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EDITORIAL

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Under Which Conditions Do Populist Governments Use Unpolitics in EU Decision-Making

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Abstract

Until recently, we knew very little about the role of populist governments in EU decision-making. The "crucial case" of refugee distribution within the EU demonstrated that their behaviour was ruled by unpolitics: they rejected formal and informal rules of decision-making if these were not conducive to their preferred outcome, they rejected traditional means of ensuring compromises, and they rejected solutions to perpetuate crises. However, to what extent is unpolitics a phenomenon unique to migration—an area prone to (nativist) populist capture? This thematic issue compares the behaviour of populist governments in the Council of the EU across different policy areas. The goal is to better understand under which conditions unpolitics is more likely to manifest in EU decision-making. We argue that unpolitics is intrinsically linked to vote-seeking strategies, where populist governments use EU decision-making to mobilise domestic audiences. Hence, unpolitics is more prone to "high gain" and "low risk" issues, since they can be more easily politicised. Unpolitics is also more likely to manifest in venues that act as a tribune, where populist actors can directly speak to domestic audiences. Finally, since unpolitics relies on the mobilisation of voters, it is essentially a two-level game largely determined by domestic political and socioeconomic conditions. Overall, we see that, although the EU institutions have proved relatively resilient, unpolitics is gradually unsettling and hollowing out norms, institutions, and discourses.

Keywords

Council of the EU; European Union; policy-making; politicisation; populism; unpolitics; venues

1. Introduction

In recent years, there has been a growing disruption of the "permissive consensus" that had prevailed in EU decision-making for decades. Not only has domestic politicisation put increasing pressure on mainstream governments from the bottom up (Bressanelli et al., 2020; Hooghe & Marks, 2009), but there has also been a fragmentation of the European integration consensus brought about by the presence of populist parties in government within the EU institutions.

Drawing on Taggart's (2018) concept of unpolitics, we initially developed a theoretical framework to account for the disruptive behaviour of some populist governments at the EU level in the reform of the Dublin IV Regulation in EU asylum policies. We argued that this reform was mainly blocked by populist governments that capitalised on the EU's inability to pass the reform. They blocked the adoption of Dublin IV even though it would have benefitted them in redistributive terms. For instance, the Italian government prevented an agreement in the Council despite the potential for increased support, urgently needed given the high numbers of asylum-seekers the country was receiving (Zaun & Ripoll Servent, 2023).

We understand unpolitics as a destructive approach to politics that populist governments in the Council employ to undermine EU decision-making. We argue that they do so in three ways: (a) they reject shared formal and informal norms of EU policymaking, such as the norm of consensual decision-making in the Council; (b) they reject compromise and go for their maximum positions, which reflects their self-understanding as representatives of the will of the "pure people" as opposed to the corrupt elite (cf. Mudde & Kaltwasser, 2017, p. 6); and (c) they use non-decisions to mobilise against the EU and show how weak and unproductive the EU is. Hence, unpolitics is connected to the Eurosceptic profile of populist governments.

However, the question remains: Is asylum a unique case or do we see similar uses of unpolitics by populist governments in the Council? This editorial presents the theoretical framework of unpolitics in EU decision-making and evaluates under which conditions unpolitics is likely to be present across EU policies. We expect that populist governments use unpolitics only in policy areas where their political game is likely to yield high electoral gains at low political cost, i.e., in areas that are easily *politiciseable* and where the potentially negative consequences of unpolitics are not immediately visible.

2. Unpolitics in EU Decision-Making

Traditionally, the EU has been a political system characterised by a culture of consensus—despite major differences in their positions, policy actors try to accommodate each other and avoid being seen as losers. However, if we consider populism as a thin-centred ideology that considers society to be ultimately separated into two homogeneous and antagonistic camps—"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" (Mudde & Kaltwasser, 2017, p. 6), we can expect populist governments to pursue different goals and follow other norms of behaviour.

This other type of behaviour has been identified as unpolitics, where populist actors "engage....with politics but in a way that is at odds with that politics" (Taggart, 2018, p. 81). Unpolitics is a form of political

behaviour—that is, it is not anti-political or apolitical—but aims to unsettle and transgress shared understandings of democratic procedures and solutions. We argue that populist actors are more likely to use unpolitics as it allows them to express their anti-elitism and maximalist positions (speaking on behalf of the general will) and hence mobilise their electorate. When using unpolitics, populist governments are exclusively vote-seeking rather than policy-seeking. We consider this a necessary condition for the presence of unpolitics (although see Taggart, 2024, for a discussion on the use of unpolitics by non-populist actors). To determine whether we observe a case of unpolitics, we need to establish a connection between transgressive behaviour and an attempt (be it successful or not) to mobilise domestic voters. Indeed, as national governments and even EU parliamentarians are elected at the national level, the relevant audience for them is the national electorate. At the same time, given that EU politics are often opaque and distant for voters, using them to mobilise domestic audiences is usually complicated. Unpolitics is, hence, inherently a two-level game (Figure 1).

Three main features of populism foster the rejection of norms. First, breaking established norms of consensus helps populist governments underline that they are not part of the "elite." The norm of consensus and compromise is closely linked to notions of trust and iterated negotiation, where people need to find solutions for not just isolated problems but ones across issues and over long periods. Hence, breaking these norms can signal a sense of "otherness," of not being part of the club (and not caring about it). Populist actors are, thus, keen to demonstrate that they are not part of the system by explicitly questioning its procedural rules and shared understandings of potential solutions to policy problems. Consequently, we expect that a manifestation of unpolitics will be the rejection of formal and informal rules and norms. This rejection can be rhetorical—for instance, questioning the legality of previously adopted procedural norms—or come in the form of specific actions, such as repeated use of vetoes that are seen by other

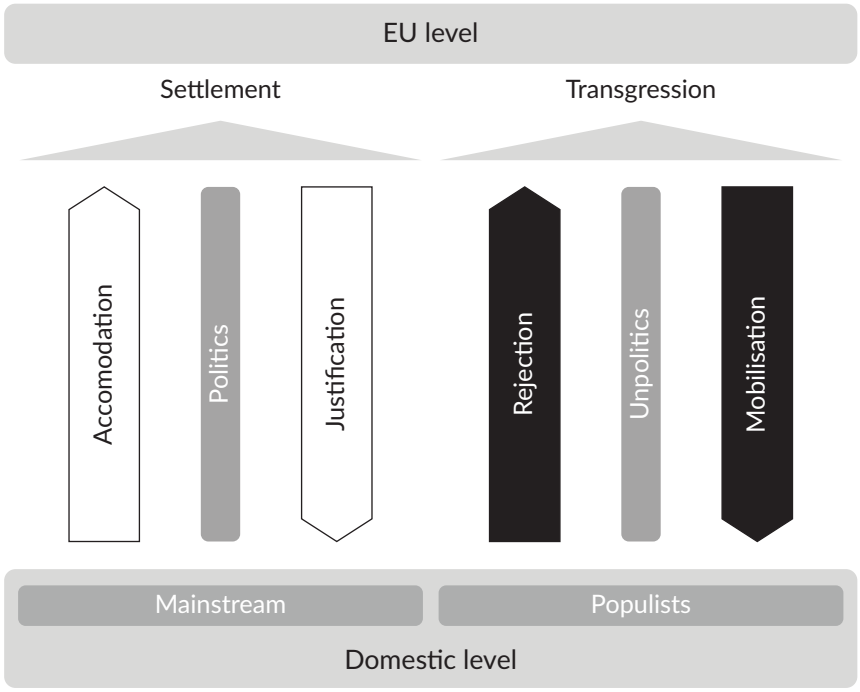

Figure 1. Unpolitics as a two-level game.

participants as disproportionate and unjustified, or even going against the interest of the veto-wielding country. Indeed, vetoes are not a form of unpolitics *per se*, but they can take on that role when performed strategically to unsettle the usual political process. By doing so, vetoes can help populist governments mobilise domestic audiences.

> *H1: Populist governments are more likely to break the EU's formal and informal rules and do so explicitly (reject norms).*

Second, if populist governments are supposed to represent the "will of the people," compromises are out of the picture. Giving in would mean betraying their voters and this would question their ability to represent "pure" positions. In extreme cases, this means refusing compromises even if they benefit their domestic constituents. This rejection is particularly easy to identify on the rhetorical level. However, actions serve as even stronger evidence since they demonstrate that populist governments are also ready to walk the walk and put their words into practice. This form of unpolitics sends a strong signal to their voters and shows they are ready to do anything to stand by their positions. However, not all extreme cases of persistent vetoes, such as the Empty Chair Crisis, are unpolitics, as this crisis was the result of policy-seeking and not vote-seeking—De Gaulle prioritised maintaining intergovernmental control over the Common Agricultural Policy, reflecting his substantive preferences. Hence, we expect the following:

> *H2: Populist governments are less likely to compromise than mainstream governments and stick with their maximum positions (reject compromise).*

Finally, rejecting compromises not only helps in depicting them as "loyal" to their people but also provides populists with further reasons to continue opposing and fostering crises. Populist governments are incentivised to use unpolitics to supply further populism and Euroscepticism (Mudde & Rovira Kaltwasser, 2018; van Kessel, 2015). Highlighting the EU's inability to solve crises supports their Eurosceptic (and hence anti-elitist) arguments, allowing them to depict the EU as dysfunctional and unable to solve problems and to emphasise the capacity of populist governments to better address the needs of their people. We would expect this form of unpolitics to be particularly visible at the rhetorical level. Populist governments aim to keep the EU in a permanent state of disequilibrium (Hodson & Puetter, 2019; Kelemen, 2020) by making EU decisions unpopular and thereby legitimising alternative (more popular) domestic narratives and solutions. We observed this in the EU asylum reform process, where Salvini blocked any EU solutions on Search and Rescue because he wanted to portray the EU as too weak to provide an answer. He then pushed for domestic solutions, which allowed him to be seen as a leader caring for the worries of his citizens (cf. Zaun & Ripoll Servent, 2023). Thus, our third hypothesis is:

> *H3: Populist governments tend to use non-decisions by the EU strategically to show that the EU is weak and useless (reject solutions).*

These three hypotheses aim to facilitate a comparison of unpolitics as a form of behaviour. To assess whether unpolitics is present, one can engage in process tracing or Bayesian reasoning (Beach & Pedersen, 2019). Using process-tracing tests (straw in the wind, hoop test, smoking gun, or double decisive) can help us assess the strength of the evidence. For instance, seeing some instances of vetoes or uncompromising positions could be a straw in the wind; however, persistent occurrence could give us more certainty that unpolitics is being

employed. Moreover, a government blocking a policy that would benefit its country (cf. Zaun & Ripoll Servent, 2023) could be considered a smoking gun. If one cannot confirm that a veto was pursued for mobilisation purposes, this would result in a failed hoop test and confirm that this behaviour does not correspond to unpolitics but is something else.

In this thematic issue, we are interested in examining which policy areas manifest unpolitics and which of these three components are present or absent in our different cases. This is a necessary first step to mapping the phenomenon we intend to study.

3. The Conditions Facilitating Unpolitics

A second necessary step is to consider the conditions that lead to more or less unpolitics. Why do we see it in some cases and not in others? What explains the different manifestations of unpolitics? We expect that two main conditions facilitate the emergence of unpolitics: the *politicisability of issues* and the *choice of venues*.

Regarding the first condition, the easier it is to mobilise domestic voters around an issue, the more appealing it becomes for populist governments to use unpolitics. Various factors might contribute to the *politicisation* of specific problems or issues. The literature on crisis policymaking shows that crises can benefit those who question existing norms and ideas. A crisis environment creates uncertainty and opens a window of opportunity to contest the status quo and ask for change. Zeitlin et al. (2019) also noted that the accumulation of crises in the EU in recent decades has led to a feeling of polycrisis that fosters conflict on a multiplicity of cleavages, hence enhancing the chances of deadlock. Recent literature has underlined the importance of understanding how actors are responsible for identifying and explaining potential crises. They note how the process of framing and constructing crises is essential in determining their impact on EU policymaking: not all problems are crises and not all crises lead to constraints and deadlock (Ripoll Servent, 2019; Voltolini et al., 2020; Wendler & Hurrelmann, 2022). Therefore, it is important to understand how populist governments contribute to defining problems as crises, supplying and reinvigorating existing crises, using them to find electoral support, and undermining existing norms and ideas. Issues that can be linked to crises are hence more easily politicised and can more easily be used to mobilise domestic audiences.

Furthermore, previous research has pointed out that the nature of policy issues can also be relevant to understanding variation in which policy issues are captured and mobilised by populist actors. Schimmelfennig (2020) noted how issue risk was essential for determining the chances of being politicised. Issues with low or diffused costs, particularly if potential policy failures can be addressed in alternative venues (e.g., at the domestic level), are more likely to be politicised. Similarly, Genschel and Jachtenfuchs (2016) pointed at core state powers as potential targets of politicisation, especially if they involve a transfer of capacity-building (rather than just regulatory resources) to the EU since this leads to the identification of clear winners and losers. These arguments also support post-functionalist theories, which argue that politicisation is particularly notable in areas that can be mobilised through cultural and identity claims rather than raising purely functional conflicts (Hooghe & Marks, 2009). Therefore, we expect that issues that can be framed as having a potential for "high gain" and "low risk" will be the preferred targets of populist governments. We understand "high gain" as issues where populists can easily capitalise on their gains by appealing to identity and culture—although there might be some variation here depending on their "host" ideology (e.g., nativism or socialism). Still, we expect that issues that can be mobilised on a GAL/TAN

cleavage will be more prone to politicisation by populist governments. As for "low risk," we understand this as an issue where a non-decision causes no immediate or evident harm to the government. Hence, if negotiations end up in deadlock, the country will not lose out (e.g., in terms of funding), and governments might provide an alternative domestic solution.

This variation across policy issues has been partially confirmed in Council oppositional voting, where member states tend to vote against or abstain mostly in areas that have wider financial implications (i.e., where the winners and losers are more visible); in Justice and Home Affairs, since governments are under more pressure from Eurosceptic parliamentary opposition; and in areas affected by the polycrisis and hence more politicised (Pircher & Farjam, 2021). However, we are interested in understanding how populist actors make sense of "high gains" and "low risks" and how they frame them in a way that helps them mobilise domestic audiences.

The second condition that also shapes the use of unpolitics is the *choice of venues*. The latter might affect two aspects of unpolitics. On the one hand, certain venues might facilitate the capacity of populist governments to mobilise their "people." Schimmelfennig (2020, p. 350) argues that this is easier for governmental representatives in the Council than for members of the EP, where the representative links to voters are weak due to the second-order nature of EP elections. Therefore, the Council might be a more likely site for unpolitics because it is easier for populist governments to claim their actions are directly linked to the will of the people. It is also an easier place for individual governments to block decisions. On the other hand, the choice of venue might determine their ability to utilise institutions as public tribunes and shape discourses. Hence, when it comes to framing issues as crises or justifying their decisions to block compromises, a venue such as the EP or the European Council might be better suited than the Council, which does not provide many opportunities for public announcements or speaking directly to domestic audiences. Therefore, it is important to understand where decisions are made and how different venues might support different types of unpolitics and reinforce the efforts of populist governments across policymaking arenas. A comparison across policy issues can help us understand how these conditions interact: Are certain venues better at mobilising certain issues? Are some issues or venues more prone to be captured by populist governments?

Finally, we are also interested in comprehending what happens to the institutions and actors that interact with unpolitics. We expect unpolitics to produce chaos in EU decision-making, and it is hence interesting to examine how other actors deal with it, including in the long term, after governments have changed and the populist actors have left the scene.

4. Comparing Unpolitics Across Policy Issues

This thematic issue covers a range of policy areas. Most of the articles do find instances of unpolitics, but two do not, even in areas where we would expect it. In these two cases, unpolitics did not occur because of the absence of the conditions facilitating unpolitics: In one case, the issues under discussion were not *politiciseable* (Grabbe, 2024). Grabbe demonstrates how, in the case of social security systems, the main beneficiaries would have been citizens from countries, especially in Central Eastern Europe, that tend to send workers to other EU member states rather than receive them. Hence, regarding vote-seeking, it would be counter-productive for these governments to block negotiations. In the case of gender policies, de Silva and Tepliakova (2024) find that, despite the *politiciseability* of the issue, key actors in the Council actively

sought to keep negotiations at the Council Working Party level rather than shift the issue to the political level. This kept populist governments from using the Council as a tribune and exploiting the issues in the Istanbul Convention for vote-seeking purposes.

In the successful examples, one important commonality seems to be that governments engaging in unpolitics are acting in "bad faith." Deters (2024) shows how the Austrian government engaged in post-factual justifications, i.e., it openly lied about previous agreements. Similarly, Bergmann et al. (2024) indicate that countries that had never engaged in policymaking in the area of development suddenly started being invested and blocked decisions at the very last minute to mobilise on connected issues of migration and gender. In a way, they turned a low-gain issue (development policy) into a high-gain issue (migration and gender). Coman (2024) shows that Hungary's Fidesz has used opposition in the Council selectively, focusing on democratic backsliding. There, unpolitics has manifested in the shape of "extreme" legalism, used to contest procedures and decisions to slow down actions related to rule of law. In foreign policy, Juncos and Pomorska (2024) also see instances of bad faith in conjunction with the persistent use of vetoes and the unwillingness to compromise, which is highly unusual among diplomats. However, they also show that this behaviour is dependent on risk perceptions. A country (Poland) stopped using unpolitics once it perceived that blocking EU initiatives would undermine its own security. Not only Juncos and Pomorska but also Deters show that unpolitics is not a permanent and fixed behaviour. Instead, it is a toolbox that actors can choose to utilise. A government may use unpolitics at one point in time but recur to "normal" politics at another.

All articles show the importance of "mobilisation" and hence the need to compare domestic conditions to better understand when and why unpolitics are used by specific governments. Csehi (2024) systematically compares nine populist governments to determine which domestic conditions explain the use of unpolitics in EU budgetary policies. He shows that a combination of economic and political factors (particularly the Eurosceptic nature of the government and its links to European party families) explain why some governments are more prone to blocking EU policies for vote-seeking purposes. He also shows that the strength of governmental support at the domestic level lowers the risk of using unpolitics, which helps to understand why Orbán's Fidesz plays a leading role in many other articles (Bergmann et al., 2024; Coman, 2024; Juncos & Pomorska, 2024). Zartaloudis (2024) highlights the importance of this temporal dimension at the domestic level, drawing on the case of the eurozone crisis in Greece. He also shows that this behaviour is not limited to right-wing populists but can easily be used by left-wing populists. This demonstrates that unpolitics is not related to a specific ideology but rather to the populist character of these governments. Both Zartaloudis' contribution and Taggart's article on Brexit underline the use of the European level to mobilise voters domestically. They both show the legacies of extreme cases of unpolitics and how it is difficult to overcome the chaos left behind by Syriza and the Johnson governments.

5. Research Agenda

Overall, we have seen that, although the EU institutions have proved relatively resilient to unpolitics, it is gradually unsettling and hollowing out norms, institutions, and discourses. This might have long-term effects on the democratic functioning of the EU, its policy outputs, and trust among the actors involved. It might mirror the chaotic effects of unpolitics left after Johnson's handling of Brexit (Taggart, 2024).

The thematic issue has also shown that there is still more work to be done in the area of unpolitics. We still need to study more systematically under which conditions it is employed and when it is not. We also know very little about the actual mobilisation success of unpolitics and how other actors respond and engage with it. Do they tacitly accept it, do they openly challenge it, or do they try to circumvent and isolate its proponents? Moreover, is the EU, as a technocratic and consensus-oriented political system, more resilient than domestic systems, which might be even more prone to polarisation? These questions open a new research agenda.

Understanding the phenomenon of unpolitics is important because the erosion of liberal democracy does not usually occur as a big bang but trickles down into daily practices and often goes unnoticed until it is too late.

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Conflict of Interests

The authors declare no conflict of interest.

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