Dutch Party for Freedom led by Gert Wilders, the Italian Northern League Party led by Matteo Salvini, the Austrian Freedom Party and the Flemish Interest Party of Belgium (DW.com 2019). The ID's core policies centre around the protection of democracy (setting them apart from other right-wing extremist parties); the protection of national sovereignty and anti-federalism; the protection of European identity and culture through national control of immigration; and defending individual freedoms and emphasising the particular importance of protecting freedom of speech and digital freedoms, which they consider to be increasingly in jeopardy (ID 2020). These core group values align with the theoretical frameworks of RRP and many members of ID. Marine Le Pen of France is an example of a populist right-wing leader, seen in her reaction to court proceedings against her, stating that she was wrongly singled out by morally-questionable ruling 'elites' (Rankin 2019a). This sentiment echoes the theoretical definition of populism in part 2 whereby 'the people' are being menaced from above by 'the elite' (political, cultural, financial and judicial, among others). A further example of how the group would be within the RRP definition is the core values of the group. ID have a unifying consensus across all MEPs that immigration in the EU should be under the control of member states to preserve their individual cultures. This equates to the third component of the theoretical definition of populism in part 2, as immigrants are now considered to be 'the dangerous other', who threaten the prosperity and cultural identity of 'the people' (McDonnell & Werner 2019: 21).

Despite not registering after the 2019 election and therefore no longer being considered an official political group, the Europe of Freedom and

Direct Democracy alliance (EFDD) played an important role leading up to the 2019 EPE and the previous EP election – particularly in connection with Brexit – as the major party of the alliance was the United Kingdom Independence Party (UKIP) (McDonnell & Werner 2019: 93). UKIP is a true nativist populist right-wing conservative party that is heavily Eurosceptic and led by the face of the Brexit movement, Nigel Farage (UKIP 2019). Farage and other British MEPs split away from the EFDD to create the Brexit party in early 2019 before the elections, in order to expedite Britain's exit from the EU (Giuffrida & Rankin 2019). This ultimately resulted in the remaining EU RRP in the group being dispersed into other RRP groups and could arguably be responsible for the success of both ECR and ID.

3.2 Focus of campaigns

The campaigns of different parties for the 2019 EPE had very similar areas of focus particularly in the negative campaigns: Euroscepticism, immigration and anti-federalism. The 2019 EPE saw a significant change in the campaigning landscape compared to the 2014 EPE with the increased use and efficacy in social media campaigning (Ferrari & Gjergji 2019).

According to the 2019 report by the European Election Monitoring Commission, across Europe, the top topics of the 2019 EPE campaigns were Europe (17 per cent); Values (7 per cent); Economics (5 per cent); Social (5 per cent); and Environment (5 per cent) (Johansson & Novelli 2019: 20). The topic of 'Europe' encompasses issues such as general EU issues, EU economy, the euro, critical views on the EU such as Brexit and anti-EU sentiment. The second most prevalent topic in 2019 EPE campaigns was values, which included themes of economic issues, social issues, labour, environment, but also national identity, cultural differences and religion. These topics are key areas of contention in the populist rhetoric (Johansson & Novelli 2019: 20).

The percentage of campaigns that were negative or Eurosceptic was dependent on the country. The overall average of negative attack campaigns was 12 per cent, with countries such as the UK and The Netherlands seeing 20 per cent and countries like such as Slovenia, Belgium, Germany and Luxembourg having virtually no negative campaigns. The vast majority (72 per cent) of most of the negative campaigns were targeted at national institutions, politicians and parties. Interestingly, 21 per cent of these campaigns were targeting foreign institutions, namely, 'EU' and 'Brussels' (Johansson & Novelli 2019: 21). This aligns with the core populist Eurosceptic notion that the EU and Brussels is overly bureaucratic and takes too much sovereignty from states, further fuelling the populist Eurosceptic idea that this supranational body is not representing the true will of the people.

The transition towards more social media campaigns was evident in the 2019 EPE across all of Europe, both in terms of the content posted but also in comparison to other traditional campaigning tactics such as television commercials and posters (Johansson & Novelli 2019: 15). Interestingly, there are some key outliers in the number of posts by particular parties that were particularly successful in the 2019 EPE. One of them is the Italian Northern League led by Matteo Salvini, which generated nearly four times the number of posts compared to the runner-up, the Italian Movimento 5 Stelle (5 star movement), then closely followed by UKIP. Five of the top seven parties were from the ID group and all posted strongly critical and sceptical views of Europe (Johansson & Novelli 2019: 26). Although the high number of posts not necessarily means that the information was properly engaged with and consumed, but there is a very strong correlation between the political parties who post the most and top political parties by engagement (Johansson & Novelli 2019: 28). This supports the notion that the RRP's have successfully harnessed the appropriate channel to campaign and engage with their targeted audience. Social media is a highly-effective communication tool for populist parties, as seen with the new ID group, as the emotional style and, in general, the role of the leader as a source of communication aligns well with social media (Bobbà 2018: 11). Social media also gives the leader a platform with the freedom to articulate their message to a broad range of people who would usually consider the regular media channels part of 'the elite' (Engesser et al 2017: 1113).

3.3 Election results

Despite many being successful in national elections, and in comparison to the 2014 EPE, populist parties were not as successful as predicted in the 2019 EPE. In the words of Karnitschnig (2019): 'The bark of Europe's far right [was] worse than its bite.'

Table: European Parliament election results of 2014 and 2019

2014 ELECTION		2019 ELECTION	
Political Groups	Seats	Political Groups	Seats
EPP: Group of the European People's Party (Christian Democrats)	216	EPP: Group of the European People's Party (Christian Democrats)	182

S&D: Group of the Progressive and Alliance of Socialists and Democrats in the European Parliament	185	S&D: Group of the Progressive and Alliance of Socialists and Democrats in the European Parliament	154
ECR: European Conservatives and Reformists Group	77	Renew Europe: Renew Europe group	108
ALDE: Group of the Alliance of Liberals and Democrats for Europe	69	Greens/EFA: Group of the Greens/European Free Alliance	74
GUE/NGL: Confederal Group of the European United Left – Nordic Green Left	52	ID: Identity and Democracy	73
Greens/EFA: Group of the Greens/European Free Alliance	52	ECR: European Conservatives and Reformists Group	62
EFDD: Europe of Freedom and Direct Democracy Group	42	GUE/NGL: Confederal Group of the European United Left – Nordic Green Left	41
ENF: Europe of Nations and Freedom	36	NI: Non-attached members	57
NI: Non-attached members	20	-	-
TOTAL	749	TOTAL	751

Source: European Parliament, 2020, Comparative Tool

The above Table shows a general comparison between the groups compared to the 2014 and 2019 elections. Specifically looking at the outcomes of populist groups and seats within these groups, there are some notable remarks. First, with the two largest groups, there has been a decrease in the number of seats in both the Group of the European People's Party (EPP) and the Group of the Progressive and Alliance of Socialists and Democrats (S&D). Second, there has been a decrease in the number of seats of the populist ECR group. Third, despite the deregistration of the EFDD mostly due to the leaving of UK MEPs, the new successor group ID performed reasonably well for a new group, taking 73 seats and becoming the fifth largest group in the EP.

The EPE results ultimately showed a voting shift from the larger centre alliances towards smaller alliances such as RRP groups in the EP. The campaigns of these RRP groups showed an increased use of social media by populist parties in comparison to other parties, which proved to be effective with their audience, along with a consistency in their Eurosceptic, anti-institutional and anti-immigration campaigning messages. The human rights impacts arising from the outcomes of the EPE show the importance of the EPE on the EU as an institution.

4 Institutional consequences of populism for the European Union

In the aftermath of the elections, the public's attention soon shifted towards the distribution of offices and the formation of a new commission, which had proven difficult in the past EPEs. The approaching Brexit caused additional uncertainty regarding the way in which the EU would have to adapt. In the following part we analyse how populist parties in Parliament complicated institutional processes within the EU. The formation of a new commission shows that populists were able to spread their ideologies into the mainstream debate and that it requires joint efforts of the other parties to prevent a continuously rising influence. We then discuss Brexit, which was based on populist ideas from the outset and gained additional momentum with the success of the populist Brexit party during the EPE.

4.1 Forming a European Commission

One effect RRP groups had on the seating in Parliament was a reduction of the fraction of 'established' parties. In the 2009 and 2014 elections, the largest alliances, EPP and S&D, had an absolute majority. In 2019 these parties won a combined 336 seats falling far short of the halfway mark at 376. A candidate for commission president has to find support with both the heads of state in the Council and the Parliament. As McConnell and Werner (2019: 37) argue, the process 'was obviously not created for the alliance logics within the European Parliament', and it may be added that this is even more the case when Eurosceptic or outright anti-EU parties are involved.

A first defeat for the system became apparent when both *Spitzenkandidaten* were rejected. Both Manfred Weber, who had won the most votes for EPP, and the S&D's runner-up, Frans Timmermans, had lost support before it even came to a vote. As Boucher et al (2019: 5) observe, '[t]he major political groups in the European Parliament were simply unwilling to rally behind one common candidate'. Although the ECR presented their own *Spitzenkandidat* in Jan Zahradil, anti-European RRP groups had little interest in advancing the election process (McConnell & Werner 2019: 37).

Instead, populists claimed that they stopped the other candidates: 'Hungarian government spokesman Zoltán Kovács said the 'Visegrád Four' ... had demonstrated their growing strength and influence over the direction of the EU, in part, because they had "toppled Timmermans"' (Rankin 2019c). While Timmermans, a leading figure in the rule of law dispute between the EU and the populist governments of Poland and Hungary, faced the most backlash, ultra-conservative Manfred Weber was equally opposed by populists whom he had called out during his campaign (Boucher et al 2019: 5). As the process dragged on, frustration in Parliament grew, as expressed by Socialist leader Iratxe García: 'It is unacceptable that populist governments represented in the council rule out the best candidate only because he has stood up for the rule of law and for our shared European values' (Rankin 2019b).

A compromise solution was found in German Minister of Defence and Merkel-protégé Ursula von der Leyen. She gained unanimous support among the heads of state in the Council while being confirmed in Parliament by the narrowest margin of votes a candidate for commission president ever received (Darmé 2020: 16). With their agreement to Von der Leyen, the Eurosceptic governments of the Visegrád states also accepted to be omitted from the other leading positions in the EU, such as Parliament president, council president or ECB president which were part of a negotiation 'package' and all ended up in the hands of Western Europeans (Rankin 2019b). Whether populists in Eastern European governments will use this fact to depict the EU as disconnected from the *volonté general* of their domestic populations remains to be seen, but is not unlikely.

After having gathered preliminary agreement in the Council and Parliament, Von der Leyen was faced with the challenge of assembling a commission that would pass the scrutiny of the election procedure. Having to accommodate the candidates and political views brought forward by populist governments similarly proved challenging. The increasing importance of culture, value and identity and the struggle to interpret this became particularly evident in the naming of the new commissioner in charge of migration.

In September, two months after having been chosen to form a new commission, Von der Leyen revealed that the populist hot topic of migration that had dominated much of the 2014-2019 commission's term had been assigned to a newly-formed mandate of a Commissioner for Protecting Our European Way of Life (Stavis-Gridneff 2019). The title had immediately sparked controversy for adopting a radical right narrative of migrants as something from which Europeans needed protection. Human Rights Watch commented as follows on this development (Stavis-Gridneff 2019):

Putting migration under a portfolio named 'protecting our European way of life' is another example of just how much mainstream politicians in Europe are adopting the framing of the far right ... Normalising their ugly rhetoric is a dangerous step toward normalising their abusive policies that threaten democracy and human rights.

After initially doubling down explaining that migration and the right to asylum were part of the European values she intended to protect, Von der Leyen agreed to changing the title two months later from 'protecting' to 'promoting' European values (European Commission 2019). Parliamentarians from the left, human rights defenders and her predecessor Jean-Claude Juncker, had put pressure on her (Euronews 2019).

A final challenge populist governments posed during the formation of the new commission was the nomination of ineligible candidates. Besides Romania's social democrat, Rovana Plumb, who had been rejected for suspicions of corruption, Hungary's former Minister of Justice László Trócsányi was equally disqualified by Parliament's legal committee for conflicts of interest (Deutsche Welle 2019). Critics claimed that particularly Trócsányi was unsuitable, as he was involved in building the Fidesz autocracy by 'limiting the powers of the judiciary', also accusing him of 'criminalising NGOs for helping refugees and setting up Hungary's container camps for asylum seekers, as well as measures that led to the Central European University being forced to quit Budapest' (Rankin 2019b). Trócsányi is quoted as describing the decision as 'blatant injustice'; Orbán said it was based on his work to stop migrants (Deutsche Welle 2019).

Populists' succeeding in the 2019 EPE affected the formation of the new European Commission in three ways. First, they limited the ability of the previously dominant alliances EPP and S&D to agree on political personnel among themselves without consulting the other parliamentary fractions. However, this analysis must be seen with the caveat that the green and liberal alliances gained even more seats than populists and without delegitimizing pluralism in Parliament. Second, the heads of state from populist governments torpedoed the presidency of both *Spitzenkandidaten* Manfred Weber and Frans Timmermans. They were not alone in this. For instance, French president Emmanuel Macron was equally opposing Weber as president of the Commission. Finally, the appointment of a Commissioner for Promoting our European Way of Life in charge of migration has been seen as a concession to populist perceptions of migration as a menace.

On paper, the formation of the European Commission seems to have overcome these three main institutional challenges by RRP. However, as will be demonstrated later, the political route taken – particularly during

the migration crisis at the EU-Turkey border – shows that populist voices have gained influence even in the EU's most powerful body.

4.2 Brexit and EU institutions

The Brexit debacle has characterised EU politics for the last three years and negotiations between the UK and the EU still have a long way to go before the nature of the new arrangement can be determined. This part will focus on the impact of the inclusion of the UK in the 2019 EPE, in particular *vis-à-vis* the populist right-wing alliances and parties, and analyse the new redistribution of seats in the EP following the official Brexit date of 1 February 2020. This date represents the UK's departure from the EU, leaving a year for the UK to reconstruct 46 years of trade, security and foreign policy ties with the EU.

One key controversy in the lead-up to the EPE had to do with the question of including UK MEPs despite the UK having already voted to leave the EU. The initially planned date for the UK to formally leave the EU was scheduled with the 2019 elections in mind, for 29 March 2019. With elections taking place on 23-26 May 2019, it was assumed that the EU could avoid the inclusion of the UK. This raised the concern of how the UK's voting power could affect the outcome of the election results. Guy Verhofstadt, leader of the Parliament's liberal block, said that a British vote would poison the election campaign and 'import the Brexit mess into EU politics' (Khan 2019). With support for the Brexit party, it was predicted that the British vote may skew election results to reflect a more Eurosceptic parliament.

The election results affirmed this as there was an increase in the number of seats filled by populist parties, but still these parties did not achieve as many gains as predicted. The Europe of Freedom and Direct Democracy Group (EFDD), previously involving UKIP, and the Italian Five Star Movement, increased their seats due to the strong performance of the Brexit Party (Uberoi et al 2019).

However, [the EFDD] no longer has enough members to form a Political Group following the departure of AfD and the loss of seats by other parties. EP rules require Political Groups to have at least 25 MEPs and from at least 25% of (seven) Member States.

All in all, the inclusion of the UK in the EPE represented a pattern that was consistent between all EU member states: a disintegration of the centrist two-party system, and the allocation of more seats to both the left and right-wing parties. Fears that the inclusion of the UK would taint the results were not actualised in the ways that were predicted, but instead represent a larger concern about the future composition of the European Parliament, and its ability to reach consensus on EU policy.

Following the UK's official exit from the EU, the reallocation of the UK's seats in the European Parliament required re-configuration. Although this was intended not to dramatically affect the composition, slight changes in the number of seats may have the potential to alter the alliances within Parliament. Out of the UK's 73 seats, 27 have been redistributed to other countries, while the remaining 46 will be kept in reserve for potential future enlargements (European Parliament 2020). Using the principle of 'degressive proportionality', the allocation was also used as an opportunity aimed at addressing issues of under-representation of MEPs in 14 member states affected by this under-representation. This principle takes into account the size of the population of member states as well as the need for a minimum level of representation for European citizens in the smaller ones. This changed most notably for France and Spain with five extra seats each, Italy and The Netherlands with three each, and Ireland with two. Nine other member states, including Austria, Croatia, Denmark, Estonia, Finland, Poland, Romania, Slovakia and Sweden, will receive one seat each. The delay of the UK's official withdrawal meant that the member states that were allocated additional seats were expected to hold the elections as if the new allocation already applied. Candidates elected to the 27 additional seats were then required to wait on standby, and take up their seats in the European Parliament when the UK and its MEPs were intended to depart the EU.

The most noteworthy changes to the party structure of the Parliament manifested in the loss of seats of the EPP and S&D. These parties had until then worked together to control the agenda of the European Parliament. However, both groups lost seats in the election, with the result that these two groups will not have a majority of MEPs between them. The implications of such an arrangement will require that these two groups work with other parties who made gains in the election, and the post-Brexit reallocation, such as Renew Europe and the newly-formed Identity and Democracy party, to set the new parliament agenda.

As established in part 3, the UK's departure further altered the composition of the EP, leaving two parties that have no UK MEPs to lose with gains. These parties were the centre-right European People's Party (EPP), which gained five MEPs, while the far-right populist Identity and Democracy (ID) group gained three MEPs. Despite this, the three largest represented groups in parliament are the EPP, S&D and RE. These three parties are all generally in favour of deepening European integration and not engaging with the populist agenda (Uberoi et al 2020). The effect of Brexit on the constitutional composition of the Commission and the Parliament will become more apparent when examining the way in which matters of policy are handled at the institutional level. The next part examines how populism and Brexit have thus far impacted EU policy decisions, and what effect they may have in the future.

5 EU policy and populism

The impact of populists on EU policies arguably is most visible in the areas of migration and climate legislation. As explained in part 2, preventing migration traditionally is a focus area of RRP. Their influence on the European Commission and Parliament often is indirect. However, ideas and rhetoric are subliminally introduced into the mainstream conversation and their manifestation in the form of policies becomes distinct when observing the actions of the EU in the early 2020 humanitarian crisis at the border between Greece and Turkey. There, we can find that these ideas translate into a multitude of human rights violations, most clearly the denial of the right to asylum guaranteed by article 18 of the EU Charter of Fundamental Rights. As for climate policy, one can observe that as the topic of climate makes its way to the top of the agenda for many people, consensus on the issue continues to be further divided. RRP have exhibited a tendency to disregard the importance of climate, and continue to frame the topic as a liberal preoccupation. Below, we will summarise how this may have an effect on goal setting in climate change mitigation, and the extent to which this will impact human rights challenges in the region.

5.1 Migration policy and populism

The issue of migration arguably is the political area on which RRP are most focused. Although their success during the parliamentary elections was limited, these parties have nevertheless affected the EU's migration policy. Beginning with a short analysis on a rhetorical level, we will show how populist speech translates into the xenophobic and dangerous decisions made or supported by the EU particularly during the humanitarian crisis in the winter of 2019/20 at the EU-Turkey border.

As discussed above, the most recent change in the EU's tone on migration issues became evident after Von der Leyen attempted to present a commissioner for the Protection of European Values whose portfolio included migration. While this decision was later reversed, it foreshadowed a new approach to wording that differed from the Jean-Claude Juncker era. Von der Leyen moved even clearer towards populist anti-immigration rhetoric when the humanitarian crisis at the Turkish border intensified after President Erdogan one-sidedly declared borders towards the EU open. In a speech she gave together with Greek Prime Minister Kyriakos Mitsotakis, she declared: 'Those who seek to test Europe's unity will be disappointed. We will hold the line and our unity will prevail. Now is the time for concentrated action and cool heads and acting based on our values.' And later: 'I thank Greece for being our European "aspida" in these times' (Von der Leyen 2020). The Greek word *aspida*/ασπίδα was translated by the Prime Minister himself to the English word 'shield'.

In these excerpts we find traces of what McDonnell and Werner have described as a notion of defending a European people from 'dangerous others' (McDonnell & Werner 2019: 218). In Von der Leyen's speech this archetypal populist concept has moved from a national to a continental level. Consequently, the implied idea of us versus them shifted to Europeans versus a menace that awaits at the border: 'This border is not only a Greek border but it is also a European border and I stand here today, as a European, at your side' (Von der Leyen 2020).

It should be emphasised that labelling Von der Leyen as a populist or not is beside the point here. Rather, she includes elements of a populist worldview in her public statements and, because of her role as a leading figure of the EU, thereby legitimises and mainstreams them. Arguably, this could even have a global effect, as it explicitly undermines the UN's attempt to shift gears on the migration discourse (UN General Assembly 2017):

We must sadly acknowledge that xenophobic political narratives about migration are all too widespread today ... Progress towards resolving real challenges associated with migration means, in part, dispelling alarmist misrepresentations of its effects. Political leaders must take responsibility for reframing national discourses on the issue, as well as for policy reforms.

Ironically, by thanking Greece for acting as a shield, Von der Leyen also undermined parts of her own agenda which she presented during her short election campaign. There she had framed her views on EU migration politics very differently, claiming that 'Europe has a responsibility to help the countries hosting refugees to offer them decent and humanitarian conditions. To this end, I support the establishment of humanitarian corridors' and 'we need a more sustainable approach to search and rescue' (Von der Leyen 2019). However, these ideas were not translated into policy, as will be shown in the analysis.

One of the highest increases in the EU budget after the elections was dedicated to the area of migration management. However, these funds were not dedicated to the integration of migrants, but mostly to preventing them from entering the EU by further militarising the borders. Accordingly, the Parliament and Council agreed on increasing the border agency Frontex's budget by 191 million Euro (Council of the EU 2019). As Von der Leyen aimed for in her campaign, the agency has accelerated plans to increase its troops to a 'standing corp of 10 000 Frontex border guards' (Von der Leyen 2019).

Another important aspect of EU migration policy concerns cooperation with third states along migration routes. Looking beyond the EU-Turkey deal, which was tested to the breaking point in early 2020 when Erdogan opened borders, the EU has begun to mainstream its anti-migration policy into the area of development aid. As data journalists analysed, 'money

from the EU Emergency Trust Fund for Africa does not go to the states where most migrants are from, but to those along the migration routes, namely Libya, Mali and Niger' (Grün 2018). Thus push factors in origin states remain in place with less access to aid funds, while the increased surveillance of migration routes forces people to resort to more dangerous paths towards Europe: 'The EU's excessive preoccupation with border security has negative effects on development programmes and increases the number of dangerous and illegal attempts at migration, often with fatal consequences' (Fine, Dennison & Gowan 2019: 21). To demonstrate this, we will examine the spiralling humanitarian crisis at the EU-Turkey border.

The effects of populists on EU migration policy become painfully visible in the treatment of migrants stuck in inhumane conditions in refugee camps on the Greek islands of the Eastern Aegean. An EU report published in mid-October anticipated the coming disaster: '[T]he challenging conditions caused by the increase in arrivals and the onset of winter highlight the need for urgent action' (European Commission 2019). While humanitarian action stalled and the situation of refugees in Greece worsened every day, non-governmental organisations (NGOs) and journalists increasingly voiced criticism, with some claiming that the conditions were part of a reckless anti-refugee agenda to scare off more newcomers (Ayata & Fyssa 2020). Pressure increased on the EU to intervene. With populists in the Council blocking any attempts for the distribution of refugees among all member states, Ylva Johansson, the Commissioner for the Promotion of European Values, in March 2020 announced that seven member states had agreed to evacuate a total of 1 600 unaccompanied minors from the islands (Johansson 2020). This number stands in contrast with an estimated 41 000 migrants and refugees that were stuck on the Greek islands at that point, most of them on their own outside the overcrowded camps (UNHCR 2020).

In February 2020 the situation, especially in Lesbos, spiralled even more out of control with fascists attacking refugees, NGO volunteers and journalists (Smith 2020). At the same time the EU failed to take a clear stance after Greece had illegally suspended the right to apply for asylum, as critics noted, 'a move at odds with European law and the Geneva Convention' (Rankin 2020). What Commissioner Johansson presented instead as 'European solidarity' was a plan to hand out € 2 000 to any migrant who would return to their home country (Johansson 2020). It is this shift in the use of solidarity – allegedly directed at European citizens and states, but excluding solidarity towards migrants and refugees – that shows the damage populists have done to European values.

5.2 Climate policy and populism

The future of the EU's climate policy is inextricably linked to the outcome of the 2019 EU parliamentary elections and inevitably determined by the success and influence, or lack thereof, of RRP parties. This part assesses the extent to which RRP parties may hinder progress in EU climate policy, and how the new composition of the European Parliament may shape the upcoming parliamentary term. First, it is necessary to note how climate policy is linked to populism in a European context. We then summarise developments and other notable events that have characterised the discourse surrounding climate policy in 2019. Finally, we will attempt to draw conclusions as to how the structure of the new EP reflects the effectiveness of anti-climate science populist rhetoric among EU voters.

By using the theoretical framework proposed by Lockwood we can observe RRP party campaigns as having a hostile approach to climate policy, and often even climate scepticism. Lockwood builds on existing literature that attributes hostility to climate change and policy as directly related to structural changes in post-industrial states that have also produced RRP, including job losses concentrated in high carbon industries and a hostility of such groups to any form of tax (Lockwood 2017: 21). Lockwood contributes to this argument by focusing on the ideological content of RRP as combining 'authoritarian and nationalistic values with anti-elitism, producing hostility to climate change as a cosmopolitan elite agenda, along with a suspicion of both the complexity of climate science and policy and of the role of climate scientists and environmentalists' (Lockwood 2018: 2). Furthermore, a distinction is made between Anglophone and continental European RRP parties. European RRP parties 'do not reject [climate] science outright', but instead seek to marginalise the climate agenda 'in order to concentrate on border control and immigration' (Jeffries 2017: 469).

The issue of climate policy has received a considerable degree of attention in the lead-up to the EPE in light of movements such as Fridays for Future. This began as a student movement which has now transcended into the civil sphere, calling for more urgent and ambitious action with regard to climate policy. Meanwhile, parties such as Germany's AfD and Britain's UKIP have increasingly been leading their campaigns with scepticism towards climate action, whereas issues such as immigration, while still a prominent topic, have lost their momentum in European political discourse in 2019 (Waldholz 2019a). Lockwood provides the example of the AfD as actively engaging in, climate change denial through 'repealing the country's energy saving ordinance and its renewable energy support laws, while also being pro-coal and pro-nuclear' (Lockwood 2018: 5). In the lead-up to EPE, the AfD argued that climate policy would place the German car industry under threat while simultaneously raising taxes,

making owning and driving a car more difficult and expensive. Italy's Lega and France's Rassemblement National (formerly Front National) have also resisted policies aimed at transitioning Europe away from fossil fuels (Waldholz 2019b).

In late 2018 and early 2019 the EU saw the adoption of legislation in the Clean Energy for all Europeans package (Climate Action Tracker 2019). This established a framework for the decarbonisation of the energy and buildings sectors. This is an example of the kind of climate and energy law activity in which the Parliament, Commission and Council have recently engaged (Waldholz, 2019a):

That included reforming the European Union Emissions Trading System (EU ETS), which sets a cap on emissions from energy and heavy industry; new legally binding annual emissions targets for other sectors, including agriculture, transportation and buildings, under the EU's 'Effort-Sharing' legislation; and a major clean energy package covering renewable energy, efficiency, and electricity regulation.

The 2050 emissions neutrality goal currently is under discussion at the European level. While the majority of the EU member states have already adopted strategies in line with the 2050 goal, Poland, the Czech Republic, Hungary and Estonia (which has since withdrawn its opposition) in June 2019 blocked this goal. This was a major setback for the EU's attempt to re-establish its position as a global leader on climate policy action (Climate Action Tracker 2019). The CEE states, which have not shown support for the 2050 goal, are the most coal-dependent states in the EU, and would thus require a considerable amount of funds from the EU budget for the energy transformation of coal regions. It is interesting to note that Poland remains the most difficult to convince. It is the biggest coal consumer and also the country that has been most relentlessly blocking EU efforts to make progress on climate.

Towards the end of 2019 in the lead-up to the United Nations Intergovernmental Panel on Climate Change, a crucial UN climate conference, the European Parliament voted on the declaration of a climate emergency. With 429 votes in favour, 225 votes against and 19 abstentions, the Parliament declared a global 'climate and environmental emergency' as it urged all EU countries to commit to net zero greenhouse gas emissions by 2050 (Rankin 2019d). The vote also called for the attention of Ursula von der Leyen, the newly-appointed president of the European Commission. The Eurosceptic European Conservatives and Reformists group opposed the declaration. Alexandr Vomdra, representing the Civic Democratic Party (ODS), stated that '[r]amping up the rhetoric does not get us away from the serious discussions that now need to take place' (Rankin 2019d). Meanwhile, the Brexit party voted against both climate resolutions.

Although the European Parliament is not directly responsible for target setting in climate policy, the EP composition has the ability to determine cross-party consensus on climate policy. The European Parliament has been historically ambitious in comparison to what the European Commission's proposals have been (Waldhoiz 2019b). One of the major tasks of the new European Parliament is to pass a multi-year budget. This budget determines funding towards climate and energy initiatives, as well as informing key policy areas that are decided on the EU level, such as trade and agriculture.

As Figure 1 shows, Greens have made progress in the last EPE. Their share of the 751 seats have increased from 51 to 69 since the 2014 EPE. Although this appears to represent a win for climate activists and a reflection of gains made for movements such as the Fridays for Future movement, 'the surge in climate-focused voting was not European-wide' (Bootman 2019). The rise of populist and far-right parties coincided with a decline in support for traditional centrist parties. This raises concerns over the EP's ability to reach consensus on climate related policies. Nevertheless, the gains of the Greens could mark a shift towards the prioritisation of climate in the EU agenda.

6 Conclusion

This article explored the concept of 'European populism' and provided a distinction of what characterises populism in the EU and how it played out in European politics throughout 2019. In addition, we have analysed the potential consequences that this brand of populism has had on the 2019 European parliamentary elections, and the implications of the results on European institutions and the key policy areas of migration and climate policy. Through this analysis, we find that European populism is characterised by the notion that the concepts of 'the people' and 'the elite' have transcended from the national sphere into the transnational sphere, and are being translated into the notion of the respective national 'peoples' against the corrupt/evil elites that are the 'technocratic EU'. An examination of the EPE results ultimately showed that through effective campaigning and communication channels, a voting shift from the larger centre alliances towards smaller alliances among radical right populist parties in the EP occurred. By assessing the institutional consequences of the election results, specifically how the results have affected the formation of the new Commission and European Parliament, it is clear that the concrete effects of populist parties on these institutions are not overtly evident. However, the rise of a populist presence is likely to further complicate the EU's ability to reach consensus on key topics. The article has also outlined the relationship of European populism to EU migration and climate policy, and found that the impact of radical right populist parties in these areas could have dire consequences for the protection

of human rights and fundamental freedoms not only in Europe, but on a global scale. It is important to recognise the dangers of populism in Europe, not only on a national level, but also at the transnational level, as the success of populist parties in Europe has the potential to undermine the EU's role as a leader of human rights protection and as a normative influence on the rest of the world.

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