



Illiberal challenges to the European Union's legitimacy from within and without: the rule of law and refugee crises

Digdem Soyaltin Colella, Beken Saatçioğlu & Didem Buhari Gülmez

To cite this article: Digdem Soyaltin Colella, Beken Saatçioğlu & Didem Buhari Gülmez (2022): Illiberal challenges to the European Union's legitimacy from within and without: the rule of law and refugee crises, *Journal of Contemporary European Studies*, DOI: [10.1080/14782804.2022.2112158](https://doi.org/10.1080/14782804.2022.2112158)

To link to this article: <https://doi.org/10.1080/14782804.2022.2112158>



Published online: 18 Aug 2022.



Submit your article to this journal [↗](#)



Article views: 154



View related articles [↗](#)



View Crossmark data [↗](#)



Illiberal challenges to the European Union's legitimacy from within and without: the rule of law and refugee crises

Digdem Soyaltin Colella ^a, Beken Saatçioğlu ^b and Didem Buhari Gülmez ^c

^aPolitics and International Relations, University of Aberdeen, UK; ^bPolitical Science and International Relations MEF University, Istanbul; ^cInternational Relations, Izmir Katip Celebi University, Izmir, Turkey

ABSTRACT

This study revisits the academic debate on rising populism and illiberalism in Europe that reduces the EU's crises to those involving 'liberal EU' and 'illiberal regimes' without necessarily differentiating between these regimes. Applying Suchman's multidimensional account of legitimacy to the EU, it unpacks the varying domestic contestations of two illiberal regimes against the different components of EU legitimacy within the context of two recent EU crises. Comparative analysis of how an illiberal insider (Hungary) and an illiberal outsider (Turkey) challenge the EU's legitimacy in handling the rule of law and Syrian refugee crises, respectively, revealed two findings. First, Hungarian and Turkish actors raise divergent legitimacy contestations against the EU's crisis management in the select cases. Second, their positionality towards the EU drives this divergence. While both countries seek to delegitimise the EU, their points of contention differ based on being in or outside the EU.

KEYWORDS

European Union; illiberalism; legitimacy; rule of law; refugee

Introduction

In the past decade¹, illiberalism – a backlash against liberal democracy, universal human rights and the rule of law – has risen in both Europe and its neighbourhood (Lorenz and Anders 2021; Main 2022) as a consequence of democratic backsliding and autocratization. In particular, Prime Minister Viktor Orbán's Hungary and President Recep Tayyip Erdoğan's Turkey stand out as cases of rampant illiberalism reflecting the failure of the EU's democratic conditionality. V-Dem's 2022 Liberal Democracy Index ranks the two among the world's top-10 autocratizing countries driven by 'anti-pluralist' parties (Aydın-Düzgüt and Noutcheva 2022). Therefore, many analysts refer to Turkey and Hungary as the primary examples of 'democratic backsliding', 'illiberal democracy' and 'authoritarianism' in Europe² (Esen and Gümüşçü 2021; Ágh 2013; Bermeo 2016; Lancaster 2016; Öniş and Kutlay 2019).

Studies on right-wing populism and illiberalism in Europe frequently cite Turkey and Hungary together and stress their similarities in undermining liberal democracy (Dönmez and Duman 2020; Elçi 2021; Forgas, William, and Fiedler 2021; Öniş and Kutlay 2019). Furthermore, lumping them together with other EU countries such as Kaczyński's Poland and Matteo Salvini's Italy or non-EU countries such as Putin's Russia, many analysts present them as part of a 'triad' (Rossi 2016) or a 'band of brothers' (Simonyi 2014) contesting the liberal international order (Polyakova et al. 2019). In his 2014 speech, Orbán cited Turkey (together with Russia and China) as an 'inspiring example' of illiberal governance.³ However, scholarly accounts that lump all challengers of the liberal order

CONTACT Digdem Soyaltin Colella  digdem.soyaltin@abdn.ac.uk  Department of Politics and International Relations, University of Aberdeen, Edward Wright Building, Dunbar Street, Aberdeen, AB24 3QY, United Kingdom

This article has been corrected with minor changes. These changes do not impact the academic content of the article.

together are criticized for overlooking the variations in their motivations, scope and strategies regarding their contestations against liberal norms and values (Schweller 2011).

While illiberal or backsliding regimes in Europe and elsewhere show strong similarities in how they erode the defining characteristics of liberal democracy (i.e. pluralism, rule of law, fundamental freedoms, and human rights), this may not necessarily mean that they exhibit the same outlook and discourse towards liberal international organizations (LIOs) like the EU. Although they generally contest the LIOs, they may still differ in terms of how and on what grounds they challenge them (Aydın-Düzgüt and Noutcheva 2022). Research suggests that since the 1990s, state challenges against LIOs' liberal norms, procedures, performances, decision-making rules, and perceived legitimacy have grown (Anadolu Agency 2019; Lake, Martin, and Risse 2021) both as a reaction to the expanding authority and intrusiveness of these organizations (Börzel and Zürn 2021) and as a result of immigration and nationalist ideologies challenging European integration (Hooghe, Lenz, and Marks 2019). While contesting the EU, illiberal regimes seem to hold a common domestic agenda geared towards ensuring political survival via autocratic and ethno-nationalist populism at home (Vachudova 2020; Kelemen 2020). Despite these similarities, however, there is still need for a comparative analysis of how illiberal contestation strategies differ in regards to the LIOs. In particular, when assessing the contestations against the EU's legitimacy, a potential causal factor to investigate is the role played by EU membership. Does being in or outside of the EU make a difference in how illiberal governing parties dealing with the EU challenge Brussels' legitimacy?

With this broad question in mind, this paper studies how the representatives of illiberal governing parties in two illiberal regimes (Hungary and Turkey) challenge the EU from within (Hungary) and without (Turkey). Is there a variation in their contestations against EU legitimacy? Which issues do they converge or diverge about? What do their similarities and differences imply for the EU's policies, external relations as well as European integration? To address these questions, the paper transcends the EU-centric approaches and brings into the analysis the legitimacy contestations of Hungarian and Turkish governments against the EU's management of two political crises of the last decade: the rule of law crisis with Hungary and the refugee crisis with Turkey. These cases of delegitimation strategies against the EU's crisis management have been chosen following the approach of Most Similar Systems Design: they vary on the independent variable (positionality) while they are domestically similar (illiberal, backslider regimes).⁴ This allows us to investigate the role played by positionality vis-à-vis the EU (EU member/insider versus EU candidate/outsider) in explaining the variation in the delegitimation arguments used by Hungarian and Turkish governing actors against the EU's management of the rule of law and refugee crises, respectively.

Our conceptualization of legitimacy draws from Suchman (1995)'s sociological model of legitimacy that is still in use to grasp the multidimensional and complex nature of legitimacy assessments towards organizations (Lenz, Burilkov, and Viola 2019; Rendtorff 2020). There is a need to transcend the oversimplified accounts that reduce the EU's legitimacy problem to a democratic deficit and/or certain procedural and institutional mechanisms regarding citizen representation, institutional accessibility and accountability (Crombez 2003; Follesdall and Hix 2006; Majone 1998; Moravcsik 2002). Furthermore, it is necessary to consider the transformations in the EU, especially after the Eastern enlargement of May 2004. With the EU membership of several former communist countries with illiberal tendencies, it has become difficult to assess the EU's legitimacy crises by pitting a 'liberal EU' against 'illiberal outsiders'.

By using Suchman's trichotomy of 'moral, pragmatic and cognitive' legitimacy, we explore illiberal contestations of Hungary and Turkey against the EU's handling of the rule of law crisis and the refugee crisis, respectively. Relying on the statements of Hungarian and Turkish leaderships, we study the legitimacy contestations of two illiberal governing parties (Fidesz in Hungary, Justice and Development Party – AKP, in Turkey) operating in autocratizing regimes in which they shape their countries' outlook on the EU. Therefore, bringing in the leading illiberal actors' perspectives serves not only to demonstrate diverse assessments of EU's crisis management but also to illustrate the governing parties' policy towards the EU as a whole. The statements revealing the governments'

discourses on the EU were compiled from media sources as well as the respective websites of the Hungarian government (*Magyarország kormánya*) and the Presidency of the Republic of Turkey (*Türkiye Cumhuriyeti Cumhurbaşkanlığı*) and the Turkish Grand National Assembly. Hungarian political statements were collected after 2018 following the release of the European Parliament (EP)'s Sargentini report on the Hungarian rule of law situation. In Turkey, the statements cover the period since the late 2015, focusing in particular on the period surrounding the 18 March 2016 EU-Turkey refugee deal.

By analysing the perspectives of an illiberal insider (Hungary) and outsider (Turkey), we argue that Hungary and Turkey challenge the EU differently, based on their membership status in the Union. An important innovation of this study is its comparative approach since the tendency to lump illiberal challengers together prevails over an analytical comparison of their legitimacy contestations. Therefore, it fills a gap in the literature on regional challenges against the EU, contributing also to the literature on global contestations against the liberal international order which rather focuses on the illiberal challenges raised by Russia, China and the United States (under Trump). Additionally, the application of the trichotomy of EU legitimacy (along with its sub-categories) to the cases is instrumental for both mapping the different legitimacy contestations in Hungary and Turkey, and contributing to the broader literature on the EU's legitimacy.

The paper is structured as follows. It first presents Suchman's analytical framework underlying the multidimensional character of legitimacy contestations against the EU. It then maps the Hungarian and Turkish governments' legitimacy challenges of the EU's management of the rule of law and the refugee crises, respectively. The conclusion discusses the two countries' delegitimation strategies against the EU from a comparative standpoint.

Illiberal contestations of the EU's legitimacy

Democratic backsliding in the EU member states and accession countries has heated the debate on the EU's normative legitimacy (Kelemen 2017), and motivated studies on the EU's capacity to address the rise of illiberalism (Börzel and Schimmelfennig 2017; Closa 2020; Hooghe and Marks 2019; Anadolu Agency 2019; Sedelmeier 2017). Yet, the specific perspectives and discourses of the EU challengers remained mostly unexplored or reduced to conflicts involving 'liberal EU vs. illiberal governments' (Kelemen 2020; Von Soest and Grauvogel 2017; Söderbaum, Spandler, and Pacciardi 2021).

Distinguishing between illiberal insiders and outsiders who are both exposed to the EU's core liberal values due to their positionality (member or candidate), we study the multiplicity of legitimacy deficits perceived by the illiberal insiders and outsiders. We employ Suchman's three-dimensional model that divides legitimacy into its pragmatic, moral and cognitive aspects (and sub-dimensions) (see Table 1). Suchman's model is popular in organizational sociology and business management but remains neglected in EU studies. The prevailing scholarship on EU legitimacy prioritizes the European public contestations of the EU's democratic deficit in terms of representation, accessibility and accountability (Crombez 2003; Follesdall and Hix 2006; Majone 1998; Moravcsik 2002; Schmidt 2020) – while treating the perspectives of member and candidate states separately in the context of separate literatures on Europeanization, Euroscepticism and (non-) EU compliance. Suchman's model helps us contribute to the more recent literature that adopts a broader analysis of EU legitimacy, looking at not only the EU's acceptability for the European people from a democratic standpoint but also acceptability in terms of EU policies and ways of managing multiple crises that have arisen in the past decade for various actors and institutions both in and outside the EU (Lord et al. 2022).

Pragmatic legitimacy rests on the utilitarian evaluations made by its associates on whether the EU (i) makes policies that maximize their short-term interests (*pragmatic exchange legitimacy*); (ii) allows them to influence future EU policies in line with their long-term interests (*pragmatic influence legitimacy*); and (iii) consistently implements its policies without discrimination towards its associates (*pragmatic dispositional legitimacy*) (Suchman 1995, 578).

Table 1. Three-dimensional model of EU legitimacy, inspired by Suchman (1995).

Three-dimensional model of Suchman and EU legitimacy	
<i>The underlying logic</i>	<i>Application for the EU</i>
<i>Pragmatic</i> Interest-based evaluations of the countries (members or third countries)' relations with the organization	<p>Exchange legitimacy: Is the EU holding its promises and fulfilling countries' short-term interests?</p> <p>Influence legitimacy: Will the EU consider or fulfill countries' long-term interests while taking decisions in the future?</p> <p>Dispositional legitimacy: Is the EU discriminating between different countries or is it treating them fairly and equally (on the basis of its liberal norms and values)?</p>
<i>Moral</i> Appropriateness of the procedures, policies and structures of the organization	<p>Are the EU's procedures, policies, decision making structures, morally appropriate, i.e. fair, democratic, transparent, and inclusive?</p> <p>Procedural legitimacy: Are the EU's decision-making and crisis management procedures morally appropriate?</p> <p>Consequential legitimacy: Do the EU's policies towards crisis management result in humanitarian and/or democratic consequences in both Europe and elsewhere?</p> <p>Structural legitimacy: Is the EU's decision-making structure in crisis management morally appropriate? For instance, are the European public and small EU members, or even EU candidates adequately represented in the EU's decisions?</p>
<i>Cognitive</i> The organization's congruence with global norms and referents (which are prone to change)	Is the EU compatible with global standards and norms (e.g. Westphalian notion of sovereignty, post-World War II liberal international order or its recent erosion, international refugee law etc.)?

Moral legitimacy consists of the 'appropriateness' of its procedures, structures, and policy outcomes (Suchman 1995, 579–81). This involves the EU's ability (i) to use political conditionality to produce morally acceptable outcomes (*consequential legitimacy*); (ii) to employ liberal democratic and modern procedures in its relations with members, candidates and third-party states (*procedural legitimacy*); and (iii) to allow the participation of appropriate EU institutions that observe liberal norms into EU decision-making (*structural legitimacy*).

Even if its pragmatic and moral legitimacy declines – due to changing global system or the organization itself – an organization can still survive due to its *cognitive legitimacy* (Suchman 1995). This means that it is perceived as congruent with prevailing theoretical and organizational referents in the global system (Suchman 1995, 582). Hence, the EU emulates the globally popular cognitive referents promoted by United Nations (UN) agencies, other international organizations, and epistemic communities (Meyer 2001). When novel theories, concepts and organizational exemplars become prevalent, organizations struggle to maintain their cognitive legitimacy by adjusting their norms, vision, and modus operandi accordingly (Lenz, Burilkov, and Viola 2019). The EU is affected by both the rising contestations against the post-WWII liberal world order and the internal structural changes associated with post-Lisbon supranationalisation (which is accelerated by the Eurozone crisis and Brexit) (Börzel and Zürn 2021; Hooghe and Marks 2019). Such developments incite more Euroscepticism and legitimacy contestations against the *raison d'être* and cognitive legitimacy of the EU polity in general. This led the EU to deemphasize its ambition for democracy promotion in its 2016 Global Strategy. Instead, the EU announced its intention to focus more on protecting democracy at home and developing a more pragmatic approach towards illiberal governments in and outside Europe.

Consequently, this paper offers a comparative analysis of the illiberal contestations against the EU legitimacy that are evolving rather than being predetermined and fixed. The following two parts provide the cases of the Hungary-led rule of law crisis and the refugee crisis involving Turkey as a key actor. They illustrate how the illiberal insiders and outsiders challenge the EU's legitimacy in crisis management.

Hungarian contestations of EU legitimacy: the rule of law crisis

Democracy and the rule of law have been undermined in Hungary since the centre-right Alliance of Young Democrats (Fidesz) government came to power in 2010. Backed by an election victory that gave it a two-thirds constitutional majority in the Hungarian parliament, the Fidesz government passed a new constitution in 2011 and quickly adopted around 800 bills eroding liberal democratic values and rule of law institutions in Hungary (Kochenov and Bárd 2018). Yet, the fragmentation of European institutions and party politics within the EP have made it difficult to address the erosion of the rule of law in Hungary, much less enforce the so-called 'nuclear option' stated in Article 7 TEU (Closa 2020; Kelemen 2020). The EP's initiatives in 2018 to start Article 7 disciplinary procedures against Hungary were met with reactions by the Orbán government and triggered legitimacy contestations against the EU (Soyaltin Colella 2022).

Defending his government's rule of law reforms against old communist structures allegedly standing in the way of post-1989 promised democratization (Jenne and Mudde 2013), Orbán criticized Brussels for discriminating against Hungary and seeking to apply sanctions in an unfair and politicised manner.⁵ As such, he attacked the EU on the basis of its pragmatic *dispositional* legitimacy. Specifically, Orbán claimed that Romania's Ponta government was protected by the EP's socialist and leftist party groups despite its controversial steps challenging the rule of law in 2012 (Zalan 2016).

Orbán's accusations against the EU's pragmatic legitimacy mobilised political support from the European People's Party (EPP) and Germany (Dempsey 2020). For instance, the Vice-Chairman of the EPP, Manfred Weber, supported Orbán in his criticism against European socialists for imposing double standards on Hungary. When the report (submitted by Rapporteur MEP Rui Tavares) denouncing Fidesz for violating fundamental European values was voted in the EP, Weber blamed the EP for being 'biased and politically motivated' in condemning EPP-led governments (EPP 2013). While Orbán directly attacked the EU's pragmatic *dispositional* legitimacy by highlighting the dominance of the big EU member states over smaller ones (Halmai 2018, 2), it was ironically benefiting from the support of a large group of centre right EPP parties mostly dominated by big states like Germany, which in turn shielded Hungary from Brussels' criticism. Yet, in March 2021, the EPP approved a rule change that paved the way for Fidesz to be suspended from its ranks. In response, Orbán announced that Fidesz would immediately leave the EPP. In his speech, he accused the EPP by saying: 'the EPP is in power games within the bubble of bureaucrats in Brussels. This is unacceptable'.⁶

As far as the *exchange* and *influence* aspects of pragmatic legitimacy are concerned, the Hungarian government has remained reticent about contesting them during the rule of law crisis. This is because, as an EU member state, Hungary can directly affect the EU's decision-making process and project its long-term interests to EU institutions. It sits around the bargaining table together with the other member states and EU officials. In 2019, Hungary received €5.1 billion from the EU budget which made the country second highest net recipient of EU funds. Together with Poland, and Hungary is also expected to remain in the top group of net recipients in the budget period 2021–27 (Deutsche Welle 2020). Therefore, the Hungarian government does not feel the need to question the EU's pragmatic exchange legitimacy since it already secures its short-term interests by collecting the material benefits of membership.

Recently, Orbán showed the extent of his power in influencing the EU's short-term and long-term policies. When EU leaders agreed on a regime of rule of law conditionality linking member states' budget shares to their respect of the rule of law, he revealed that he would veto any arrangement blocking the transfer of urgently needed Covid-19 recovery funds to his country. Indeed, in November 2020, Hungary and Poland vetoed the EU's Multiannual Financial Framework (MFF) 2021–2027 and the recovery funds. In December 2020, both countries agreed to a compromise negotiated by Germany and lifted their veto over the budget in exchange for a delay in EU sanctions that could end their access to EU funds (Bayer 2020a). Since the Orbán government secured an outcome favorable to its interests (at least until so far), it once again shied away from contesting the EU's pragmatic exchange and influence legitimacy. Yet, very recently in February 2022, the European Court has ruled that the EU's rule of conditionality is legal, and

Hungary will bear the costs of non-compliance (Hungary Today 2022). The rising pressure may push the Orbán government to criticize the EU even further and play the blame game to mobilize domestic political support.

In contrast to its relatively low criticism of EU pragmatic legitimacy, the Orbán government amply challenged the EU's moral legitimacy. This was particularly evident in the Hungarian Minister of Justice's statements about Article 7, which reflected attacks against the EU's moral *procedural* legitimacy. Minister Varga slammed Article 7 hearing against Hungary in the EU's General Affairs Council, and mentioned that certain forces in the EU are looking to punish the countries that say no to the European mainstream position.⁷ Orbán also framed the Article 7 procedure as an unlawful reaction against Central Europe's recently increased weight in the bloc and added that Central Europe wants 'a say in EU decisions according to how much they contribute to the economic growth of Europe'.⁸

While trying to delegitimise the Article 7 procedure, Orbán attacked the EU's moral *structural* legitimacy. He accused the EU of reinforcing the dominance of technocratic EU institutions over elected national governments. He has often claimed that he serves the 'will of the real people' against the dominance of 'self-interested' Eurocrats in the decision-making structure (Foy 2018; Krekó and Enyedi 2018). Addressing a conference marking the Hungarian Independence Day, he described the EP as a 'dead end' that 'exclusively represents its own ideological and institutional interests over the national interests and traditional values' and accused Brussels for 'building a European superstate instead of a Europe of nations'. 'This is why the phrase "an ever closer union" should be removed from the Treaties of the EU at the first available opportunity', he added.⁹

As such, Orbán's messages remained focused on national sovereignty and the norm of non-interference, two norms he argued are not respected by the EU: 'We are not willing to do what Brussels dictates, if it is not good for Hungarians. We must not be frightened of Brussels bureaucrats in their offices . . . who in sly ways want to force on us what they conceived above our heads in Brussels'.¹⁰ Hence, Orbán's rhetoric was also directed at securing the 'true Hungarian way' of governing, thus clearly aiming for domestic political consumption. Consequently, it not only sought to weaken the EU's moral *structural* legitimacy in the eyes of the Hungarian public and Eurosceptic forces in the Union, but it also promised to expand Orbán's popularity among his nationalist (and/or patriotic) voters and the illiberal bloc within the EU (Söderbaum, Spandler, and Pacciardi 2021).

Hungarian contestation regarding the EU's moral *consequential* legitimacy revealed itself in the current debate on the rule of law conditionality. The Hungarian Minister of Justice Varga blamed the EP for being 'part of the problem, not the solution' as it aims to link EU budget and the recovery fund over the rule of law clause stating that these are analytically separate issues.¹¹ She underlined that the rule of law does not have a generally accepted definition; neither do the EU treaties provide a sufficient legal basis to hold member states accountable.¹² Her government, therefore, accuses the EU of imposing a subjective and parochial understanding of the rule of law on nation states.

Finally, Orbán attacked the EU's cognitive legitimacy by emphasising the EU's incongruence with the global norm of national sovereignty. When the EP decided to initiate the Article 7 procedure against Hungary, Orbán used the word 'Euro-colonialism' to criticize the EU's intervention in Hungarian domestic politics. He claimed that the EU violated the non-interference and sovereign equality principles enshrined in the UN Charter. At the ruling Fidesz party's 29th congress, Orbán said 'We must not passively accept every plan of Brussels' and added that 'we want to keep our sovereignty'.¹³ In this context, he challenges the EU's cognitive legitimacy that emphasises the Community method and supranational decision-making. Regarding the future of the EU, he repeats that Hungary is saying no to the 'United States of Europe'.¹⁴

Turkish contestations of EU legitimacy: the Syrian refugee crisis

The EU's 'refugee crisis' became a negotiation item for the EU and Turkey when EU leaders reached out to Turkey in late 2015 for containing the refugee flows. This 'externalization phase' of the EU's migration management to Turkey (Müftüler-Baç, 2022) resulted in the EU-Turkey Statements of 29 November 2015

and 18 March 2016. These statements – in particular, the March 2016 ‘refugee deal’ – secured Ankara’s agreement for hosting the refugees in exchange for: (a) a 6-billion-euro aid package (granted under the Facility for Refugees); (b) ‘re-energized’ EU-Turkey accession talks; (c) the (conditional) prospect of visa liberalization for Turkish citizens in the Schengen area; (d) closer EU-Turkey dialogue and cooperation in various issue-areas including the upgrading of the 1995 EU-Turkey Customs Union (CU) agreement; and (e) ‘1:1 scheme’ foreseeing the resettlement of one Syrian refugee from Turkey in Europe for every irregular migrant that Turkey would receive from the Greek islands.

From the outset of Brussels-Ankara negotiations for the refugee deal, the EU’s pragmatic legitimacy was challenged by Turkish governmental actors who criticized the EU’s intransigence in delivering the incentives promised by the two EU-Turkey Statements, which corresponds to a contestation of the EU’s pragmatic *exchange* legitimacy. Examples of such criticism are illustrated, among others, by Erdoğan’s statements. His criticisms aimed at exposing the EU’s failure to support Turkey’s efforts of hosting the refugees and to deliver the Union’s promised aid package of 3 billion euros which was slow in coming (AFP 2016). Relatedly, Ankara complained that out of the EU-promised 6-billion-euro package, only 3.2 billion has been paid out, and Turkey has consequently spent 40 billion dollars to cope with its refugee burden (Guarascio and Gümrükçü 2020). In a July 2020 meeting with EU High Representative for Foreign Affairs and Security Policy, Joseph Borrell, Turkish Foreign Minister Mevlüt Çavuşoğlu further argued that ‘the EU needs to fulfil its promises’ regarding the updating of the CU agreement and visa liberalization (EU Delegation to Turkey 2020).

Turkey’s criticisms were not necessarily addressed by the EU; hence, Ankara further denounced the EU’s differential treatment of Greece regarding the refugee issue. As a Turkish presidential spokesman argued: ‘It is a double standard that the EU can mobilize hundreds of millions of euros for Greece (to cope with migrants) within days but uses bureaucracy as an excuse when it comes to Turkey’ (Guarascio and Gümrükçü 2020). This favorable EU attitude towards Greece as a frontline member state was compounded by Brussels’ overall ‘softness’ vis-à-vis the Greek government in the face of Greek security forces’ reported human rights violations against the refugees stranded along the Turkish-Greek border (following Turkey’s February 2020 decision to suspend the refugee deal, citing EU inaction regarding its execution). Instead of condemning these violations alongside organizations such as the Human Rights Watch, the EU expressed solidarity with Greece while criticizing Turkey for suspending the deal (Council of the EU 2020). Hence, from Ankara’s standpoint, the EU’s pragmatic legitimacy, including *exchange*, *influence*, and *dispositional* legitimacy, was fully problematic.

The EU’s moral *consequential* legitimacy within the context of the refugee deal was another dimension that was challenged by Turkish actors. When negotiations on Chapter 17 were launched – as promised by the deal – in December 2015, observers raised moral criticisms about the EU’s newly emerging ‘transactional/strategic’ policy vis-à-vis Turkey that sidelined political conditionality (Okyay and Zaragoza-Cristiani 2016, 64; Paçacı Elitok 2015). However, these anti-democratic implications of the EU’s refugee management were not made an issue by the Turkish government. Criticism directed at the potential consequences of the EU-Turkey refugee deal for Turkish democracy lacked in Ankara since doing so would contradict the ruling AKP’s own preference for a value-free, transactional relationship with the EU, which was eventually enabled by EU-Turkey refugee cooperation (Saaticioglu 2020). Instead, the Erdoğan administration’s moral criticisms of the EU highlighted the consequences of the EU’s externalization policy for Brussels’ upholding of its own human rights standards rather than Turkish democracy itself. As the Turkish government welcomed the incentives offered by the refugee deal, it simultaneously criticised the moral implications of the EU’s refugee policy. In February 2015, Erdoğan accused the EU of turning its back on the refugees, thereby seeking to gain moral superiority vis-à-vis the Union:

We are a nation that has the consciousness of *ensar* [helper, in Islamic jargon]. We see all our siblings coming to our country as *muhacir* [refugee in Islamic jargon] and convivially welcome them. . . . Today there are around two million siblings within our borders who fled from . . . Syria and Iraq. . . . Two million here, 130,000 in the whole of Europe. Where is [the EU’s commitment] to human rights, the Universal Declaration of Human Rights? . . . What happened to the European Union *acquis*? (Erdoğan quoted in International Crisis Group 2016, 11).

At the same time, many AKP parliamentarians vividly criticized European mistreatment of Muslim refugees:

Last year there were 800 attacks on refugee centres in Germany, they forced refugees to wear red wristbands in Wales, Norway is placing them on poles, Denmark is confiscating the jewellery of asylum seekers, even the Belgian Ministry of Migration told his Greek colleague to 'throw them into the sea' ... Today, indeed, Europe is behind even medieval Europe in terms of conscience, rule of law, and human rights (minutes of Turkish parliamentary debates, 28 February 2016; quoted in Apaydin and Müftüler-Baç 2020, 24).

Furthermore, Turkish arguments focused on exposing the 'unethical' procedures that the EU adopted in sharing the refugee burden with Turkey, targeting the EU's moral *procedural* legitimacy. In March 2020, Erdoğan criticized the EU for ignoring Turkey's expectations on responsibility sharing even as Ankara struggled to contain a new mass influx from Syria following the Syrian regime's Idlib offensive. His criticism followed his earlier remarks at the December 2019 at the Global Refugee Forum, which highlighted that the wealthier nations set caps on the number of refugees they accept while Turkey alone hosts 3.7 million Syrians. Erdoğan additionally complained about the procedures via which the EU funding for refugees was delivered to Turkey: 'With this [EU] funding, the institutions in Turkey were supposed to be supported. However, so far, we have only received from the EU 2 billion Euros, which were directly allocated to NGOs'.¹⁵ The Turkish President's criticisms on the EU's project-based fund allocation procedure culminated in his verbal rejection of an additional EU aid of one billion euros in March 2020: 'They [the EU] tell us, "We will send you a billion euros". Who are you trying to fool? ... We don't want this money' (TRT World 2020).

Moral *structural* legitimacy was probably the least questioned aspect of the EU's moral legitimacy in Turkey. This is because Turkish policy-makers were directly involved in the negotiations for the refugee deal and were able to use their bargaining leverage to extract concessions from Brussels (Greenhill 2016). Recognising Turkey's importance as a key 'strategic partner' in migration cooperation, EU leaders multiplied the channels of dialogue with Ankara, reversing as such the pre-refugee crisis period's relative reluctance against EU-Turkey exchange and collaboration. Consequently, 'structured and more frequent high-level dialogue' (European Council 2015) including regular EU-Turkey summits (to be held twice a year) was acted upon.

In contrast, moral *consequential* EU legitimacy was a recurrent theme throughout the refugee crisis since Turkish policymakers regularly highlighted the gap between the EU's international commitments to refugee law and actual practice. For example, when the three-year-old Syrian refugee, Alan Kurdi, drowned in the Mediterranean following a boat accident, Erdoğan argued: 'European countries, which turned the Mediterranean Sea ... into a migrant cemetery are party to the crime that takes place when each refugee loses their life ... European countries which set the criteria for basic human rights and freedoms are now turning their backs to these principles' (The New Arab 2015).

Relatedly, Turkish policy-makers denounced the EU's incongruence with the global cognitive standards on refugee rights (represented by the UN) and challenged the EU's *cognitive* legitimacy. As the Turkish Foreign Minister stated in an article authored for the Financial Times: 'What followed is a disgrace to the EU and a stain on human conscience. The EU ... did little more than watch on as Greek forces sprayed tear gas and fired on people at their border. Greece also illegally suspended refugee applications. The UN was critical, the EU not. People died, scores were wounded, and European prestige was damaged globally' (Çavuşoğlu 2020).

Reacting to the push-backs of asylum-seekers by Greece in February 2021, the Turkish Foreign Ministry additionally issued a statement condemning Greece's and the EU's disregard for international refugee law (Republic of Turkey Ministry of Foreign Affairs 2021). Similarly, according to the Turkish Minister of the Interior Süleyman Soylu, the EU is stuck in an outmoded policy on migration still reflecting the 1980s' cold war mentality and should therefore update its view on migration in the new world order (Anadolu Agency 2019). In other words, how the EU defines and manages the Syrian refugee crisis does not resonate well with the globally endorsed approach to the issue in the current context.

Comparative analysis and concluding observations

Our comparative analysis reveals two arguments. First, Hungarian and Turkish actors raise divergent legitimacy contestations against the EU's crisis management in the select cases. Second, their positionality towards the EU is a significant factor behind this divergence. While both countries generally seek to delegitimise the EU, their points of contention differ based on being in or outside the EU. As an outsider, Turkey focuses more on pragmatic EU legitimacy (i.e. being able to collect benefits from the EU and receive fair EU treatment) along with moral *consequential* and *procedural* EU legitimacy. In contrast, the Hungarian government contests the EU's moral *structural* legitimacy (i.e. the EU's supranationalism) and seems to care less about other matters given its interest in maximizing national sovereignty while remaining an EU member state. Hence, illiberal challengers may have different calculations in contesting the EU's legitimacy and can even extract material, electoral as well as normative benefits from underscoring or dismissing given aspects of the EU's perceived legitimacy problems.

Challengers selectively attack different components of moral and pragmatic legitimacy of the EU's crisis management. Yet, when it comes to the EU's cognitive legitimacy, both countries criticize the EU's misfit with what they perceive as global standards. While the Orbán government labels the EU's supranational rule of law policy as legally conflicting with the global norm of national sovereignty, Erdoğan administration finds the EU's migration policy as outmoded compared to the emerging global standards. They both claim that the EU as a political organization needs to adjust to global standards and norms.

The paper's findings raise several implications for the EU's governance system, policies, external relations as well as the future of European integration. First, is it surprising that pragmatic EU legitimacy is contested more by Turkey than Hungary? The answer to this question is negative as it is consistent with the findings of the research on challenges against the liberal international order and regional orders like the EU. Illiberal outsiders (Russia, China) and regional challengers like Turkey are either 'denied the benefits of integration or perceiving themselves as not fully benefiting' (Lake, Martin, and Risse 2021, 242). Consequently, they seek to delegitimise liberal orders. In contrast, insider illiberal governing parties benefit from EU membership for both material gains and bolstering their political regimes. They use EU funding for economic growth and for distributing economic advantages to government supporters (co-optation); the single market (in particular, free movement of people including domestic opponents) for weakening domestic opposition at home and increasing remittances (Kelemen 2020); and the EU's supranational policies for legitimating their ethnopopulist ideology (Vachudova 2020). They also support European integration and EU policies at large as long as these do not encroach on their ability to maintain their backsliding projects (Winzen 2022). Hence, illiberal insiders generally benefit from the EU more than illiberal outsiders.

Yet, this also exposes a fundamental flaw in EU governance: The EU falls short of enforcing the rule of law on its backsliding member states like Hungary, which in turn translates into these regimes' satisfaction with the EU from a pragmatic standpoint. Sanctions on the rule of law at the EU's disposal face severe limitations: the requirement of unanimity for triggering the Article 7 procedure and the narrow scope underlying the mechanism of rule of law conditionality linking backsliding member states' handling of the judiciary to the implementation of the EU budget. As long as this democratic governance problem is unresolved, the discrepancy between pragmatic EU legitimacy as perceived by EU members and non-members is likely to remain.

Second, the fact that most of the moral structural legitimacy contestations are raised by Hungary is also not surprising. After all, it is no secret that illiberal populists within the EU consistently take issue with EU supranationalism. They do so by instrumentalizing the norm of sovereignty and non-interference in order to prevent the EU's monitoring (and sanctioning) of their backsliding agendas and illiberal regimes. However, we would expect Turkey to also contest the EU – albeit still less than Hungary which, as an EU member, is bound by the entire *acquis* – on the basis of structural legitimacy. As a formal EU candidate state, Turkey is supposed to undergo rigorous EU conditionality and consistent EU supervision of how well it meets the EU

s *acquis*, which in turn would generate relations that would be conditional on its liberal reforms required for membership. However, this is not the case in EU-Turkey relations as Turkey has largely evolved into a strategic EU partner with significant leeway in domestic affairs given its cooperation with the EU in key issue-areas such as migration, thereby escaping EU conditionality. As far as the EU's external relations are concerned, this finding suggests that with its 'strategic' actions prioritizing the externalization of migration management to partner countries like Turkey over liberal norms, the EU in fact gives them asymmetric leverage over Brussels. Consequently, these partner regimes do not feel the need to contest the EU's moral structural legitimacy even as outsiders lacking direct decision-making power within the organization.

Third, the illiberal challenges expose and instrumentalize the EU's insufficiencies in implementing its policies. This is especially evident in the contestations raised by Turkey which has served as a buffer state for migration in the context of the Syrian refugee crisis. The AKP government has often boasted about this position so as to highlight the EU's inability and unwillingness to implement a common asylum and migration policy. It has also emphasized the EU's lack of commitment to the principles of solidarity and fair sharing of responsibility that are enshrined both in the EU Treaty and international refugee law. The fact that these challenges were raised by a non-member, illiberal state – and one that has had the most difficult relations with the bloc as a non-compliant, politically contested candidate state – is doubly significant and may serve to discredit the European integration project in the EU's neighborhood.

Accordingly, this study points to the limitations of a purely pragmatic and strategic EU approach to member and candidate countries that contest the legitimacy of not only the EU's policies but also its institutional and structural underpinnings from both interest- and value-driven perspectives. It would be a mistake for the EU to approach these contestations as reflecting merely ephemeral, profit-driven, and issue-based concerns. Both the Hungarian and Turkish cases demonstrate the pressing need for an effective EU approach to the illiberal challengers seeking not only concessions and benefits from the EU but also higher international status and populist regime survival along with domestic political popularity. The failure of the EU's sanctioning mechanisms against Hungary and Turkey reflect the need for a 'value differentiated integration' (Bellamy and Kröger 2021). For the EU, this implies more concern about normative and cognitive legitimacy than pragmatic legitimacy. The EU faces the dilemma of boosting its liberal identity and strictly implementing its sanctioning mechanisms against backsliders or redefining its role and principles in a post-Western world where liberal scripts are increasingly contested by alternative visions. The EU's 'principled pragmatism' is a way of reconciling these two tendencies in order to increase its resilience in the face of contestations from inside and outside. While the EU aims to combine both principles and pragmatism, it may be useful to better grasp the differences between insider and outsider challengers so as to decide the extent to which principles and pragmatism should be emphasized in each case.

Notes

1. An earlier version of this paper was presented at the European Union Studies Association (EUSA)'s 17th Biennial Conference on May 19–21, 2022. We are grateful to our panel discussant Antoaneta Dimitrova and the participants to the EUSA Conference as well as the two anonymous reviewers for their helpful comments and feedback.
2. Although we do not dispute the relevance of the term 'illiberal democracy' (i.e. electoral or majoritarian democracy as opposed to pluralist/substantive democracy), we use the term 'illiberal (backslider) regimes' for Turkey and Hungary as their political leaders refuse to abide by the rules of the democratic game, question their political opponents' legitimacy to participate in the political process, accept or even support violence, and endorse restrictions on civil liberties.
3. Full text of Viktor Orbán's speech at Băile Tuşnad (Tusn.dfürdő) of 26 July 2014, Budapest Beacon, 29 July 2014, available at: <http://budapestbeacon.com/publicpolicy/full-text-of-viktor-orban-s-speech-at-baile-tusnad-tusnadfurdo-of-26-july-2014/>.
4. In this paper, we do not get into an investigation of the two countries' domestic political similarities in terms of backsliding and illiberalism. There is already ample evidence and consensus in the literature to suggest that they both qualify as illiberal, backslider regimes. Instead, we take this domestic characteristic as given and try to

demonstrate the role played by the factor that most definitely varies between the two cases: Positionality towards the EU.

5. Address by Prime Minister Viktor Orbán in the debate on the so-called ‘Sargentini Report’”. 11 September 2018., English version of Magyarország kormánya, available at: <https://www.kormany.hu/en/the-prime-minister/the-prime-minister-s-speeches/address-by-prime-minister-viktor-Orbán-in-the-debate-on-the-so-called-sargentini-report>
6. Speech of Prime Minister Viktor Orbán Samizdat No. 6, 4 March 2021, English version of Magyarország kormánya, available at: <https://abouthungary.hu/speeches-and-remarks/samizdat-no-6>
7. Justice Minister slams Article 7 hearing against Hungary, 11 December 2019, English version of Magyarország kormánya, available at: <https://abouthungary.hu/news-in-brief/justice-minister-slams-article-7-hearing-against-hungary>
8. PM Orbán assures Poland of Hungary’s support over EU’s ‘unlawful’ Article 7 procedure, 4 January 2018, English version of Magyarország kormánya, available at: <https://abouthungary.hu/prime-minister/pm-orban-assures-poland-of-hungarys-support-over-eus-unlawful-article-7-procedure>
9. Instead of a Europe of nations, a European superstate is being built in Brussels, 19 June 2021, Cabinet Office of the Prime Minister, available at: <https://www.miniszterelnok.hu/instead-of-a-europe-of-nations-a-european-superstate-is-being-built-in-brussels/>
10. PM Orbán: ‘We won’t do what Brussels dictates, if it’s not good for Hungarians, 24 March 2019, English version of Magyarország kormánya, available at: <https://abouthungary.hu/blog/pm-orban-we-wont-do-what-brussels-dictates-if-its-not-good-for-hungarians>
11. Justice Minister: EU’s rule of law proposal is ‘legal nonsense’ 10 December 2020, English version of Magyarország kormánya, available at: <https://abouthungary.hu/news-in-brief/justice-minister-eus-rule-of-law-proposal-is-legal-nonsense>.
12. Justice Minister signs legal cooperation with Poland, 21 July 2020, English version of Magyarország kormánya, available at: <https://abouthungary.hu/news-in-brief/justice-minister-signs-legal-cooperation-with-poland>.
13. ‘Orbán at Fidesz Congress: ‘We will go through the thickest wall and win again’ 15 November 2021, English version of Magyarország kormánya, available at: <https://hungarytoday.hu/orban-fidesz-congress-speech-2022-elections-promises/>
14. *Ibid.*
15. ‘Statement made by President of the Republic of Turkey H.E. Recep Tayyip Erdoğan at the Opening Session of the Global Refugee Forum 17 December 2019’, available at: <https://www.unhcr.org/events/conferences/5dfce7bc4/statement-from-turkey.html>.

Disclosure statement

No potential conflict of interest was reported by the author(s).

ORCID

Digdem Soyaltin Colella  <http://orcid.org/0000-0002-7221-517X>

Beken Saatçioğlu  <http://orcid.org/0000-0002-1650-5332>

Didem Buhari Gülmez  <http://orcid.org/0000-0001-9199-7835>

References

- AFP 2016. “Turkish President Threatens to Send Millions of Syrian Refugees to EU.” *The Guardian*, February 12.
- Ágh, A. 2013. “The Triple Crisis in Hungary: The ‘Backsliding’ of Hungarian Democracy after Twenty Years.” *Romanian Journal of Political Science* 13 (1): 25–51.
- Anadolu Agency. 2019. “İçişleri Bakanı Süleyman Soyulu: Avrupa’nın göç yönetiminde iki problemi var”. February 20. Istanbul: Anadolu agency.
- Apaydın, S., and M. Müftüler-Baç. 2020. “Turkish Perceptions of the EU Migration Deal Based on Turkish Parliamentary Debates.” MAGYC project paper, December.
- Aydın-Düzgüt, S., and G. Noutcheva. 2022. “External Contestations of Europe: Russia and Turkey as Normative Challengers?” *Journal of Common Market Studies*. doi:10.1111/jcms.13380.
- Bayer, L. 2020a “EU Leaders Back Deal to End Budget Blockade by Hungary and Poland.” *Politico*. December 10. Accessed March 20 2021. <https://www.politico.eu/article/deal-reached-to-unblock-eu-budget-and-recovery-fund/>.
- Bellamy, R., and S. Kröger. 2021. “Countering Democratic Backsliding by EU Member States: Constitutional Pluralism and ‘Value’ Differentiated Integration.” *Swiss Political Science Review* 27 (3): 619–636. doi:10.1111/spsr.12448.
- Bermeo, N. 2016. “On Democratic Backsliding.” *Journal of Democracy* 27 (1): 5–19. doi:10.1353/jod.2016.0012.

- Börzel, T., and F. Schimmelfennig. 2017. "Coming Together or Drifting Apart? the EU's Political Integration Capacity in Eastern Europe." *Journal of European Public Policy* 24 (2): 278–296. doi:10.1080/13501763.2016.1265574.
- Börzel, T., and M. Zürn. 2021. "Contestations of the Liberal International Order: From Liberal Multilateralism to Postnational Liberalism." *International Organization* 75 (2): 282–305. doi:10.1017/S0020818320000570.
- Çavuşoğlu, M. 2020. "EU Inaction on Syria a Stain on Human Conscience." *Financial Times*, March 22. <https://www.ft.com/content/43bcd3c3-694b-11ea-a6ac-9122541af204>.
- Closa, C. 2020. "Institutional Logics and the EU's Limited Sanctioning Capacity under Article 7 TEU." *International Political Science Review*. doi:10.1177/0192512120908323.
- Council of the EU. 2020. "Statement on the Situation at the EU's External Borders." March 4. Accessed September 12, 2021. <https://www.consilium.europa.eu/en/press/press-releases/2020/03/04/statement-on-the-situation-at-the-eus-external-borders/>.
- Crombez, C. 2003. "The Democratic Deficit in the European Union: Much Ado about Nothing?" *European Union Politics* 4: 101–120. doi:10.1177/1465116503004001583.
- Dempsey, J. 2020. "Germany Needs to End Hungary and Poland's Blackmail." *Carnegie Europe*. November 17. Accessed April 12, 2021. <https://carnegieeurope.eu/strategieurope/83245>
- Dönmez, P. E., and A. Duman. 2020. "Marketisation of Academia and Authoritarian Governments: The Cases of Hungary and Turkey in Critical Perspective." *Critical Sociology* 47 (7-8): 1127–1145.
- Elçi, E. 2021. "Politics of Nostalgia and Populism: Evidence from Turkey." *British Journal of Political Science* 52 (2): 1–18.
- EPP Group. 2013. "EP Report on Hungary: EPP Group Rejects the Use of Double Standards." July 3. Accessed August 8, 2021. www.eppgroup.eu/pressrelease/EPPGroup-rejects-the-use-of-double-standards.
- Esen, B., and Ş. Gümüşçü. 2021. "Why Did Turkish Democracy Collapse? A Political Economy Account of AKP's Authoritarianism." *Party Politics* 27 (6): 1075–1091. doi:10.1177/1354068820923722.
- EU Delegation to Turkey. 2020. "Remarks by HR/VP Josep Borrell at the Press Conference following His Meeting with the Minister of Foreign Affairs Mevlut Çavuşoğlu." July 7. Accessed October 2, 2021. <https://www.avrupa.info.tr/en/pr/turkey-remarks-hrvp-josep-borrell-press-conference-following-his-meeting-minister-foreign>.
- European Council. 2015. "EU-Turkey Statement, 29/11/2015." November 29. Accessed July 23, 2020. <http://www.consilium.europa.eu/en/press/press-releases/2015/11/29-eu-turkey-meeting-statement/>.
- Follesdall, A., and S. Hix. 2006. "Why There Is A Democratic Deficit in the EU: A Response to Majone and Moravcsik." *Journal of Common Market Studies* 44 (3): 533–562. doi:10.1111/j.1468-5965.2006.00650.x.
- Forgas, J. P., D. C. William, and K. Fiedler, eds. 2021. *The Psychology of Populism: The Tribal Challenge to Liberal Democracy*. New York: Routledge.
- Foy, H. 2018. "Viktor Orbán of Hungary Lashes Out at 'Western Elites' Running EU." *Financial Times* June 8. Accessed August 19, 2021. Available at: <https://www.ft.com/content/46a04494-2d8f-11e6-bf8d-26294ad519fc>.
- Greenhill, K. M. 2016. "Open Arms behind Barred Doors: Fear, Hypocrisy and Policy Schizophrenia in the European Migration Crisis." *European Law Journal* 22 (3): 317–332. doi:10.1111/eulj.12179.
- Guarascio, F., and T. Gümrükçü. 2020. "EU, Turkey in stand-off over Funds to Tackle New Migrant Crisis". *Reuters*. March 6. <https://reut.rs/38t5quz>.
- Halmá, G. 2018. "Abuse of Constitutional Identity. The Hungarian Constitutional Court on Interpretation of Article TEU (2) of the Fundamental Law." *Review of Central and East European Law* 43 (1): 23–42. doi:10.1163/15730352-04301002.
- Hooghe, L., T. Lenz, and G. Marks. 2019. "Contested World Order: The Delegitimation of International Governance." *The Review of International Organizations* 14: 731–743. doi:10.1007/s11558-018-9334-3.
- Hooghe, L., and G. Marks. 2019. "Grand Theories of European Integration in the twenty-first Century." *Journal of European Public Policy*. doi:10.1080/13501763.2019.1569711.
- Hungary Today. 2022. "CJEU Rejects Actions by Poland and Hungary against Rule of Law Mechanism, 16 February, available at: <https://hungarytoday.hu/orban-government-rule-of-law-ecj-european-union-court-of-justice-poland-hungary/>.
- International Crisis Group. 2016. "Turkey's Refugee Crisis: The Politics of Permanence." Europe Report No. 241. November 26.
- Jenne, E., and C. Mudde. 2013. "Hungary's Illiberal Turn." *Journal of Democracy* 23 (3): 148–155.
- Kelemen, R. D. 2017. "Europe's Other Democratic Deficit: National Authoritarianism in Europe's Democratic Union." *Government and Opposition* 52 (2): 211–238. doi:10.1017/gov.2016.41.
- Kelemen, R. D. 2020. "The European Union's Authoritarian Equilibrium." *Journal of European Public Policy* 27 (3): 481–499. doi:10.1080/13501763.2020.1712455.
- Kochenov, D., and P. Bárd. 2018. "Rule of Law Crisis in the New Member States of the EU: The Pitfalls of Overemphasising Enforcement." RECONNECT Working paper No.1.
- Krekó, P., and Z. Enyedi. 2018. "Orbán's Laboratory of Illiberalism." *Journal of Democracy* 29 (3): 39–51. doi:10.1353/jod.2018.0043.

- Lake, D. A., L. L. Martin, and T. Risse. 2021. "Challenges to the Liberal World Order: Reflections on International Organization." *International Organization* 75 (2): 225–257. doi:10.1017/S0020818320000636.
- Lancaster, C. 2016. "Ideology and Hegemonic Party Rule in South Africa, Hungary and Turkey." *Politics, Religion and Ideology* 17 (4): 370–391. doi:10.1080/21567689.2016.1263197.
- Lenz, T., A. Burilkov, and L. A. Viola. 2019. "Legitimacy and the Cognitive Sources of International Institutional Change: The Case of Regional Parliamentarization." *International Studies Quarterly* 63 (4): 1094–1107. doi:10.1093/isq/sqz051.
- Lord, C., P. Bursens, D. D. Bievre, J. Trondal, and R. A. Wessel. 2022. *The Politics of Legitimation in the European Union: Legitimacy Recovered?* Oxon and New York: Routledge.
- Lorenz, A., and L. A. Anders. 2021. *Illiberal Trends and Anti-EU Politics in East Central Europe*. Houndmills: Palgrave Macmillan.
- Main, T. J. 2022. *The Rise of Illiberalism*. Washington D.C: Brookings Institution Press.
- Majone, G. 1998. "Europe's 'Democratic Deficit': The Question of Standards." *European Law Journal* 4 (1): 5–28. doi:10.1111/1468-0386.00040.
- Meyer, J. W. 2001. "The European Union and the Globalization of Culture." In *Institutional Approaches to the European Union*, edited by S. Andersen, 227–245. Oslo: Arena.
- Moravcsik, A. 2002. "In Defence of the Democratic Deficit: Reassessing Legitimacy in the European Union." *Journal of Common Market Studies* 40: 603–624. doi:10.1111/1468-5965.00390.
- Müftüler-Baç, M. 2022. "Externalization of Migration Governance, Turkey's Migration Regime, and the Protection of the European Union's External Borders." *Turkish Studies* 23 (2): 290–316. doi:10.1080/14683849.2021.1943661.
- The New Arab. 2015. "Turkey's Erdoğan Says Europe Responsible for Every Refugee Death." September 3. Accessed March 22, 2021. <https://english.alaraby.co.uk/english/news/2015/9/3/turkeys-erdogan-says-europe-responsible-for-every-refugee-death>
- Okyay, A., and J. Zaragoza-Cristiani. 2016. "The Leverage of the Gatekeeper: Power and Interdependence in the Migration Nexus between the EU and Turkey." *International Spectator* 51 (4): 51–66. doi:10.1080/03932729.2016.1235403.
- Öniş, Z., and M. Kutlay. 2019. "Global Shifts and the Limits of the EU's Transformative Power in the European Periphery: Comparative Perspectives from Hungary and Turkey." *Government and Opposition* 54 (2): 226–253. doi:10.1017/gov.2017.16.
- Paçacı Elitok, S. 2015. A Step Backward for Turkey? the Readmission Agreement and the Hope of Visa-Free Europe. *IPC-Mercator Policy Brief* December. <https://ipc.sabanciuniv.edu/Content/Images/CKeditorImages/20200323-13035173.pdf>
- Polyakova, A. T. T., T. Reinert, K. Kirişçi, A. Sloat, J. Kirchick, M. Hooper, N. Eisen, and A. Kenealy. 2019. *The Anatomy of Illiberal States: Assessing and Responding to Democratic Decline in Turkey and Central Europe*. Washington, D.C: Foreign Policy at Brookings, Brookings Institution.
- Rendtorff, J. D., eds. 2020. *Handbook of Business Legitimacy*. Cham: Springer.
- Republic of Turkey Ministry of Foreign Affairs. 2021. "Press Release regarding the Push-Backs of Asylum-Seekers by Greece". No: 78. February 21. Accessed April 12, 2021. http://www.mfa.gov.tr/no_-78_-yunanistan-in-siginmacilari-geri-itmesi-hk.en.mfa.
- Rossi, M. 2016. "The Trump Election and Its Consequences for the Western Balkans." *Contemporary Southeastern Europe* 4 (1): 87–92.
- Saatcioglu, B. 2020. "The European Union's Refugee Crisis and Rising Functionalism in EU-Turkey Relations." *Turkish Studies* 21 (2): 169–187. doi:10.1080/14683849.2019.1586542.
- Schmidt, V. 2020. *Europe's Crisis of Legitimacy: Governing by Rules and Ruling by Numbers in the Eurozone*. Oxford: Oxford University Press.
- Schweller, R. 2011. "Emerging Powers in an Age of Disorder." *Global Governance* 17 (3): 285–297. doi:10.1163/19426720-01703002.
- Sedelmeier, U. 2017. "Political Safeguards against Democratic Backsliding in the EU: The Limits of Material Sanctions and the Scope of Social Pressure." *Journal of European Public Policy* 24 (3): 337–351. doi:10.1080/13501763.2016.1229358.
- Simonyi, A. 2014. "Putin, Erdoğan and Orbán: Band of Brothers?" *New Perspectives Quarterly* 31 (4): 33–35. doi:10.1111/npqu.11486.
- Söderbaum, T., K. Spandler, and A. Pacciardi. 2021. "Contestations of the Liberal International Order: A Populist Script of Regional Cooperation." In *Elements in International Relations*. Cambridge: Cambridge University Press.
- Soyaltin-Colella, D. 2022. "The EU's 'actions-without-sanctions'? the Politics of the rule of law Crisis in Many Europes." *European Politics and Society* 23 (1): 25–41. doi:10.1080/23745118.2020.1842698.
- Suchman, M. 1995. "Managing Legitimacy: Strategic and Institutional Approaches." *Academy of Management Review* 20 (3): 571–610. doi:10.2307/258788.
- TRT World. 2020. "Turkey Rejected \$1.1B Aid from EU – Erdoğan." March 2. Accessed March 25 2021. <https://www.trtworld.com/middle-east/turkey-rejected-1-1b-aid-from-eu-erdogan-34256>.

- Vachudova, M. 2020. "Ethnopolitism and Democratic Backsliding in Central Europe." *East European Politics* 36 (3): 318–340. doi:10.1080/21599165.2020.1787163.
- Von Soest, C., and J. Grauvogel. 2017. "Identity, Procedures and Performance: How Authoritarian Regimes Legitimize Their Rule." *Contemporary Politics* 23 (3): 287–305. doi:10.1080/13569775.2017.1304319.
- Welle, D. (2020) "Poland and Hungary Gamble on Funding with EU Budget Veto", December 2, <https://www.dw.com/en/poland-and-hungary-gamble-on-funding-with-eu-budget-veto/a-55795455>
- Winzen, T. 2022. "Democratic backsliding and decisionmaking in the European Union: Eurosceptic contestation?" IGCC Working Paper. University of California Institute on Global Conflict and Cooperation. 19-22 April 2022. <https://ucigcc.org/wp-content/uploads/2022/07/Winzen-Working-Paper-7.27.22.pdf>
- Zalan, E. 2016. Can Europe Stand up to Its Own Strongmen?. *Foreign Policy*. <https://foreignpolicy.com/2016/03/10/can-europe-stand-up-to-its-own-strongmen/>

