

Report on EUPOP Summer School 2020

Introduction:

The School of Law of the University of Central Lancashire, Cyprus and [the Jean Monnet Module](#) entitled “European Union Law and Governance in Populist Times” (EU-POP), co-funded by the European Union and running at UCLan Cyprus for the period 2019-2022, held their first Summer School on 18-19 of September 2020. The Summer School was previously postponed amid the COVID-19 crisis. The EU-POP Summer School promoted excellence in teaching and research and fostered dialogue among the many participants to the Summer School. The aims of the Summer School were, among others, to evaluate and assess EU policies and practices in Europe in the broad field of the Rule of Law in populist times. The Summer School was opened by the Ambassador Designate of the Kingdom of the Netherlands. The Ambassador addressed the participants of the Summer School by welcoming them and addressing crucial issues to be discussed within the framework of the Summer School. Warning against the challenging populism poses to European unity, the Ambassador urged for the safeguarding of core European values of democratic governance and the rule of law. A welcoming address by the Head of the School of Law of UCLan Cyprus, Prof Stéphanie Laulhé Shaelou, EU-POP Module Leader and Academic Coordinator, followed. Prof Shaelou exposed the aims of the Jean Monnet Module EU-POP and of the Summer School, thanked the participants for their interest and stressed the increasing importance of populism in our every day life.

Learning Activities:

In addition to interactive materials made available to all participants prior to the Summer School, the Summer School also hosted a series of speakers including Dr Andreas Marcou, Dr. Petr Oskolkov, Mr Andrew Hadjigeorgiou, Dr Katerina Kalaitzaki and Dr. Natalie Alkiviadou in a combination of workshops, guest lectures, and roundtable discussions. The first workshop was led by Dr Andreas Marcou and investigated how the failures of contemporary democracies have fuelled the rise of populist parties across Europe. The workshop examined the deep relationship between democracy and populism, before proceeding to map out the structure deficits of liberal democracies that have inspired the rise of populism. By discussing Judge Demetrios Hadjihambis’s paper entitled ‘Democracy: Its

Own Enemy’, the workshop traced the fundamental paradoxes and contradictions within liberal democracies that provide fertile ground for populist parties and policies. Participants were invited to consider the nature of democracy, the role of populist discourses within a democracy, and the threat that populist discourses constitute for democratic governance across the EU.

Concluding the first day of the Summer School, Dr Petr Oskolkov delivered a guest lecture entitled ‘Starring Populism: Theoretical and Methodological Aspects’. The lecture provided an approach to the question of defining populism and the ways in which participants could analyse and compare distinct approaches to defining populism. By examining different typologies of populism, the lecture proposed ways in which participants could distinguish between different cases of populism and illuminate the different variables populist parties and policies might take.

The second day began with Mr Andrew Hadjigeorgiou’s workshop which focused on the right to equality as a legal tool against right-wing populism. Having conceptualised populism and the populist divide, Mr Hadjigerorgiou moved on to critically analyse the role of the right to equality and freedom from discrimination as a legal tool against populism. Simultaneously, he examined how political rights affect and/or empower legal change. Participants to the workshop had the opportunity to discuss how the right to equality in cases of gender discrimination can emerge as a tool for the fortification of the rule of law, and as a bulwark for abuses by populist policies.

In his workshop, Dr Petr Oskolkov investigated cases of populism across the EU, proposing that we can distinguish between clusters of nations in which populism exhibits similar characteristics. Picking up from the topics covered during his guest lecture, Dr Oskolkov identified certain tools and methodological approaches that could facilitate the comparison between populist parties and policies in different Member States of the EU. The workshop also identified and analysed several variables that support the attempt to compare populist parties around Europe, including nationalism and the political culture of a country, as well as the degree of Euroscepticism across its population. The workshop enabled participants to draw connections between different populist parties across the EU and investigate the various features that some of these parties share.

In her workshop, Dr Katerina Kalaitzaki unearthed the connection between EU citizenship and populism. She analysed the concept of ‘Citizenship of the Union’ under the Treaties and answered crucial questions such as whether EU Citizenship can be affected negatively or positively during crises which include but are not limited to the populist threat. Moreover, Dr Kalaitzaki considered whether there is a “crisis-model-EU-citizenship”. In answering the above questions Dr Kalaitzaki engaged in an analysis of the case-law of the ECJ on past a crisis and considered the impact of ongoing and future crises on EU citizenship. The analysis of the concept of EU citizenship invited participants to question the ways in which populist parties often juxtapose European citizenship with national identity and how their rhetoric often reveals a rejection for EU rights attached to citizenship (such as the free movement of people) as a threat to national homogeneity.

Within the framework of the Summer School, EU-POP organised its inaugural Guest Lecture which was also postponed due to COVID-19. Dr Ulad Belavusau contributed to the Summer School by authoring a paper on ‘Mnemonic Constitutionalism and Rule of Law in Hungary and Russia’. Dr Natalie Alkiviadou’s roundtable offered a discussion and analysis of the issues raised in Dr Belavusau’s paper. The workshop investigated the use of memory laws in populist regimes and the ways in which such attempts have been used to stir up nationalism and hatred in countries plagued by populism. The workshop also drew attention to decisions by the European Court of Human Rights examining issues of memory laws and free speech. Participants were not only able to consider various cases of the Court of Justice that dealt with the issue of memory laws, but were also able to discuss a broader question, namely the role of the judiciary in populist times.

More than thirty participants from all over the world were able to connect to the Summer School. Participants to the Summer School included students, lawyers, legal scholars and academic, judges, and other professionals who were interested in populism and the ways in which it affects EU governance. Every participant enjoyed full access to the contributions and presentations of the Summer School in an interactive setting. Certificates of attendance were issued for all participants. All materials and recorded sessions will be made publicly available on the [EU-POP website](#). Contributions from various guest lecturers will be also published in the upcoming issue of the [Interdisciplinary Journal of Populism](#).

Conclusion:

Holding the EU-POP first Summer School primarily online, with participants from all over the world and with diverse backgrounds, was a real pleasure and honour. There is no need to be an expert in Populism to understand the historical and contemporary significance of this phenomenon and its manifestations. Populism constitutes one of the most serious threats to political and legal systems, primarily Democracy and the Rule of Law, and as such, deserves to be studied and framed, durably. Thus, participants to the Summer School were invited to reflect on Populism in many different directions and levels. When political and legal systems are converging into a supranational polity such as the EU, the conceptual framework shifts to the supranational level and to considerations of sovereignty, transfer of powers and to the role of the rulers and the ruled in the EU legal and political space. In Europe and the rest of the world, we are witnessing a normalisation of extreme phenomena such as racism, xenophobia, extremism, illiberalism but also euro phobia. Populist trends have spread or spilled over (as we say in the EU law jargon) to every aspect of EU law and public life at the local and regional level: economic policy as a result of the financial crisis, human migration as a result of the migration crisis, security as a result of external, internal or cyberthreats, constitutional structures as a result of political or fundamental rights crises in Member States or at the EU level (RoL crisis, Brexit, etc), and more widely in human relations. The participants were also invited to think about the impact of the COVID-19 pandemic on perceptions, beliefs and behaviours and on the role of various actors in the process. As a result of this discussion and consultation process, the next steps of EU-POP will evolve around the role of the various branches of government in European multi-level governance, with a particular focus on the role of the judiciary and the concept of judicial independence, in a comparative perspective. EU-POP will be travelling across the world looking further at manifestations of populism across the globe and how these may be addressed and tackled in the past, present and in the future.

Many thanks go to the EU-POP Team for their hard work in organising this Summer School incorporating the Inaugural JMM Guest Lecture, despite the ongoing pandemic. Feedback received ensured that participants enjoyed the blended learning methods (workshops, guest lectures, roundtable, fundamental readings and videos) and mode of delivery (face to face and online). We therefore thank all participants for their commitment and hope to see them soon again in the growing EU-POP community.