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REVISITING THE EUROPEAN REFUGEE CRISIS OF 2015

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REVISITING THE EUROPEAN REFUGEE CRISIS OF 2015: A POST-FUNCTIONALIST ANALYSIS

A Master's Thesis

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To My Mother



REVISITING THE EUROPEAN REFUGEE CRISIS OF 2015: A
POST-FUNCTIONALIST ANALYSIS

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ABSTRACT

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In 2015, the EU faced the most severe and intense refugee crisis since the Second World War. As a result, a divided EU emerged, which prevented it from finding a common solution to the refugee problem. Accordingly, the EU started to pursue a policy of externalization in its migration agenda to seek a solution outside its borders. Cooperation processes between the EU and third countries in this case are expressed frequently to define the externalization policy of the EU in the literature. Nevertheless, there is a need to explain the EU's main motivation to externalize the migration issue beyond its borders and outsource the burden of the problem to third countries. For that purpose, this thesis presents an explanation through the post-functionalism theoretical framework by using the concept of "constraining dissensus". It argues that increasing xenophobia among the public opinion and far-right political parties have created a constraining dissensus within and among the EU member states, which has been affected by a shaping context; identity politics. The thesis argues that this dissensus is the driving force behind the EU's externalization-oriented migration agenda and it offers an analysis of public opinion surveys, particularly the European Commission's Eurobarometer data, and official EU documents with regard to the EU-Turkey cooperation process, to provide an

explanation of the EU's externalization policy during the refugee crisis of 2015. In the time of constraining dissensus, the EU believes that the externalization-oriented migration policy is the most convenient path to rely on.

Keywords: Constraining Dissensus, EU-Turkey Cooperation, Externalization Policy, Public Opinion, Refugee Crisis.



ÖZET

2015 AVRUPA MÜLTECİ KRİZİNİN İNCELENMESİ: POST-İŞLEVSELÇİ BİR ANALİZ

Şeneri, Alara

Yüksek Lisans, Uluslararası İlişkiler Bölümü

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Temmuz 2020

2015 yılında AB, İkinci Dünya Savaşı'ndan bu yana en şiddetli ve en yoğun mülteci kriziyle karşı karşıya kaldı. Sonuç olarak, bölünmüş bir AB ortaya çıktı ve bu durum AB'nin mülteci sorununa ortak bir çözüm bulmasını engelledi. Buna göre AB, sınırlarının dışında çözüm aramak için göç ajandasında dışsallaştırma politikasını takip etmeye başladı. Bu durumda AB ile üçüncü ülkeler arasındaki işbirliği süreçleri, AB'nin dışsallaştırma politikasını tanımlamak için literatürde sıklıkla ifade edilmektedir. Ancak, AB'nin göç sorununu dışsallaştırmasının ve sorunun yükünü üçüncü ülkelere aktarmasının temel nedenini açıklamaya ihtiyaç vardır. Bu amaçla, bu tez, “kısıtlayıcı görüş ayrılığı” kavramını kullanarak post-işlevsel teorik çerçevesi aracılığıyla bir açıklama sunmaktadır. Kamuoyu ve aşırı sağ siyasi partilerin yabancı düşmanlığı hem üye ülkelerinin kendi içlerinde hem de aralarında, kuvvetlendirici bir faktör olan kimlik politikası tarafından şekillendirilen, kısıtlayıcı görüş ayrılığını yaratmaktadır. Tez, bu görüş ayrılığının AB'nin dışsallaştırma odaklı göç ajandasının arkasındaki itici güç olduğunu savunmaktadır ve AB'nin 2015 mülteci krizi sırasında uyguladığı bu politikanın bir açıklamasını sağlamak için kamuoyu anketlerinin, özellikle Avrupa Komisyonu'nun Eurobarometre verilerinin, ve AB-Türkiye işbirliği süreciyle ilgili

resmi AB belgelerinin bir analizini sunmaktadır. Kısıtlayıcı görüş ayrılığı döneminde, AB dışsallaştırmaya yönelik göç politikasının güvenilecek en uygun yol olduğuna inanmaktadır.

Anahtar Kelimeler: AB-Türkiye İşbirliği, Dışsallaştırma Politikası, Göç Krizi, Kamuoyu, Kısıtlayıcı Görüş Ayrılığı.



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CHAPTER I

INTRODUCTION

In 2015, the EU faced with the most severe and intense refugee crisis since the Second World War. To respond to it, the EU planned to make changes in its migration management and border security. The challenges that the EU has confronted due to this unprecedented and uncontrolled arrival of large amount of refugees demonstrated a series of deficiencies and gaps in the EU's policies on migration, asylum and protection of external borders. Hence, following the 2015, it tried to ensure protection and support to many refugees, save lives, cope with smuggling and prevent irregular arrivals to Europe. However, more work was needed to be done since the mass influx increase migratory pressure on a global scale and continued to threaten the external borders of the EU. In this case, a divided EU emerged and EU member states displayed different and contrasting actions. Visegrad states adopted an approach of fortress Europe as opposed to Germany, which displayed welcoming attitudes to refugees. However, even Germany later abandoned its positive approach. Therefore, the general picture was an EU that did not want any further inflow of refugees. That is why, the EU's search for a solution outside its

borders has been on the agenda for a long time. Accordingly, the EU started to cooperate with third and transit countries. One of its cooperation partner in the migration area is Turkey since Turkey was transformed from a country of immigration into an expedient route for migrants to reach European countries as it is located as a transit country between Asia, Europe and Africa. Related to this, the EU adopted the EU-Turkey Joint Action Plan in 29 November 2015 and the EU-Turkey Statement in 18 March 2016, respectively.

This thesis is motivated to explain the EU's externalization of the migration issue beyond its borders and outsource the burden to third countries. It aims to offer an answer to the following research question: Why did the EU pursue externalization in response to the European refugee crisis? By answering this question, this thesis aims to find the main reason behind the EU's externalization-oriented migration agenda during the refugee crisis of 2015. The EU has long followed an outsourcing path to put the responsibility of migration management to the third countries. Nevertheless, when compared to former migratory pressures, the reasons of the EU's pursuit of externalization policy in 2015-2016 differ because it reflects an outstanding factor; constraining dissensus, which is shaped by the public opinion and consequently the rise of far-right political parties. The mass politics in elections and referendums led to the national identity's mobilization as a constraint and relatedly, post-functionalism emphasizes the political mobilization of public opinion as a constraining factor in the EU politics such as in the refugee crisis as the topic of this thesis.

Thus, the thesis presents an explanation through the post-functionalist theoretical framework's "constraining dissensus" (Hooghe & Marks, 2008). It analyzes constraining dissensus between the public opinion and political elites as a lack of solidarity, absence of a common solution and consensus within member states and among member states. Generally, in the European crises, the EU countries' political elites attempted to solve politicization that created constraining dissensus through the depoliticization of highly salient issues by delegating powers to "non-majoritarian supranational institutions" without changing the treaties, as it is recently emphasized in the Euro crisis (Börzel & Risse, 2018, p.84). In a similar vein, in the refugee crisis, political leaders tried to cope with the growing constraints confronting them through widening the possibilities for "opt-outs" and shifting decision-making powers to "non-majoritarian regulatory agencies" such as the European Commission (Hooghe & Marks, 2008, p.22). However, as the disjunction between the "functional need for human cooperation" and "territorial scope of community" provoked a growing mass politicization of EU issues in the refugee crisis (Hooghe & Marks, 2008, p.21), depoliticization through supranational delegation resulted in more, not less politicization (Börzel & Risse, 2018, p.101). That is why, the efforts for the supranationalization of the EU's response to the refugee issue have failed as opposed to the depoliticization in the Euro crisis. Therefore, this thesis argues that constraining dissensus within member states led to constraining dissensus among member states at the EU level in general. Member states applied national solutions without complying with the common EU policies and the EU institutions also remained inadequate to produce a common response to the refugee challenge since there was no agreed solution. Based on this argument, the thesis argues that the EU's externalization policy in the 2015 refugee crisis came into effect due to this

constraining dissensus. In other words, the EU believes that the externalization-oriented migration policy is the only expedient in the time of constraining dissensus. By relying on a post-functionalist framework, the thesis conducts discourse analysis of official EU documents as well as the statements of political leaders. In addition, it also uses Eurobarometer data, European election results and public opinion surveys.

Prominent theories of European integration such as liberal intergovernmentalism (Moravcsik, 1998) and neo-functionalism (Haas, 1958), or social constructivism as a mainstream theory of international relations, remain insufficient to explain the crucial reason behind the EU's externalization agenda during the refugee crisis of 2015-2016. Since immigration is also significant in terms of the EU's internal dynamics as it has changed European states since the end of the Second World War, post-functionalism reveals the uncovered mechanism behind the EU's migration agenda more clearly. Refugees in our contemporary world bring different customs and lifestyles that are generally perceived to be different from those of the native population, in the eye of the European public opinion. As a result, the rise of concepts such as national identity became inevitable (McLaren, 2015). Thus, the changing nature of immigration in the post-Second World War period has generated negative public perceptions and xenophobia against immigration and immigrants. Hence, far-right parties gained more power in the European electoral arena which reflect the large gap between citizens' expectations and the political elites' actions in the migration policy area. For that reason, post-functionalist framework's emphasis on politicization based on issue salience, elite discourses, elections and opinion polls, which are the main conditions of constraining dissensus, help to unravel the

motivation of the EU. Related to the refugee crisis in 2015, there is one context that has important effects on the constraining dissensus in the EU: Identity politics.

Identity politics suggests that “people of a particular race, ethnicity, gender, or religion form alliances and organize politically to defend their group’s interests” (Maguire, 2016). Since people identify the members of a group according to “ethnicity, race, gender, religion, or sexual orientation” (Maguire, 2016), it is inevitable that they construct the “other” to create and reinforce their identities (Giri, 2001, p.268). During the refugee crisis, identities are mostly constructed over security and economic concerns. As Oğurlu (2019, p.167) claims, “...being threatened by the influx of the “others” who do not belong to the European family, member states preferred focusing on the national survival and national identities”. The “others” who brought fear and the sense of insecurity produced xenophobia among European public and in the political arena. The literature of political science on xenophobia mostly considers “Islamophobia, racism and nationalism” as the factors which lead to xenophobia (D'Amico, 2018, p.2). Thus, “fears were associated with xenophobia such as that refugees will bring economic burden, increase terrorism and heighten crime rates” (D'Amico, 2018, p.2). Therefore, cultural racism and anti-immigrant attitudes started to show themselves in many member states. For instance, “the economic cost of refugees” is a controversial issue in the EU; “together with security concerns, the economic impact of migration on European economies is the main reason that political movements as well as people having critical visions of the current refugee wave to Europe” (Cellai, 2016). Some of the common expressions of people are: “Refugees do cost a lot as they take out more than they bring in”, “they take our jobs away”, “they drag down wages” (Cellai,

2016). Thus, one can argue that the economic attitudes in the host country linked refugees with “a decrease in available jobs for the country’s citizens” (D’Amico, 2018, p.5). Moreover, since refugee crisis refers to a “cultural aspect considering the fact that there are Muslims among migrants”, it has many security implications as well (Kuvekalovic, Stojanovic & Filipovic, 2016, p.29). “The process of Islamic radicalization gains momentum with young Muslims who can be present among migrants. Global events such as terrorist attacks, which echo around the world, committed by immigrants complicate additionally the accepting of new migrants into “promised” countries” (Kuvekalovic et al., 2016, p.29). That is why, member states that received huge amount of refugees also thought that the risk of terrorist attacks would be greater and the resistance of citizens reflect this fear and concerns of security (Kuvekalovic et al., 2016, p.32).

Most of the member states had to abandon their “integrative attempts” and continue to pursue “renationalized attitudes and policies” (Oğurlu, 2019, p.167). Oğurlu (2019, p.167) also claims that, in this case, “less integration seemed as the acceptable solution for public at home as well because the rise in popularity of right-wing parties had also a strong impact on mainstream parties’ decisions both at national and at EU level”. As a matter of fact, the establishment of temporary border controls can be considered as a “populist policy” adopted by governing parties to prevent their decrease in popularity in the election polls. However, it can be also regarded as a propaganda tool for the forthcoming elections (Intini, 2016, p.24). In short, identity, which is defined in relation with the security, played a major role during the contemporary refugee crisis. It associated insecurity and economic concerns with refugees and together they generated an opposition of far-right parties and public

opinion. Therefore, mainstream parties shifted their positions, attitudes and policies towards an anti-immigrant stance. As a result, politicization of refugees in line with the growing identity politics paved the way for the EU's externalization of migration. Identity politics shaped the independent variable and the link from constraining dissensus to externalization as well, which is explained in detail in the methodology section below.

Furthermore, in this thesis, the terms “refugee” and “migrant” are used interchangeably. Migrant, even though it is not defined under international law, is an umbrella term. It reflects the common understanding of a person “who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons” (IOM, 2020). These reasons can be conflict, natural disaster, political instability or other causes. The thesis also uses this term by including people who meet the qualification for international and national definitions of refugee. Moreover, the term “asylum seeker” is also used in the thesis to describe those migrants who seek international and humanitarian protection under the international law that protect refugees. “Not every asylum seeker will ultimately be recognized as a refugee, but every recognized refugee is initially an asylum seeker” (IOM, 2020).

1.1. Methodology

The theoretical framework of the thesis reflects a post-functionalist approach that stresses the constraining dissensus, rather than a permissive consensus, based on factors such as identity politics, public opinion, politicization, media and domestic politics as Hooghe and Marks, the proponents of post-functionalism, mostly

emphasize. These factors can be assessed as the reinforcing factors of the EU's constraining dissensus and the externalization policy of the EU in terms of its refugee management agenda in 2015. This thesis examines one of the main reasons why the EU pursued externalization in response to the European refugee crisis of 2015. Therefore, this thesis offers a qualitative analysis which tries to investigate and interpret the underlying reasons of the EU's externalization process.

As in every research, process of formulating and clarifying concepts are of great significance since concepts have multiple meanings. In this thesis, some important concepts are refugee deals, externalization policies, constraining dissensus, exclusive identities, public opinion, politicization and migration crisis management. In 2019, the EU's migration deals have been conceptualized in the literature as the series of comprehensive reforms which aims four aspects; reducing irregular migrants and criminal networks by addressing irregular migration's root causes, establishing a strong EU asylum policy, securing lives and ensuring more effective legal channels (European Parliament, 2019, p.1).

This thesis presents a case study, which discusses the particular case of the EU's externalization especially emphasizing the implementation of refugee deal with Turkey. The thesis also applies process-tracing since it tries to reveal causal mechanisms. Trampusch and Palier (2016, p.2) point out that "... today most authors agree that process tracing is about causal and temporal mechanisms: it is a method for unpacking causality, that aims at studying what happens between X and Y and beyond (scope conditions)". With regard to the research question: Why did the EU pursue externalization in response to the European refugee crisis?, the independent

variable is the deadlock or absence of a common conflict resolution due to domestic politics and identity mobilization in member states, which implies a constraining dissensus. The dependent variable is the EU's externalization with regard to the 2015 refugee crisis.

Thus, this study aims to open up the black box of causality between the independent and the dependent variables by tracing the mechanisms that produce the outcome. In this case, member states' dead-end both in their domestic politics and in the EU politics which causes constraining dissensus, is considered and analyzed as the black box. So, to be clearer, constraining dissensus within and among the EU member states can be seen as the driving force behind the EU's externalization of the refugee problem outside its borders. There is also a major context that shapes the overall argument, which is identity politics, that reinforces the independent variable and the causal link between the independent variable (constraining dissensus) and the dependent variable (externalization), as seen in the Figure 1. Exclusive identities were mobilized in the public opinion through far-right political parties and they reflected xenophobic feelings. When member states' public and political elites clashed against each other and held different perspectives, constraining dissensus within and among member states was strengthened. Therefore, it limited the EU's actions towards the refugee crisis of 2015 and pushed it to be more careful about the case. Due to this constraining dissensus, the EU accelerated its process of externalization.

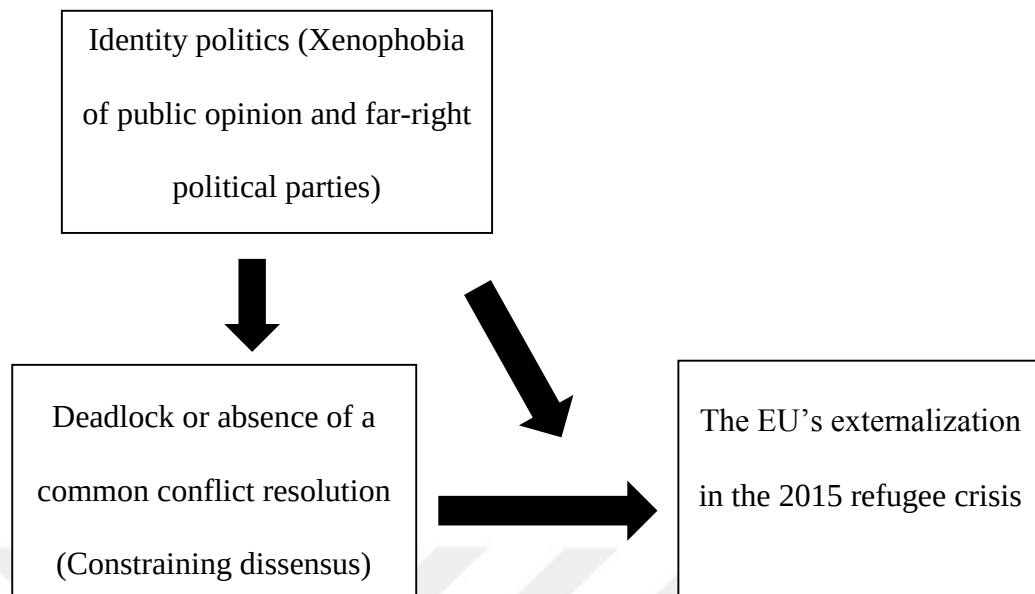


Figure 1: The Argument

Beach and Pedersen (2013, p.11) argue that there are three types of process tracing: “theory-testing process tracing”, “theory-building process tracing” and “explaining outcome process tracing”. The most compatible type with this study is the “explaining outcome process tracing”, because its aim is to create a sufficient explanation of the outcome. The ambition of this type is providing the best possible explanation rather than proving that a theory is correct and since the explanations are case specific, they cannot be separated from a specific case (Beach & Pedersen, 2013, p.13). The purpose of this research necessitates an inductive path in order to find the best possible outcome, rather than a deductive path. “This is a bottom-up type of analysis, using empirical material as the basis for building a plausible explanation of causal mechanisms whereby X (or multiple Xs) produced the outcome” (Beach & Pedersen, 2013, p.20). It uses empirical evidence to reach the best possible explanation of the EU’s externalization. As it is already known, when the existing literature cannot provide a sufficient explanation, initial case specific

mechanisms and concepts are re-conceptualized by using empirical data until a sufficient explanation is found. Hence, process tracing can be considered as the best method for achieving this aim. While pursuing this method, it should be always kept in mind that process tracing is a method of causal interpretation of one case, not a causal explanation which is obtained by statistical data (Trampusch & Palier, 2016, p.3). Moreover, because process tracing studies are able to follow actors' positions and actions, they can help "to unravel the mechanisms of changes (in preferences, as well as institutional changes), while bringing time and context back into the explanations" (Trampusch & Palier, 2016, p.15).

Furthermore, since this thesis takes an inductive approach as it uses the analysis of the official EU documents from EU institutions such as the European Council, the European Parliament and the European Commission, it conducts discourse analysis as its method for data analysis. After deciding which actors to study and what historical sequences of events to examine to have a reasonable picture of process tracing, the thesis analyzes EU documents as its primary sources to explain how the constraining dissensus was generated and under what circumstances the EU's externalization attempts took place. In addition to discourse analysis, reports of these official EU institutions are the most significant documents without doubt because they clearly explain the definition of the EU refugee problem, the EU's cooperation deals with third countries, these deals' current situations, measures or policies to be taken as well as the transfer of subsidies. Besides, newspaper articles, academic journals and reports of relevant institutions or organizations are used to collect data as well. Apart from these sources, data from public surveys and opinion polls, particularly Eurobarometer data from 2015 to 2018, are examined in order to assess

the public opinion of member states regarding the issue of immigration. By this means, the thesis analyzes public opinion as a crucial factor which causes constraining dissensus, and also affects the externalization policy. Investigating how and why the EU's externalization policy and the implementation of refugee deal with Turkey came into play in terms of solving the European refugee crisis problem, reflects the EU's agenda of immigration and gives a chance to analyze the situation in terms of historical sequences. Thus, the thesis uses both the qualitative and quantitative data from primary sources such as the European Commission documents and Eurobarometer reports, and secondary sources from the literature.

1.2. Outline of the Chapters

The second chapter explores major European (dis)integration theories and their explanatory power with respect to the EU's migration agenda in 2015 and forward. Therefore, the second chapter aims to choose the best theoretical framework which is suitable for the case of European refugee crisis in the post-2015 period. In chronological order, the chapter first analyzes neo-functionalism developed by Ernst Haas, which was mainly on the agenda in the 1950s during the primary steps of the European integration. Secondly, the chapter examines intergovernmentalism/liberal intergovernmentalism which was prominent in the 1970s and the 1990s and developed by Andrew Moravcsik. Thirdly, it presents a review of social constructivism which emphasizes the importance of ideational factors such as norms. Last but not least, the chapter presents post-functionalism developed by Liesbet Hooghe and Gary Marks, as a theory of disintegration which implies a constraining dissensus rather than a permissive consensus, in contrast to "optimist integration theories" (Webber, 2019). Then, the second chapter concludes by arguing that the

post-functionalist approach presents major opportunities to analyze the European refugee crisis and the EU's externalization policy during the refugee crisis of 2015. Hence, this thesis mainly relies on a post-functionalist framework of the externalization process in this crisis.

The third chapter presents a literature review of the EU's externalization policies over the years; it explores the characteristics and circumstances of the EU's externalization techniques and strategies in the area of migration. In a chronological order, this chapter aims to examine the externalization policy of the EU during the refugee crisis of 2015, which was caused by an emerging constraining dissensus in member states and across the EU. Therefore, it also presents a brief literature review of constraining dissensus. By this means, it also explains the thesis' post-functionalist framework which argues that constraining dissensus is based on conditions like identity politics, politicization, discourses and public opinion. Thus, this chapter lastly demonstrates that politicization of refugees in line with the growing identity politics among public opinion, paved the way for securitization of migration that created the basis for the externalization policy of the EU in the refugee crisis of 2015. So, it made a connection between the EU's externalization policy and post-functionalist framework.

The fourth chapter provides a brief narrative of the European refugee crisis and then explores the divided EU in terms of member states' different stances and actions regarding the crisis. Therefore, it enhances the connection between constraining dissensus and externalization. It also examines the identity politics in two sections; impacts of the public opinion on the refugee crisis and impacts of the far-right parties

versus mainstream parties on the refugee crisis. By this means, it presents xenophobic feelings of the public opinion and Eurosceptic attitudes of political parties, especially the far-right ones. Hence, it reveals two important arguments of the thesis; there is an accelerating connection between the identity and constraining dissensus, and there is constraining dissensus between the European public opinion and mainstream parties which led to constraining dissensus among member states as well. So, in order to assess the impact of public opinion to analyze identity, this chapter uses data from European Commission's Eurobarometer and many other surveys. Moreover, it also uses press releases of political leaders from newspapers and European Parliament national elections results of member states with the intent of assessing the impact of far-right parties on the refugee crisis.

Then the fifth chapter generally concentrates on the externalization policy of the EU especially with regard to the case of the EU-Turkey migration deal. So, the fifth chapter constitutes a path from constraining dissensus to the externalization method of the EU in a specific case. It initially provides short indicators for the lack of consensus among member states which paved the way for the EU's cooperation with third countries as an externalization tool in migration. Following that, it presents a brief narrative of the EU's readmission agreements as an externalization tool and then it moves on to the EU-Turkey migration deal, including the readmission agreement between Turkey and Greece. Moreover, it offers a review of the existing literature on the Joint Action Plan and the EU-Turkey Statement while presenting the timeline of the cooperation process between Turkey and the EU. Last but not least, the chapter presents a discourse analysis, examining the official EU documents about

the EU-Turkey deal to support the main argument of the thesis that the EU's migration agenda is driven by the externalization policy.

Lastly, the sixth chapter concludes with a brief analysis of the thesis' main points and its major findings. It also concludes by presenting the possible implications of the argument, its limitations and recommendations for future research.



CHAPTER II

THEORETICAL FRAMEWORK

2.1. An Overview of European (Dis)Integration Theories

After the catastrophic decades of the twentieth century including two world wars, millions of dead people and economic damages, European politicians desired to end international conflict, promote economic well-being and enhance social harmony.

They wanted to build a better world that had no rivalries and hostility. That is why, for them, the European integration meant prosperity, harmony and peace. Therefore, the main principle for European politics as the basis of the European Union which is limiting the sovereignty of nation states, was established in order to accomplish peace and economic cooperation. European integration emerged in the aftermath of the World War II and reached its climax at the Congress of Europe in 1948.

Correspondingly, six countries; France, West Germany, Netherlands, Italy, Luxembourg and Belgium signed the Schuman Declaration in 1950 which led to the emergence of the European Coal and Steel Community (ECSC) (Dinan, 2014, p.6), not only due to the kind of spillover claimed by Ernst Haas in *The Uniting of Europe* on ECSC, but also due to the motivation of deeper economic integration in the era of

an intensifying intra-European trade (Dinan, 2014, p.8). By this means, European Economic Community founded in 1958 under the Treaty of Rome. The unexpected end of the Cold War also pushed member states to create a common foreign and security policy (CFSP) together with economic and monetary union (EMU) that paved the way for intergovernmental negotiations in 1991 which resulted in the Maastricht Treaty in 1993. Following the Maastricht Treaty, European Economic Treaty which gave Europe its economic power, slowly transformed into the European Union. Thus, a new era for Europe came to light; a Europe which aimed to be a global power and attempted to achieve a political unity to match its increasing economic power (Dinan, 2014, p.8).

Depending upon the integration experience which influenced by the Cold War aftermath the World War II and the establishment of the European Union, integration theorists developed many approaches and theories. European integration theories provide different responses to various challenges in the EU. As long as the EU continues to face challenges, these theories persistently question European integration as well. At this point, a more contemporary concept which is globalization became significant to understand this thesis since many challenges the European Union faced were increasingly rooted in globalization and its rival concept nationalism. In the past decade, the European Union started to encounter different crises such as Eurozone crisis, refugee crisis, Ukraine and Brexit. Outcome of these crises can also be evaluated with the help of grand theories of European integration but they can also be examined with more pessimistic theories which emphasize a negative outcome such as post-functionalism. Due to the outcomes created by these crises, disintegration trends arise and theories that explore disintegration can be more

suitable for the recent disintegration trends, rather than prevailing theories that explain positive outcomes which is European integration.

It can be stated that different theories can explain various outcomes of the recent European crises. Related to this, this thesis aims to choose the best theoretical framework which is suitable for the case of European refugee crisis in the post-2015 period. As Zambarnardi suggests, theory is not heroic but ironic because there is no single solution or explanation in international relations towards a problem (Zambarnardi, 2016, p.4). Hence, theories provide a wide range of explanations that are competing with each other. Related to this, one should consider the explanatory power of theories with regard to the examined case and should select a theory that offers a better explanation and understanding of the case. Therefore, this thesis considers European integration or disintegration theories with regard to their explanatory power in the case of European refugee crisis faced by the European Union in the post-2015 period. In order to understand which theory explains the crisis in the best way, an analysis of the diverse theories' explanatory power will be examined in this chapter. Main theories of European (dis)integration will be analyzed in a chronological order. In the first place neo-functionalism developed by Ernst Haas, which was mostly on the agenda in the 1950s, will be explored. Then, intergovernmentalism/liberal intergovernmentalism which was rooted in realism and developed by Andrew Moravcsik will be examined. After having a better grasp of these "optimist integration theories" as Webber (2019, pp.1134-1135) defines, social constructivism which emphasizes ideational factors such as identity and norms will be investigated in the third place. Last but not least, the chapter will end by analyzing Liesbet Hooghe and Gary Marks' post-functionalism as a theory of disintegration

which implies a constraining dissensus rather than a permissive consensus, as opposed to two former “optimist integration theories” (Webber, 2019, pp.1134-1135). After all, post-functionalism as the theoretical framework of the thesis will be expanded in the third chapter with regard to the refugee crisis due to its bigger explanatory power.

2.1.1. Neo-Functionalism

Neo-functionalism, as one of the main theories of the European integration, was based on the work of Ernst Haas *The Uniting of Europe* (1958) about European Coal and Steel Community. Neo-functionalism interpreted as “the Europe ideal” by Haas, is a combination of intergovernmental and supranational approaches to the process of European integration (Haas, 2004, p.20). Haas found a potential way to European integration through a synthesis of David Mitrany’s idea of functionalism and Jean Monnet’s opportunistic strategy in order to make ECSC work and develop it into European Economic Community (EEC) (Schmitter, 2005, p.256). It also can be suggested that Haas transformed the technocratic approach of Mitrany which claims expansion of world system that functionally specialized global institutions run by experts into a political approach of how cooperation could be possible based on competing non-state interests which are subnational. While doing this synthesis, Haas never denied the role of nation states which pursue their self-interests because he also noticed that regional integration had the ability to transform the inter-state system. This system has long characterized Europe and was responsible for two World Wars by liberalizing trade and people flows across well-protected borders of previous Europe (Schmitter, 2005, p.257).

So, why and how can integration be possible? Neo-functionalism stresses that the actors above the nation states and within the nation states constitute the main actors of the European integration through their encouragement towards integration, development of interest groups and management of both sides. By this means, nation states feel an obligation to enter a process of integration because they do not gain benefit only from economic integration but also, they see that they could gain benefit from the transformation of economic integration into political integration (Haas & Schmitter, 1966, p.274). In this framework, the importance of units that would be integrated is highly emphasized; interests of the elite groups who oppose or advocate to the integration process, are decisive (Haas, 2004, p.13). Thus, it can be said that neo-functionalism emphasizes the cruciality of technocratic decision-making. This process generally relies on the expectations of bureaucrats and technocrats who also have the authority to determine the integration process. In this context, the concept of spill-over is essential to understand the diffusion of authority and functions. It is one of the main concepts of neo-functionalism and it generally means that integration in one sector creates pressures and opportunities for integration in other sectors. It is also accepted that spill-over paves the way for nation states to evaluate their interests within a supranational and unified structure (Dougherty & Pfaltzgraff, 2001, p.544). What is important in the formation of this spill-over effect is that integration actors believe that this action of spreading could be in favor of their interests. Therefore, according to this approach of spill-over, belief in the common interests is not the necessary condition in order to achieve integration in the international arena. Thus, neo-functionalist framework claims that the ones who benefit from the advantages of supranational organizations established in one area supports similar structures in other areas (Dougherty & Pfaltzgraff, 2001, p.514). Related to this, it can be claimed

that the understanding of integration, from a point view of neo-functionalism, can be stated with the words of Ernst Haas “integration is the process whereby political actors in several, distinct national settings are persuaded to shift their loyalties, expectations and political activities towards a new center, whose institutions process or demand jurisdiction over the pre-existing national states” (Haas, 2004, p.16).

After having understood the history and the approach of neo-functionalism towards integration by emphasizing its main tenets, one can evaluate weaknesses of this theory and oppositions to it. For instance, Moravcsik (1991, p.48) and Taylor (1991, p.112) both discussed that the individual governments are the units which control the pace of integration within the European Union, so that they rejected the spillover effect since every increase in the power of supranational institutions are resulted from direct decisions of the national governments. This argument of Moravcsik and Taylor could trace a path to the post-functionalist framework because it emphasizes the essentiality of the individual national governments and their interests or decisions. Thus, it can be suggested that supranational organs could gain power only with the help of individual governments; if one government did not want to learn and apply the outcome of a policy in a sector it would not transmit it into its other sectors. Moreover, other scholars could complain that Haas did not address what conditions were necessary for spill-over to take place. The reason why this kind of an opposition came into light is that when the integration process in Europe became more controversial over time in terms of requiring more time and making a less constant progress than expected, Haas’ theory was called “disconfirmed” or “underspecified” (Schmitter, 2005, p.258). Related to this spill-over debate, the sequence of European Union treaties such as Maastricht, Amsterdam and Nice

agreements cannot be considered as product of spill-overs “motivated by the externalities generated by functionally linked policies and unevenly distributed benefits or promoted by a joint conspiracy of European civil servants and interest groups that outwitted the entrenched interests of national governments and state bureaucracies” (Haas, 1976, p.208) but as Haas said, neo-functionalism could be “obsolescent” but it was not “obsolete” (Haas, 1976, p.208).

With regard to the weaknesses of neo-functionalism, while examining the explanatory power of neo-functionalism and comparing it with post-functionalism in terms of European refugee crisis, it can be stated that these two theories offer different perspectives and post-functionalism generates a more plausible explanation. As an illustration, as Schmitter (2005) claims, the expansion of European integration to even twenty-five members creates greater heterogeneity of interests which implies:

It will become much more difficult to respond with an expansive package deal that will have something in it for everyone. Given such a diversity, it is much less likely that actors will recognize a common need, that experts will agree on what to do, that lessons will be transferred from one experience to another and that citizens will mobilize to demand that the good, service or regulation be supplied by the EU, rather than their national state or sub-national region (Schmitter, 2005, p.268).

In this context, prioritization of national interests by member states over supranational decisions can prevent the dominance of supranational institutions. For instance, post-functionalism puts more emphasis on the nation states and the components of their domestic politics without stressing the supranational predominance. However, neo-functionalism claims that states are not the only and may no longer be the predominant actors in the regional or international arena. It emphasizes that there is an illusionary situation in this; the states have residual

sovereignty so that they are the formal co-signatories of the agreements which obviously constitute the process of integration but their commitment to treaties does not rely on an “imagined” predominance of national interest which reflects a consensus among the conflicting interests of classes, ethnic groups, sectors, political parties and social movements (Schmitter, 2005, p.259). In fact, according to this assumption, as post-functionalism generally stresses, neo-functionalism also does not imply a consensus among conflicting interests of national actors. Implied supranational state which is based on a sovereignty transfer is just one possible outcome among many outcomes and not the most likely one in many cases.

It is significant in terms of this thesis since there exists politicization among political parties and between public opinion and elite interests in the case of the refugee crisis of 2015. Yet, neo-functionalism claims that actors in the integration process cannot be limited to existing national states, their domestic interest groups and social movements for further expansion of integrative events. Thus, the risk of neo-functionalism is being a “self-disconfirming” theory as Schmitter (2005, p.263) suggests. National politicians act according to the strategy which implies the short-term benefits they would gain from an international cooperation because they know that they would eventually be overwhelmed by the high costs due to decreased sovereignty and irreversible burden (Schmitter, 2005, p.263). This is the case in the refugee crisis since most of the member states do not want to share the burden and escape from the high costs and compromises which would be brought in their countries due to the migrants and a common EU wide refugee agreement among Schengen member states even though the EU Commission, as a supranational/technocratic agency, proposed a shared response.

When further analyzing neo-functionalism's explanatory power, Landau (1995, p.5) stresses the existence of an integration ruptured from the public due to the gap between interest groups and public, who cannot identify themselves with the interest groups. She also states that this rupture threatens the harmony of the union. In a similar vein, Hoffman argues that political elites could hinder building process of a community (Hoffmann, 1964). This rupture between elites and public can create politicization which this thesis also emphasizes in the later chapters. Similar to post-functionalism, in neo-functionalism emphasis is placed on the possibility of increasing opposition and difficulty in building agreement since the process affects many actors and many issue areas. This is called "politicization" in the neo-functionalist terms. As citizens start to pay attention to how the EU affects their lives or when large social movements and political parties start to include "Europe" in their systems or when politicians start to notice that there are votes to be won and lost in regard to various policy issues at the regional level, regional officials, interest groups and national civil servants can no longer monopolize the process of decision-making in Brussels. Integration produces visible "winners and losers" in member states while losing the perception of being an "all winners" game. Haas called it as "turbulence" (Schmitter, 2005, p.268). The mechanism of politicization or "the mobilization of mass public opinion with regard to EU policies and institutions" (Schmitter, 2008, p.211), was predicted by neo-functionalism as an eventual phenomenon. However, this mobilization enhances rather than threatens the integration process in neo-functionalist framework by claiming that the mass public would preserve the *acquis communautaire* against the strict national political elites who desired to maintain themselves as the guardians of sovereignty. In contrast, in post-functionalism, the opposite is argued due to the emergent gap between elites and

mass public that is resistant to the decisional autonomy and the expansion of EU tasks (Schmitter, 2008, p.211). It can be inferred that the mass politicization constitutes a necessary condition for disintegration from the post-functionalist perspective while neo-functionalism expects political contestation with increasing integration.

Besides the concept of politicization, it is significant to examine the arguments of neo-functionalism by connecting it to the post-functionalism because post-functionalism and neo-functionalism can both evaluate the concept of disintegration. Schmitter and Lefkofridi (2016) try to attribute the features of disintegration to neo-functionalism by emphasizing that neo-functionalism can also be treated as a theory of disintegration. Since the Second World War, the EU shows the signs of disintegration as it is seen in the failure of many efforts at trans-national regional integration. That is why, neo-functionalism might predict “spill-backs” (when member states do not want policies at the supranational level) rather than “spill-overs” (Schmitter & Lefkofridi, 2016, p.2).

On the contrary, the Dublin regime can be considered as a “spillover from Schengen which abolished passport controls at internal borders, was dysfunctional” (Hooghe & Marks, 2019a, p.1121) because member states are “reluctant to give up sovereignty over a core state power” and imply “low harmonization, weak monitoring, low solidarity and lack of strong institutions” (Hooghe & Marks, 2019a, p.1121). Neo-functionalism searches for “dysfunctionalities in the status quo that can trigger a crisis following an exogenous shock” and also searches for “supranational and transnational actors offering deeper integration to fix dysfunctionality” (Hooghe &

Marks, 2019a, p.1121). However, the refugee crisis impaired these tenets since member states did not decide to fix this “dysfunctionality” because;

the path-dependent constraints on disintegration stemming from the costs of policy adjustment after three decades of Schengen coordination, the costs of delay at resurrected borders at a time of economic recovery, and perhaps most importantly, symbolic defeat if ditching a popular institution and key pillar of European integration - free movement of people. For each of these reasons, political leaders were deeply reluctant to dismantle Schengen (Hooghe & Marks, 2019a, p.1121).

However, what is more important is that post-functionalism highlights the domestic politics and identity mobilization so that the former remains inadequate to explain the motivation behind EU’s agenda after the refugee crisis. As this thesis will discuss, main reason behind the externalization policy of the EU is constraining dissensus among and within the member states. That is why, neo-functionalism which is based on the rationalist utility maximization and suggests that the economy determines the European integration, remains insufficient due to its lack of emphasis on constraining dissensus and political factors.

2.1.2. Intergovernmentalism/Liberal Intergovernmentalism

Intergovernmentalism and its other version Liberal Intergovernmentalism have been among the outstanding theories of European integration. Intergovernmentalism whose founding father is Stanley Hoffman, emerged in the 1960s as a response to neo-functionalism. In contrast to the supranational nature of the neo-functionalism, intergovernmentalism has a state-centric nature. It treats nation-states which are responsible of the national policies as the main actors and emphasizes the rescue of the nation-states from many military defeats, interventions, devastations and political and economic damages they had suffered between 1914 and 1945 (Milward, 1993, pp.3-4). Milward (1993, pp.2-5) also argues that “the relationship between European

integration and the nation-state has been mutually beneficial and supportive”.

However, he also adds that “Integration was not the supersession of the nation-state by another form of governance ... but was the creation of the European nation-states for their own purposes” (Milward, 1993, p.18). Thus, in contrary to neo-functionalism, intergovernmentalism considers European integration as a standpoint of nation-states in searching for “mutually advantageous bargains” and explains integration as the product of cooperation and competition among nation-states while the neo-functionalists view integration as the product of cooperation and competition among societal actors (Hooghe & Marks, 2019a, p.1115).

Moreover, Hoffmann (1966, p.863) criticizes neo-functionalism by stating that it undermines that nation states have different cultural, social, economic and political characteristics, so that it is hard to achieve a compromise among nation-states in terms of core national interests. Intergovernmentalism also claims that the European integration could promote peace, prosperity and security as a result of nation states’ search for regulations which provide mutual and common benefits. However, since this framework puts emphasis on the national diversity, it implies that the integration could contradict with national diversity, has its core in economics and strengthens the nation states by leaving the state sovereignty untouched (Milward, 1993, pp.2-3).

Therefore, it can be suggested that intergovernmentalism views integration as a zero-sum-game in which the winner takes all by discussing that the integration could be enhanced only in areas it does not violate the core affairs of state sovereignty without deteriorating the loyalty to the national state (Hoffmann, 1982, p.21).

After having understood the perspective of intergovernmentalism on integration, one can argue that it views the EU as an organization which has limited capabilities with regard to nation states since they participate in the integration process as long as the EU serves their interests. Thus, it can be inferred that intergovernmentalism puts the EU into trouble in terms of foreign policy formation. As such, with the implementation of Single European Act in 1986 and the Maastricht Treaty in 1992, intergovernmentalism started to weaken since supranational institutions began to intervene in high politics of nation states. For instance, the EU's Common Foreign and Security Policy (CFSP) was established in 1993 with the Maastricht Treaty and it has been reinforced by other following treaties, especially the Lisbon Treaty. Then, Andrew Moravcsik created an alternative to intergovernmentalism in order to fill its weaknesses. Consequently, liberal intergovernmentalism came to light with the renewal of European integration in the late 1980s. In these years many political scientists, who used both history and political science in order to understand the European integration, were more prominent and Andrew Moravcsik was one of them. Such as Milward, he also based his theory on the state-centric view (Dinan, 2014, p.16). Moravcsik reinterpreted Milward's approach by focusing on the commercial interests of member states because he believed that commercial interests determined preferences of governments and lowest common denominator intergovernmental bargaining explained the negotiations of the Single European Act (Dinan, 2014, p.16). Hence, the case of SEA constituted the basis for liberal intergovernmentalism. Therefore, this theoretical framework is an approach to explore key events in the history of European integration. Especially Moravcsik's seminal titled *The Choice for Europe* (1998), structured the theory on the basis of five case studies; "SEA", "the negotiation of the Rome Treaty", "the consolidation of

the common market”, “the launch and management of the European Monetary System” and “the negotiation of the Maastricht Treaty” (Dinan, 2014, p.16).

Therefore, liberal intergovernmentalism can be considered as the elaborate version of intergovernmentalism which combined liberal theory of state preferences and neoliberal theory of international interdependence to realism. Moravcsik (1998, p.4) claims that a tripartite understanding of integration including relative power, economic interests and credible commitments constitute the substance, form and timing of major steps toward European integration. Liberal intergovernmentalism views European integration “as a series of rational choices made by national leaders” as a result of international interdependence (Moravcsik, 1998, p.18). Integration results from three steps which are the nation state formation of preferences, interstate bargaining in order to create agreements and the establishment of institutions to preserve these agreements (Schimmelfenning, 2015, p.178). In this framework, the incentives produced by international interdependence generates collective institutional outcomes. In conclusion, briefly, liberal intergovernmentalism emphasizes:

national preferences are shaped by the economic interests of powerful domestic groups in a situation of international interdependence; substantive agreements reflect the constellation of national preferences and bargaining power; and the design of international institutions is a function of the kind and size of co-operation problems they are supposed to manage (Schimmelfenning, 2015, p.178).

As every theory has its flaws, intergovernmentalism/liberal intergovernmentalism has also weaknesses in terms of its explanatory power. According to Dinan (2014, p.17), while building liberal intergovernmentalism, Moravcsik blended political science and history to analyze the European integration, and increased the status and

visibility of EU studies. Moreover, intergovernmentalism/liberal intergovernmentalism provides a richer explanation in contrast to neo-functionalism in terms of security and defense issues. Neo-functionalism proved its practicality with regard to European integration through the Economic and Monetary Union and Customs Union. However, EU's CFSP stays out of the supranational structure and possesses an intergovernmental nature. Nevertheless, when it comes to explaining the topic of this thesis, European refugee crisis in the post-2015 era, intergovernmentalism/liberal intergovernmentalism does not present a rich explanation. For instance, as it is known, the economic cost of no common agreement in the refugee crisis is little since the refugee crisis generates weak incentives for cooperation among member states. Even a complete suspension of Schengen would not overthrow economic growth. Nation states which are least affected by migratory pressures could impede accepting refugees since they would not fear that their treachery would come around to hurt them if other nations did the same (Hooghe & Marks, 2019a, p.1121). On the other hand, as Hooghe and Marks also examine from a game-theoretic perspective, the less affected member states have a dominant strategy which is independent of the response they anticipated from member states which are more affected. Thus, the outcome is compatible with intergovernmentalism because it implies a lowest common denominator in which defectors hinder reform that would build a common framework by taking their cake and eat it while refusing burden sharing responsibility for incoming refugees (Hooghe & Marks, 2019a, p.1121). Therefore, it can be claimed that the refugee crisis can be explained with intergovernmentalism in terms of lowest common denominator but it does not emphasize the factors related identity, politicization and

domestic politics which are crucial to understand the EU's use of externalization tools in the refugee crisis.

Although, intergovernmentalism shows the importance of divergent national preferences and explains why a common agreement among member states to share responsibility of burden for refugees was unsuccessful, it does not make claims about party competition, individual preferences, the media and the structure of political conflict as Hooghe and Marks (2019b, p.3) claim. They also criticize Moravcsik's criticism on post-functionalism and state that post-functionalism and liberal intergovernmentalism differ in terms of their priorities and key political actors. This difference reflects opposing approaches in respect to evidence and contrasting ontologies as well (Hooghe & Marks, 2019b, p.4). They claim that in *The Choice for Europe*, which is one of the most cited sources in the European integration studies, Moravcsik (1998, p.3) analyzes European integration as "a process of inter-state bargaining in which governments are chiefly motivated by economic preferences rather than by geopolitics or ideology". In contrast, Hooghe and Marks' post-functionalism suggests that identity besides economic interests determine preferences in the case of European integration. Unlike liberal intergovernmentalism, they desire to explore the sources of public support and opposition to Europe and stress that economics is less useful than a theory based on comparative politics and psychology (Moravcsik, 1998, p.6). Furthermore, while Moravcsik shares the (neo)functionalist tenet that institutionalized cooperation among member states is an attempt to solve transnational problems, post-functionalism discusses that this is opposed by "the desire for self-rule" of those who view their national identity in contradiction with the supranational authority (Hooghe & Marks, 2019b, pp.1-2). Hence, post-

functionalism explains European integration and cooperation through identity, the circumstances under which identity and functional pressures are mobilized in a political sense and their effects on international governance (Hooghe & Marks, 2019b, p.2). Conversely, Moravcsik's theory undermines the role of nationalism, party competition and political conflict across Europe.

Hooghe and Marks (2019b, pp.4-5) also state that Moravcsik's claim about nationalism is not useful; he emphasizes that "nationalism is symbolism without substance" and populist nationalism reflects only "rhetorical lip-service" from governments. Besides Moravcsik neglects public opinion and party competition and fails to offer an explanation for the problems around migration. This is a significant criticism in terms of the thesis' topic because the political salience of migration has mounted crucially over the past decade and as post-functionalism claims, this has consolidated opposition to the idea of Europe. Thus, Moravcsik's theoretical approach remains inadequate to explain how radical TAN parties are significant in mobilizing a transnational cleavage, which emerges due to the factors deteriorate national states such as migration, integration and trade (Hooghe & Marks, 2019b, p.5). Therefore, the evidence for Moravcsik's interpretation of European integration seems weak for recent decades. As an illustration, Europe has been politicized due to twenty-two referendums in which eleven of them have demonstrated governments were defeated over the past twenty-five years by weakening the mainstream political parties compared to Eurosceptic challengers (Hooghe & Marks, 2019b, p.4). Hooghe and Marks (2019) highlight that if mainstream parties want to gain support, governments should recognize public opinion over European issues. Thus, in brief, Hoffmann's intergovernmentalism or Moravcsik's liberal intergovernmentalism

remain insufficient to explain refugee crisis due to their intense emphasis on economic interests and bargaining as opposed to identity, political party competition and public opinion.

2.1.3. Social Constructivism

Constructivism is a newer theoretical approach for European integration in comparison to neo-functionalism and liberal intergovernmentalism. When IR scholars failed to predict and explain the end of the Cold War with regard to core IR theories, constructivism emerged as a critique to the static, power-oriented and material characteristics of traditional IR theory through emphasizing social factors and the possibility of change (Fierke, 2007, p.188). It also holds the middle ground between the rationalist approaches and post-structuralist approaches among International Relations theories. In response to the over-determination of structure in neorealist and neoliberal theories which have their basis on rationalist approach, constructivists stress the processes of interaction and claim that historically, politically and culturally distinct realities come into light as a result of different choices of states and other actors during these processes (Fierke, 2007, p.189). In terms of social construction of the reality, constructivism claims that people make society and society makes people. Thus, this is a continuous and two-way process. Based on this assumption, agent-structure debate is shaped differently than the traditional theories suggest. As Alexander Wendt stated in his famous work *Anarchy Is What States Make of It* (1992), states in anarchy can change their interests and conditions over time since their relationships evolve as a product of a historical process and interactions. Therefore, choices of states are mutually constituted (Wendt, 1992, pp.404-405).

Having understood the basic premises of constructivism, its relation with the European integration should be examined. The prevailing theories of European integration including neo-functionalism and intergovernmentalism, hold a rationalist ontology that puts agency in the center of inquiry (Risse, 2004, p.146). However, constructivism emphasizes mutually construction of structure and agency. As Risse (2004) argues there are three contributions of constructivism to the study of European integration which are different than those of prevailing theories. In the first place, the mutual constitutiveness of agency and structure permits a greater understanding of Europeanization including its implications on the state construction across Europe. Second, constitutive effects of European law, norms, rules and policies clearly explains how identities and interests of political actors are shaped by the European integration. Third, speech acts and communicative practices helps us to examine deeply how the European Union is constructed discursively, how actors become Europeanized and how they occupy themselves with the meaning of European integration (Risse, 2004, p.151). Moreover, it is also crucial that constructivism stresses the importance of the ability to communicate in a meaningful way across borders. Communicating “depends crucially on the extent to which the same issues are debated at the same time with similar frames of reference or meaning structures” so that the transnational politicization and contestation of European issues can be understood and only by sharing the frames of interpretation, people can understand each other (Risse, 2004, p.150). Therefore, the transnational public sphere emerges as a social construction that emphasizes a “transnational community of communication” if the actors in the debate continue to discuss common European issues (Risse, 2004, p.150).

Nevertheless, as other theories of European integration, constructivism has also weaknesses. As Risse (2004) indicates, Moravcsik states that constructivist theory of European integration could not elaborate “mid-range propositions that could compete with conventional integration theories such as neo-functionalism or liberal intergovernmentalism” since it “does not represent a substantive theory of integration, but an ontological perspective or meta-theory”. Constructivism allows to create theoretical propositions such as the effects and causes of “collective identity constructions” on the integration process (Risse, 2004, p.158).

At the same time, the explanatory power of constructivism is very convincing with regard to European integration and the topic of this thesis. To explain the reason why, identity as a significant concept from constructivist framework should be analyzed in a deeper way. In respect to this, Wendt (1995, p.81) claims that in order to examine the construction of international policies, one should examine identities, interests of actors and social dimensions which shape their material relations. The main assumption related to what Wendt said is that “identities are the basis of interests” (Wendt, 1992, p.398). Hence, what we want depends on who we are. It can be said that identities are prioritized relatively to the interests in constructivism (McSweeney, 1999, p.26). Constructivists also imply that each identity indicates a difference and their interactive construction also explores the role of “the other” (Ruggie, 1998). Actually, the formation of collective identity in question, suggests a positive identification with regard to “the other” so that “the other” can be seen as a cognitive continuation of the collective identity (Wendt, 1992, p.400). In this case, as Risse (2004, p.154) suggests the EU can be considered as an “active identity builder” which achieved “identity hegemony” by defining what it signifies to belong to

Europe. For example, EU membership has important constitutive effects on the identities of European states; states in Europe are defined as “EU members” or “non-members” or “would-be members” (Risse, 2004, p.154). In respect to this, states can produce institutions where they can act as “we” through possessing collective identities (Wendt, 1992, p.417).

In the constructivist framework, it is also important to note that “sovereignty” and “security” are social constructions as well. Interpreting security in this manner reflects constructivism’s distinctive feature compared to traditional positivist theories. As McSweeney (1999, p.101) claims, the understanding of security cannot be oversimplified to the objective and material factors such as the need for defense and balance of threats because being secure or not being secure is a matter of inter-subjective interaction process which emphasizes stability or change of both sides’ identities in a relationship. Another crucial point to mention here is that the discourse/speech/language plays a distinctive role in constructivism because constructivist scholars highlight that discourse is a key concept to understand any kind of social relation. That is why, as Onuf (2013, p.9) suggests “saying is doing: talking is undoubtedly the most important way that we go about making the world what it is”. Besides that, discourses or speech acts shape and reflect interests and beliefs. Hence, discourses are essential in how political actors define themselves and their interests (Walt, 1998, p.25). In accordance to the identity issue, discourses especially the political ones that dominate the society constitute a significant factor in the identity-interest relation. It can be discussed that state officials are responsible in constructing insecurities because formulating a security threat is a matter of perception and discourse. The discourse state that officials choose to perceive the

identity and state interest and to legitimize the state action as a powerful tool to create a picture of the world, as claimed in the lecture of Mark Laffey (as cited in Oezel, 2015, p.3). This social reality which is constructed and promoted through discourse can be seen in the immigration policies and their execution in Europe through the rhetoric used by political actors, media and transnational organizations (Doty, 2003, p.9). Therefore, it can be said that the incorporation of the migrants to European states and interaction of Europeans with them who also interact with the structure, resulted in changes both in domestic level and the EU level due to not only economic factors but also concerns related increasingly with identity, ideas and norms (Büyüktanır, 2019, pp.146-147).

In summary, constructivism advocates that identities and interests of the states are determined during a historical process in contrast to the traditional idea that the only aim of a state is to survive. Therefore, it is clear that the constructivist framework is useful for the topic of this thesis due its emphasis on identity and discourse. For instance, refugee crisis of 2015 demonstrates the conflict between European identity which emphasizes “we” among European citizens and refugee identity as an outsider/foreigner that signifies “the other”. Shared understandings, culture, history and ideas of Europeans generated a xenophobic stance among both public and political parties in the Europe. In this case, Germany took bold initiatives by acting as a leader to find solutions for the refugee crisis such as negotiating deals with third countries including Turkey. It based its policies on an idea of “Multi-Cultural Europe” so that Germany differs from member states which have anti-migrant policies such as Hungary and Austria (Büyüktanır, 2019, p.156). Those European states which see refugees as a threat to their security and label them as “others”,

create an alternative vision of European identity which is “fortress Europe” (Risse, 2004, p.154). This conceptualization emphasizes the cultural heritage of Europe, a common history and religion. In this context, the EU is constructed as an exclusionary entity which excludes immigrants and also particularly Muslims. As also examined by Hooghe and Marks (2007) in their work on Euroscepticism, this social construction of Europe is being promoted by Eurosceptic and right-wing populist parties which gain power across the EU in recent years. It is reflected through the “exclusive nationalist” attitudes in the mass public opinion which demonstrate hostility towards migrants and foreigners (Risse, 2004, p.156). Hence, it can be concluded that the increasing contestation and politicization of European identity with competing visions of Europe will remain to be significant.

The constructivist framework shares some common grounds and similar propositions with the post-functionalist framework which this thesis relies on. As mentioned above, European identity is a contested concept. However, many people still argue the relationship between European and national identities in zero-sum terms by emphasizing collective identities over national identities. They discuss that collective identities, rather than national ones, are strictly the most successful connection between a territory and people (Risse, 2004, p.151). This statement clearly reflects the idea of Eurosceptics since they can challenge European integration on this ground through the emphasis on the absence of “European people” and “a common European history” (Risse, 2004, p.151). On the contrary, it is also known from many empirical sources that individuals can hold many social identities; they can both have a sense of belonging to their nation state and to Europe at the same time. Thus, Anderson (2006) states that both Europe and nation states are “imagined

communities” in a constructivist sense and it is not accurate to conceptualize European identity in a zero-sum account because an increase in European identity does not necessarily decrease the loyalty to a nation state. Yet, based on these arguments, constructivism does not deeply examine the effects of exclusive and inclusive identities in the public opinion. That is why, in spite of constructivism’s rich explanations about the identity and discourse, a post-functionalist framework fits the aim of this thesis better. If this thesis had relied only on discourses and identity, constructivism would provide a better explanation than post-functionalism. But, in this case, post-functionalism provides a greater explanation for the European refugee crisis in terms of its examination of exclusive identities’ significance in the mass public, as well as domestic politics which emphasizes party competition and politicization.

2.1.4. Post-Functionalism

Post-functionalism can be regarded as a new theoretical framework in the case of European integration theories. It emerged as a critique or a different view point against the optimistic theories of European integration which dominate the academic debate. However, Europe has faced many crises with different outcomes in the past decade and due to disintegrative forces that were demonstrated by these crises, post-functionalism came into spotlight as a “pessimistic” (Webber, 2019) framework which emphasizes disintegration. As Webber (2019, p.1139) suggests, before the Constitutional Treaty’s defeat in referenda in Netherlands and France in 2005, not many scholars were encouraged to discuss European (dis)integration. However, Bartolini developed “a strong new centre” which depends on the sum of “economic coercion”, “administrative-legal boundaries” and “system-building” consolidated

through “enlarged loyalties, identities, and social solidarities” are generated, and “political structuring”, a process through which “Europarties, interest Eurogroups, and social Euromovements” displace nationally-organized actors as “structures of representation” (Webber, 2019, p.1139). Then, he found out that the EU has no mutually reinforcing boundaries to generate a well consolidated center. So, Bartolini expressed his pessimism by stating that system building in the EU could go under “phases of mass mobilization and democratization”. After having briefly mentioned the scholarly roots of disintegration, it can be said that there was no clearly expressed theory of EU disintegration against the domination of the “optimistic” theories of integration until Hooghe and Marks published a paper called *A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus* in 2008 (Webber, 2019, p.1140).

Liesbet Hooghe and Gary Marks as the masterminds behind post-functionalism, are also founding fathers of another European integration theory; multi-level governance. They claim in their work *Multi-level Governance and European Integration* (2001) that the decision-making structure of the EU required a new explanation in order to examine recent developments. Hence, their new model is against “state-centric governance” (Hooghe & Marks, 2001, pp.2-3) approach of intergovernmentalism and liberal intergovernmentalism because it states that national governments are not primary decision-makers and power of national governments is not delegated by supranational organizations anymore (Hooghe & Marks, 2001, p.3). In multi-level governance model, power of national governments on the decision-making process of the EU diminished by the changes in the EU’s complex institution structure after the significant European integration in 1980s (Hooghe & Marks,

2001). Therefore, when Hooghe and Marks developed the post-functionalist framework, they built it on the multi-level governance model. They state that the European Union is more than a tool to lower economic transaction costs. It is a part of multi-level governance system that facilitates social interaction across borders, expands migration and undermines sovereignty of nation states (Hooghe & Marks, 2008, p.11).

Post-functionalism draws attention on the increasing tensions between European integration's functional needs and the concerns of nation states which were generated due to those functional needs (Costa, 2019). From the late 1990s to today, the opposition reflected by the large fractions of opinion including some political parties and national leaders put pressure on the European Union so that the tension in the EU's functions created politicization process. Thus, integration started to reflect not only economic factors and problems but also fragile issues such as religion, culture, sovereignty and identity. That is why, post-functionalism emphasizes discomforts generated by integration in comparison to intergovernmentalism which theorizes the status-quo of European integration, and neo-functionalism that predicts a gradual increase in the integration (Costa, 2019).

In their work *A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus* (2008) Hooghe and Marks explain the factors such as public opinion, populist pressures and competition among political parties that pave the way for intertwining of Europe with domestic politics. Domestic and European politics became more closely coupled as national governments have become more responsive to public pressures on European integration (Hooghe &

Marks, 2008, p.2). That is why, European integration became increasingly politicized. Hooghe and Marks (2008) put emphasis on elections and referendums which also lead to decisiveness of general public's and national political parties' preferences. In this context, they put the spotlight on how and when identity is mobilized in order to understand European integration because identity is considered critical in shaping contestation on Europe (Hooghe & Marks, 2008, p.1).

Analyzing identity is at the heart of the post-functionalist framework since it suggests that when pursuit of economic interests and attachment to political community clash, identity generally dominates economic interests (Hooghe & Marks, 2003, p.30). Hooghe and Marks (2008, p.12) believe that individuals have multiple identities and what is decisive is how different group identities affect each other and how they are mobilized in the elite debate. To examine identity deeply, they offer three generalizations. Firstly, identity has a greater influence in public opinion than for interest groups or elites, as the latter's identity must be politically constructed. Last but not least, if an individual identifies more exclusively with an ingroup, he/she is less predisposed to support a jurisdiction embracing outgroups (Hooghe & Marks, 2008, p.12). What is crucial is whether one's national identity is exclusive or inclusive of other territorial identities. "Individuals with exclusive national identities are predisposed to Euroscepticism if they are cued to believe that love of their country and its institutions is incompatible with European integration" (Hooghe & Marks, 2008, p.13). Therefore, it would be wrong to conceive identity as a fixed product of integration because European integration has proceeded to have a wider policy area. Thus, territorial identities could be a constraint on support for the EU (Hooghe & Marks, 2003, p.29).

Recent developments in the last decade also demonstrated that political conflict is structured significantly by the issue of identity. For instance, the refugee crisis mobilized identity-related fears and emotions in EU member states. In 2015, “immigration” became one of the two most important problems among EU citizens (Webber, 2019, p.1141). Specialists on public opinion started to analyze how public opinion is affected by the media and political parties that lead citizens and political parties to come against the policies and institutions of the EU (Hooghe & Marks, 2007). In this regard, public opinion on European integration became an arena of strategic interactions among party elites in their political power competition (Hooghe & Marks, 2008, p.9). Particularly, populist right parties are significant since the dominant strategy of mainstream parties generally ignores the issues related to immigration and Europe which the society hold highest concerns (Hooghe & Marks, 2016, p.18). Post-functionalism, as parallel to cleavage theory of Lipset and Rokkan (1967), predicts that “the positional flexibility of political parties” is strictly constrained in the face of a new social division, that is why change comes from voters’ preferences towards parties with distinctive features and policies about the new cleavage (Hooghe & Marks, 2016, p.20). Therefore, these challenging parties (Green, radical left and radical TAN parties), not mainstream parties give structure to conflict on transnational issues. Hooghe and Marks (2008, p.17) also emphasize that politicization is most pronounced in states which have populist TAN parties because TAN parties reject European integration and they oppose immigration. They believe that these issues weaken national sovereignty and generate multiple territorial identities.

After putting emphasis on the role of the public opinion, politicization as one of the main propositions of post-functionalism should be investigated. Hooghe and Marks (2008, p.22) claim that one needs to examine strategic interaction among political parties in order to understand which issues are politicized. Hence, they endogenized politicization as a product of public opinion and party strategy. In this sense, they consider treaties and referendums as means of human purpose, rather than fixed components of political structure. According to Börzel and Risse (2008, p.219), post-functional framework stresses that political leaders' responses to referendums, elections or treaties result in politicization which can promote a shift from "elite-driven interest-group politics to mass politics". Accordingly, if national party systems are more constructed along the gal-tan rather than the left-right division, politicization of European integration is more expected (Hooghe & Marks, 2008). To sum up the arguments on politicization, as emphasized by post-functionalism, mobilization of exclusive identities among the public narrows the room to maneuver for political leaders, prevents reaching agreement and decreases the compromise levels between national governments. Therefore, it leads to an increase in intra-party conflict, a wide gap between the public and the elite, referendum defeats and reluctance of governments to endanger public debate on further integration (Hooghe & Marks, 2008, p.22).

After having understood the main propositions of post-functionalism, what makes it as a theory of disintegration become clearer. According to Webber (2019, p.1149), post-functionalism's claim on mass politicization which predicts a "constraining dissensus" put "downward pressure on the level and scope of integration". Moreover, to deeply examine post-functionalism's disintegration claims, Webber (2019, p.1143)

highlights Schimmelfennig's ideas. Schimmelfennig draws attention to effective responses of national governments under the extreme politicization in the Euro crisis in order to critique the explanatory power of post-functionalism as a theory of integration. Nevertheless, the accuracy of Schimmelfennig's critique is limited to the Eurozone crisis since it can be considered as an outlying case when especially compared to refugee crisis and Brexit crisis (Webber, 2019, p.1143). The EU has suffered different levels of political disintegration due to different levels of mass politicization which varied in these crises. Thus, Webber (2019, p.1143) indicates that mass politicization can only be a necessary condition of disintegration since, as Hooghe and Marks suggest, without having politically salience polarization and constraining contradictory domestic political pressures on governments of the member states, mass politicization could not be a sufficient condition of disintegration. Therefore, while optimistic grand theories of integration hold a rich explanatory power in the case of Eurozone crisis, the outcomes of refugee and Brexit crises demonstrate that they undermine the restrictive power of domestic political actors.

In terms of post-functionalism's explanatory power, first it should be noted that neo-functionalists believe that politicization would lead nations towards further integration. On the other hand, intergovernmentalists do not have much to say about it due to parsimony level of the theory (Hooghe & Marks, 2008, p.6). Besides, constructivism also does not mention the issue of politicization. That is why, post-functionalist framework provides a greater explanation for the refugee crisis of 2015 due to its emphasis on the politicization among political parties and, between mass public and elites which leads to constraining dissensus rather than permissive

consensus as many European integration theories suggest. In regard to the European refugee crisis, rising public support for far-right parties made compromise deals difficult to reach for member states at the European level. Actually, the EU initially tried the same strategy that it tried in the euro crisis when faced with the refugee crisis in 2015. But in this crisis, “depoliticization through supranational delegation failed...It fuelled the politicization of EU affairs in many member states...” (Börzel & Risse, 2018, p.84). One of the reasons is that “the influx of migrants and refugees changed identity politics, since populist forces framed the Schengen crisis in terms of ‘us’ vs ‘them’ and propagated an exclusionary ‘fortress Europe’” (Börzel & Risse, 2018, p.102). They used exclusionary discourses instead of inclusionary discourses which prevented a common European response.

In conclusion, as stressed by Hooghe and Marks (2019a, p.1122), “the migration crisis intensified a long-simmering transnational divide arising from the perforation of national states by immigration, integration, and trade. This divide has taken the form of a social cleavage...” This social cleavage also highly reflects a cultural cleavage due to discourses about migrants which are primarily about the borders of the EU. That is why, despite many important explanations to the refugee crisis provided by all European integration theories, this thesis relies on a post-functionalist framework with the help of analysis of the official EU documents and speeches of government officials and political leaders of member states. This thesis argues that the main motivation behind the EU’s externalization policy in the refugee crisis is constraining dissensus.

This chapter analyzes European (dis)integration theories with regard to their explanatory power in the case of the European refugee crisis. Neo-functionalism, intergovernmentalism/liberal intergovernmentalism and social constructivism cannot provide a useful account to understand the EU's externalization in the refugee crisis since they do not explore the concept of constraining dissensus which is generated due to the politicization of the refugee issue by the public and the elite of the member states. However, Liesbet Hooghe and Gary Marks' post-functionalism, as a theory of disintegration, emphasizes a constraining dissensus rather than a permissive consensus and explains politicization to a greater extent with an emphasis on the exclusive identities. Thus, post-functionalism, as the theoretical framework of the thesis, will be elaborated in the third chapter with regard to the refugee crisis of 2015.

CHAPTER III

EXTERNALIZATION POLICIES OF THE EU AND THE POST-FUNCTIONALIST FRAMEWORK

Chronologically proposing EU's policies with respect to refugee inflows, this chapter aims to examine externalization caused by constraining dissensus in member states and across the EU. As the post-functionalist framework suggests, politicization based on issue salience, elite discourses, media and opinion polls is the main condition of constraining dissensus. Related to the refugee crisis in 2015, politicization of refugees in line with the growing identity politics paved the way for securitization of migration. As a result of it, constraining dissensus in the EU led to the implementation of externalization policies. Therefore, this chapter first presents an overview of the characteristics and circumstances of the EU's externalization techniques in the area of migration. Then, it explores the literature regarding the post-functionalist framework's claim of constraining dissensus. Last but not least, it analyzes externalization in the European refugee crisis of 2015 from a perspective of constraining dissensus and post-functionalism.

3.1. An Overview of the EU's Externalization Policies

3.1.1. Historic Events of the EU's Migration Policy Regarding Externalization

European Union has long pursued an outsourcing path to put the responsibility for migration management either to other countries or to southern member states from northern ones. However, the EU's policy on migration has always been too much focused on domestic concerns and inward-looking (Dimitriadi, 2016, p.1). In order to form a chronological step by step narrative, this part of the thesis presents the main historic events related to the EU's migration management regarding externalization. The term "externalization" is defined by many policy makers, migration scholars and the media as:

the extension of border and migration controls beyond the so-called migrant receiving nations in the Global North and into neighbouring countries or sending states in the Global South. It refers to a wide range of practices from border controls, rescue operations, to measures addressing drivers of migration (Stock, Üstübeci & Schultz, 2020, p.1).

In the first place, as claimed by Huysmans (2000, pp.753-754), immigrants were primarily an extra labour force in most Western European countries in the 1950s and 1960s since European economic situation and the labour market necessitated a flexible and cheap workforce. States such as Germany, France and Netherlands started to follow a permissive migration policy driven by the need for extra labour.

Nevertheless, Europe's migration policy shifted from a permissive migration policy to a more restrictive control-oriented policy in the late 1960s and the 1970s due to illegal migration since migration became increasingly a subject of public concern (Huysmans, 2000, p.54). In contrast to the question of illegal immigration which led to more restrictive migration policies, status of the post-war migrants was not politically sensitive (Huysmans, 2000, pp.753-754). Huysmans (2000, p.756) also stresses that restrictive policies as new institutional developments, were also shaped

by the problematization of migration because in the 1980s migration became a subject of policy debates in terms of protection of public order and domestic stability. These debates also demonstrated migration as a threat to the welfare state and to the cultural homogeneity of the nation.

As Boswell (2003) suggests, externalization was an undergoing natural continuation of a Europeanization of migration control. Since the mid-1980s, the EU and particularly Schengen officials had been intensifying police forces and judicial collaboration to challenge irregular migration. Boswell (2003, p.622) also claims that this was a response to challenges generated by the Single European Act and the abolishment of domestic borders between Schengen countries. Afterwards, the 1990 Convention applied to the Schengen Agreement of 1985. This Convention connects immigration and asylum with border control and with terrorism and transnational crime as well. Hence, the regulation of migration started to deal with the protection of internal security (Huysmans, 2000, p.757).

As a former EU official and political scientist, Virginie Guiraudon's opinions should also be mentioned in this regard. In her work named *l'Europe et les réfugiés: une politique peu solidaire*, she questions the institutionalization of some practices by the EU in order to establish a migration policy, by examining the possibility of masking some other realities (Guiraudon, 2013, p.79). As parallel to Huysmans (2000), in another work titled *Sous la direction de l'Europe face à l'Autre: politiques migratoires et intégration européenne*, Guiraudon (2003, p.42) claims that the intergovernmental cooperation aimed to prevent the refugee inflow was started with the acquisition of foreign workers in the 1980s. She points out that the necessity of

strengthening the external borders was on the agenda after the intense migration from the East, such as refugees came from the former Yugoslavia in 1992 and 1993 and the rise of mafia in the former Soviet Union. In the aftermath of the Cold War, states started to correlate migration with criminal activities since new transnational threat factors emerged in the international arena that led to the securitization of migratory issues.

Guiraudon (2003) summarizes the corner stones of the route to the externalization of the EU. The first one was the implementation of Dublin Convention in 1990 and the second one was the implementation of Maastricht Treaty in 1993, which institutionalized the cooperation with regard to asylum and immigration and aimed to separate the refugees, who demand asylum and who do not. In this case, the decisive role of Justice and Home Affairs is emphasized by Guiraudon (2003). In the third place, the signing of Amsterdam Treaty in 1997 is stressed because it gave the authority to the EU in the asylum and migration area for the first time with the purpose of communitarization of asylum and immigration policies and brought an obligation of compliance to the candidate countries (Guiraudon, 2013, p.88). Then, the establishment of the High Level Working Group (HLWG) in 1998 to focus on external relations with third countries and to prepare cross-pillar action plans for origin and transit countries of migrants and asylum seekers such as Afghanistan, Iraq, Somali, Sri Lanka, Albania and Morocco can be considered as another corner stone (Guiraudon, 2013, p.83).

In respect to the EU's migration policies, 9/11 attacks hold a significant place in the literature and can be considered as a turning point because it led to world-wide

securitization attempts. Following the 9/11 attacks, a new security discourse emerged and put a strong emphasis on the control of irregular migrants (Triandafyllidou & Dimitriadi, 2013, p.599). Politicians and policy makers started to argue that migrants who are from different religious, linguistic and ethnic backgrounds constituted danger to societal security. The post-9/11 environment increased the salience of negative stereotypes regarding Arabs and Muslims in the European public discourse through indiscriminately equating and associating Muslims and Middle East with terrorism (Greenhill, 2016, p.323). Although the EU discourse on terrorism did not use fear as an instrument in order to legitimize its counter-terrorism policies, the discourse itself was constructed based on a rooted fear of the “other” as a source of insecurity and uncertainty (Baker-Beall, 2009, p.189). Discourses about the “migrant other” were constructed as a security threat that implied a threat of a globalized or an “open society” (Baker-Beall, 2009, p.203). The effects of the migrant other were explicit in the London Summit of 2002 where xenophobic discourses reflected an anti-immigrant approach increased due to speculative news in the media and the rise of populist far-right parties in France, Netherlands, UK without forming coalition, and in Austria, Italy and Denmark as part of coalitions (Guiradon, 2003, p.31). The Summit had two key concepts; “unfounded asylum demands” and “safe third world countries that could accept refugees” (Guiradon, 2003, p.61). Thus, following the 9/11 attacks, Madrid train bombings in 2004 and London bombings in 2005 changed the landscape of human security so that the European Commission adopted Communication on the Global Approach to Migration and Mobility as a new framework on migration that served partnership with third countries through border controls, travel document security and readmission agreements. This framework

rendered Justice and Home Affairs as the central authority in the external dimension and relations of the EU (Triandafyllidou & Dimitriadi, 2013, p.599).

Other than 9/11 events, which paved the way for a deeper focus on the externalization policies and security-oriented approaches, Dimitriadi (2016, p.8) highlights that the turning point for the securitization and externalization of migration was the Arab Spring which caused critical changes because the EU's periphery was no more stable. Dimitriadi (2013) in another work with Triandafyllidou, states that the Arab uprisings created discomfort for the EU with the influx of approximately 40,000 refugees (Triandafyllidou & Dimitriadi, 2013, p.598). Hence, Dimitriadi (2016, p.8) argues that member states re-bargained over the Schengen governance legislative package to ensure the reintroduction of internal border controls. By this means, the EU further securitized migration internally through increasing use of technology, surveillance systems and border controls. Similar to Dimitriadi (2016), Seeberg (2013) also stresses that Arab uprisings generated important population movements in the Mediterranean and created new heterogeneous and complex migratory leanings. Nevertheless, he stresses that the EU has not been capable of developing efficient approaches towards "a changing neighborhood" regarding migration with the tools it had already have. Thus, what would be required in order to handle the challenges of the Arab uprisings was greater collective political will within the EU (Seeberg, 2013, p.172).

3.1.2. The EU's External Aspects on Migration Policy

In this context, the EU's focus on the external aspects on migration should be examined in greater detail in order to better understand the concept of

externalization. As mentioned above, the area of cooperation with third countries such as migrant-sending and the transit countries have come to be known as the “external dimension” of the EU cooperation according to the Justice and Home Affairs (JHA) (Boswell, 2003, p.619). The EU started to focus on the external aspects of migration in 2005; it used diplomatic policy tools such as regional processes, mobility partnerships and readmission agreements which aimed to enhance the EU’s partnership with crucial non-EU countries in the area of migration and border control. It also pursued a framework called the Global Approach to Migration and Mobility (GAMM) which aimed to change its previous security-oriented approach to migration (Dimitriadi, 2016, p.2). However, this approach remained inadequate and later the EU shifted its direction to a security-oriented approach accompanied by the use of military tools that aimed to eliminate smuggling networks. However, they are limited as well due to the lack of European states’ cohesion and greater focus on the EU’s domestic problems. Greenhill (2016, p.317) emphasizes that the EU gave “disjoint, schizophrenic and, at times, hypocritical responses” to the European refugee crisis in 2015. These responses demonstrated how unilateral and national-level responses among member states prioritize national interests over European solidarity. Greenhill (2016, pp.317-319) also claims that the types of partnerships established by the EU rely on coercive bargaining which reflects the threat posed, whether economic, security or cultural, of mass population movements as a non-military tool of state-level coercion. Therefore, these types of threats are matter of perception that can be exploited by political actors who play on fears for example; using refugees as foreign policy tools.

In the literature, externalization of the EU can be seen and interpreted in two ways; northern member states externalize refugee problem to southern member states or the EU externalizes the issue to third countries, which is justified by the Dublin II Regulation of 2003. These externalization approaches can be also called as “extra-territorialisation of governance”, “governance at a distance” or “remote control governance” (Bialasiewicz, 2012, p.846). As an illustration, Triandafyllidou & Dimitriadi (2013, p.600) examine these two levels of externalization namely the internal and the external which desire to hinder refugees in their journey to the “inner” countries to the West and North of the EU. For the first one, the Dublin Agreement is crucial because it allows the refoulement of refugees who want asylum from the member states that they used as transits, although these member states are responsible of asylum requests’ examination. Since they pass the buck to frontline member states, this agreement does not reflect a solidarist approach (Guiraudon, 2013, p.18). Thus, the Dublin Regulation cannot emphasize an approach of “burden sharing” and implies an externalization of liabilities from North to South (Guiraudon, 2013, p.88; Triandafyllidou & Dimitriadi, 2013, p.616; Huysmans, 2000, p.756).

Italy and Greece can be mentioned at this point as key entry states and holding and processing areas for new refugees due to the Dublin Regulations. With regard to externalization, northern EU states became an obstacle in providing needs and aid to frontline states such as promised resettlement of refugees to other states of the EU. For example, Brussels was slow in ensuring help and did not procure well-equipped holding camps (Greenhill, 2016, p.319). Similarly, Greek ministers refer to holding camps as “a cemetery of souls” as Holehouse (2016) states. Uncertainty of the EU assistance triggered migration-related fears within frontline states and these fears

encouraged some frontline states to neglect Dublin Regulation obligations by allowing refugees to transit to northern states without registration. As a result, fears and anxieties were dispersed everywhere and facilitated an “alternative method of intra-EU burden-sharing” which encompassed non-frontline states as well (Greenhill, 2016, p.319). For instance, EU Naval Force Mediterranean (EUNAVFOR MED) was established in June 2015 as the first concrete EU-wide security attempt against refugee smuggling. It sought to discourage refugees from undertaking lethal crossings with the purpose of reducing loss of life and the number of refugee arrivals to Italy. Therefore, frontline states’ self-execution of security tools was transformed into a common response within the EU (Dimitriadi, 2016, p.8).

As the second level of externalization of irregular migration namely “the delegation of migration management to third countries” is implemented through partnership and readmission agreements (Triandafyllidou & Dimitriadi, 2013, pp.602-603). For instance, in order to prevent the boats of refugees from approaching the Italian coastline, the Italian–Libyan cooperation was achieved through the externalization of border control to Libya. This cooperation was inspired by similar partnerships built between other EU member states and third countries such as the one between Spain and Morocco or Greece-Turkey cooperation (Triandafyllidou & Dimitriadi, 2013, p.605). The encouragements for partner countries in the case of cooperation process, are generally financial such as humanitarian or development aid or capacity building and expertise rather than offering legal migration routes. Incentives for partner countries’ citizens in terms of labour mobility and visa facilitation remained secondary. Therefore, while partner countries expect these incentives to be met,

implementation of incentives depends on member states volunteering (Dimitriadi, 2016, p.5).

The delegation develops within the framework of the European Neighborhood Policy (ENP). The ENP involves Belarus, Ukraine, Moldova, Georgia and Azerbaijan to the East and the region between Morocco and Syria to the South. The ENP does not have a membership requirement but rather seeks to ensure management of economic, security-related, political and social issues (Triandafyllidou & Dimitriadi, 2013, pp.602-603). With respect to migration, the policy includes everything except institution-building and it is basically based on the idea which claims a “good neighbor makes good fences” (Triandafyllidou & Dimitriadi, 2013, pp.602-603). Türkeş (2018, pp.16-17) also states that the official documents of the ENP embrace a security-focused discourse with regard to the irregular migration. It implies a process of marginalization of refugees and externalization of irregular migration by the EU. The ENP also legitimizes extraordinary measures by this type of discourses while focusing an EU-related security policy rather than a common policy with neighbours in terms of irregular migration. Thus, this approach of the EU remains inadequate in the case of refugee management (Türkeş, 2018, pp.16-17). Despite this negative aspects, it is seen that the security tools demonstrated more cohesion and consensus among member states since the majority of member states desired to externalize the migration problem by ignoring its inefficiencies in addressing the root causes of the problem (Dimitriadi, 2016, pp.2-4).

Boswell (2003) suggests that there exist two distinct approaches regarding this cooperation process on migration. The first one involves externalization of traditional

tools of migration control in both domestic boundaries and the EU in order to strengthen border controls, combating illegal entry and readmitting illegal migrants. The second type of tool can be called as preventive measures based on changing the factors in order to influence refugees' decisions to move or to influence their destinations (Boswell, 2003, pp.619-620). In this regard, she emphasizes that institutional structures and electoral pressures function in favour of externalization approaches over preventive ones. The domination of externalization approaches over preventive ones started with the European Commission's calling for the integration of migration issues into the external policy of the EU in the Tampere Summit of 1999 because the perceived need for external approaches were seen as a result of the inadequacy of domestic border controls in migration management (Boswell, 2003, p.621). Tampere Summit paved the way for enhancing cooperation with origin countries and focused on the development of an equal and fair asylum system. By this means as the Single Market and common currency systems of the EU, traditional function of the nation state was transferred to a communautaire level in terms of migrants and asylum seekers from third world countries (Guiraudon, 2003, p.33).

Boswell (2003, p.621) suggests a "capability–expectations gap" with regard to the migration policy in EU states because migration issues became significantly politicized in most West European states after the 1980s and political parties were competing for electoral support through promises with the intention of restriction of unwanted migration. However, these expectations of both political parties and the electorate were difficult to be realized. For instance, liberal democratic states were constrained by "domestic constitutional and international legal norms" and, constitutions and the courts prevented family reunion, constrained access to welfare

benefits, decreased long-term residents or limited asylum systems. This emerged at the expense of long-term strategies of migration management, mutually beneficial types of cooperation with third countries and refugee protection concerns (Boswell, 2003, pp.620-621).

3.1.3. Conclusion

With regard to the main topic of the thesis, EU member states are generally hesitant and reluctant to take responsibility for irregular migration management within and beyond the EU and their most used tool is addressing partner countries for solutions. Member states have been pursuing a security-oriented approach by seeking to build fences in order to escape the instability of their periphery. However, outsourcing the management of migration is not a sufficient and practical response. Most recently, it is seen during the cooperation process between the EU and Turkey. Dimitriadi (2016, p.7) claims that the deal between the EU and Turkey is a short-term solution which would pave the way for much deeper problems in the future due to the failure in its implementation and moral drawbacks. First, the deal assumes that both sides have the capacity to record and host refugees; Greece for processing and Turkey for returnees. Nevertheless, promised assistance by the EU materialized in a slow manner, especially in terms of human resources. “The agreement also assumes that Turkey will accept all returns and respect the principles of international law. However, it is unclear how implementation will be monitored considering that the EU has little sway over Turkish ministries” (Dimitriadi, 2016, p.7). In the second place, the deal neither completely respects the *acquis communautaire* nor complies with international conventions about asylum because Turkey’s eligibility to be recognized as a safe country is controversial and the incompatibility of Turkey with

the EU Asylum Procedures Directive is also debatable (Elitok, 2019, p.7). These controversial points of the EU-Turkey deal will be elaborated with more details in the fifth chapter.

Then, why do the EU continue to rely on the externalization tools in spite of its deficiencies? Why does it still follow short-term solutions in the recent European refugee crisis of post-2015 era? Did it not take lessons from the earlier negative experiences? These questions can be answered by the dissidence and conflict within the member states of the EU and across the EU. Thus, politicization and constraining dissensus as the main tenets of post-functionalist framework which the thesis relies on, explain the EU's willingness of externalization regarding the irregular migration to a great extent, but in the first place one should understand what does post-functionalist mean by constraining dissensus in order to better examine the EU's will to externalize the refugee problem outside its borders.

3.2. Constraining Dissensus of the Post-Functionalist Framework

3.2.1. Brief Literature of Constraining Dissensus

Constraining dissensus was devised by political scientists Liesbet Hooghe and Gary Marks in opposition to the term of permissive consensus. Lelieveldt and Princen (2011, p.111) mention the definition of Lindberg and Scheingold's concept of permissive consensus as follows: "as permissive because the mood was supportive and consensual because this was shared by a very large part of the population. The consensus enabled political elites to proceed with the integration project relatively unrestrained." However, Lelieveldt and Princen (2011, p.125) also point out Scheingold and Lindberg's prediction about permissive consensus which proved

itself accurate over years: “Only if the Community were to broaden its scope or increase its institutional capacities markedly would there be reason to suspect that the level of support or its relationship to the political process would be significantly altered.” This alteration has been seen in member states with a highly variable manner and permissive consensus has been affected by national developments (Lelieveldt & Princen, 2011, p.125). Such a consensus prevailed in the 1970s and has not disappeared; it is only little different today than in the early 1970s due to the varying levels of support. Increasing levels of support for the community was a long-lasting trend in most member states during 1970s and 1980s but this trend stopped in the early 1990s. At the time of Maastricht Treaty, only four countries especially France and Germany, demonstrated a lower support in 2002 than in 1973 (Down & Wilson, 2008, p.46). Therefore, there is a widespread agreement that Euroscepticism became a significant phenomenon in the post-Maastricht period compared to earlier decades. This basically reflects a decline in the average level of support for the EU which led to the decline in consensus due to the rise in Euroscepticism and polarization of opinion distribution (Down & Wilson, 2008, p.27).

Citizens, who were often passive before the Maastricht Treaty, now demand a strong relationship between the EU and their decisions regarding the EU. Even, the Treaty started to choose the president of the European Commission according to the general election results (Kakon, 2019). After the ratification of the Maastricht Treaty, proponents of European integration faced many dilemmas. “Public support is necessary for further integration as European issues become more salient in national politics...governments more frequently call referendums on European questions” (Tillman, 2013). Moreover, “public support for the EU has declined, making it more

difficult for European elites to convince their electorates to support further integration” (Tillman, 2013). If consensus is perceived as the extent of disagreement, then the post-Maastricht era suggests an era where there was more significant public disagreement than those of the pre-Maastricht period and this was not basically a function of a decline in support for the EU (Down & Wilson, 2008, p.46). In the post-Maastricht era, the shape of the distribution of opinion changed in almost every member state with more dispersed attitudes. As post-functionalists stress, conflicts in the European Council are generally carried out by political parties (Kakon, 2019) and political parties adopt a non-centrist stance on the issues which have greater issue salience that is conceived by voters (Down & Wilson, 2008, p.46). However, the issue salience depends on the national circumstances of member states because opinions on the EU are mainly formed within national contexts. Hence, it is hard to refer to a common public opinion in the EU. It changes significantly across the member states and it is affected by “country-specific events” which are related or not related to the EU (Lelieveldt & Princen, 2011, p.112).

3.2.2. Constraining Dissensus, Politicization and Identity Politics

Grande and Kriesi (2016, p.279) emphasize that the European integration should be considered as a “strategic opportunity” for political actors and political parties to mobilize citizens. These kind of opportunities to politicize European issues became highly common with the reinforcement of the integration process after the mid-1980s but they already existed in the 1970s and have been used by both radical challengers/parties and mainstream parties in different contexts. Thus, Grande and Kriesi (2016, pp.280-281) state that the result is a “punctuated politicization” which is characterized by significant change over time and across countries and political

arenas. Accordingly, they claim that there is no clear trend over time and politicization is not a post-Maastricht fact since European integration generated significant high levels of politicization in several countries in the early 1970s especially in Britain and France. In the following years, Maastricht Treaty was a main politicizing phenomenon but it presented a peak of politicization rather than a critical juncture which reflected higher levels of political conflict. Therefore, these examples demonstrate that politicization should be perceived as a series of strategic opportunities for political actors rather than an innate property of the European integration process (Grande & Kriesi, 2016, p.291).

Politicization constitutes a major factor in order to understand critical problems of the European integration process when considering the crises that the EU has been facing. Nevertheless, in contrast to Grande and Kriesi (2016), Hooghe and Marks (2009), who put politicization concept at the heart of the post-functionalist theory, argue that there has been a significant politicization with respect to integration process in the post-Maastricht era, which became visible in the changing public opinion as well as electoral and protest politics. According to them, the European integration process became the object of mass politics. Hooghe and Marks (2009, p.7) claim:

With the Maastricht Accord of 1991, decision making on European integration entered the contentious world of party competition, elections and referendums. Content analysis of media in France, the Netherlands, Germany, Britain, Switzerland and Austria reveals that the proportion of statements devoted to European issues in national electoral campaigns increased from 2.5 per cent in the 1970s to 7 per cent in the 1990s.

Politicization is one of the causes of the current crisis in European integration because political elite cannot rely on the permissive consensus of citizens anymore.

Consequently, political elite is constrained by citizen dissatisfaction and dissent in the area of decision-making (Hooghe & Marks, 2009, p.5).

Constraining dissensus, which has replaced the permissive consensus in the past two decades, is turning into an opposition not so much to the European Union but actually to the liberal values of the European project such as solidarity, liberty and humanity (Börzel, 2016, p.18). For instance, populist politicians such as Marine Le Pen, Geert Wilders, Victor Orban and Jarosław Kaczyński with their illiberal and nationalist ideas started to dominate the transnational politicization of the EU and its policies regarding various crises. Liberal voices that represent the Europeanized national identities which reflect solidarity and liberty started to get weaker both among governments and societal actors (Börzel, 2016, p.21). Following the willingness of the public to reject party cues at referenda and the hesitance of governments to put EU issues to referenda, the growth in Eurosceptical parties became apparent to show greater public concern. It is clear that these are the product of a decline in support for the EU (Down & Wilson, 2008, p.46).

As Grande and Kriesi (2016, pp.298-299) emphasized, post-functionalist theory is based on three prepositions. First, politicization of European issues is intensified by the transfer of political authority to the supranational level. Second, several mechanisms, particularly the mobilization of populist radical right parties drive this politicization. Third, politicization has negative impacts for the integration process due to the constraining effects of domestic dissensus among public on European decisions. As the main tenets of post-functionalism, mass politicization and constraining dissensus create “downward pressure on the level and scope of

integration” (Webber, 2019, p.21). Hooghe and Marks did not claim that political disintegration would occur; they rather claimed that “only that there would be mounting pressure in this direction, depending on the extent that ‘exclusive identity infuses preferences and ... European issues are politicized’ (21)” (Webber, 2019, p.1142). Thus, especially exclusive identities are significant for politicization.

Accordingly, Grande, Hutter, Kersch and Becker (2016, p.182) stress that scholars assume a positive correlation between the importance of “cultural-identitarian frames” and high levels of politicization. This expresses a growing importance of cultural frames in the debates on European integration. Hooghe and Marks (2009) discuss that preferences of citizens and public opinion on European integration started to change due to the attachments to national identity rather than to economic rationality, after the completion of the common market and the introduction of a common currency. In this context, they differentiate between “exclusive identities” which implies nationalist and “inclusive identities” which implies multiculturalist identities. According to Hooghe and Marks (2009), politicization is strongly shaped by nationalist identities which react to the loss of community and national sovereignty. Grande et al. (2016, p.181) highlight that the literature demonstrates the importance of political entrepreneurs, especially political parties for the framing of political conflict across Europe. Through framing an issue, political parties give identities, prejudices and preferences to the public and connect them to political discourses of the public. Political actors can strategically build and promote frames with an intent to ameliorate their competitive positions in regard to votes, offices and influence. Therefore, one can argue that how Europe is framed in political conflicts is important to understand politicization of Europe.

3.2.3. Conclusion

In conclusion, attitudes of citizens demonstrate that identity issues become more dominant in determining stances of people towards politics not only in the national level but also in the European level. As Lelieveldt and Princen (2011, p.109) claim, Eurosceptic attitudes which are seen in the behavior of voters in European Parliament elections and referendums emerge as the expression of a concern to protect national identities. As an illustration, turnout levels declined constantly and recent referendums about European integration resulted in some rejections on further integrative steps. It also explains how the nationalist parties' tendency to emphasize the cruciality of protection of national identity and culture have been successful both at the national and at the European level (Lelieveldt & Princen, 2011, p.109). Moreover, the evolution of the role of citizens, which implies a shift from permissive consensus to a constraining dissensus during the European integration process endangers the legitimacy of the EU (Lemardeley, 2013). Recently, European citizens do not engage with the EU; few of them participate in the elections and many of them doubt that the agenda of European Commission will provide benefits to them (Lemardeley, 2013). Hence, these recent backwards in the integration process brought citizens into the forefront as new actors in the European arena by emphasizing the role of the public opinion.

Government representatives act under the pressure of public opinion after the European general election results. Now, national representatives have to pay attention to this new reality (Costa, 2019). They try to generate some ideas in order to ensure direct democracy through the improvement of citizens' initiative, such as

creating a real public discussion arena for every new event or putting pressure on the institutions to draw attention to the decisions of citizens (Kakon, 2019). For instance, when French and Dutch citizens voted “No” in the referenda on the EU Constitution, other member states immediately cancelled their plan to hold a referendum. They could not dare to submit the revised version of the Lisbon Treaty to a popular vote (Lelieveldt & Princen, 2011, p.125). However, this strategy of member states might be very costly in the long-term if a larger share of citizens will turn their backs on the EU since it is apparent that the overall message of citizens seems to continue to be demanding a more cautious approach to integration (Lelieveldt & Princen, 2011, p.125). Last but not least, the effects of the public opinion on the cooperation between the European nation states are important in this regard as well. Political leaders should be very careful in their plans for new cooperations between states because it is crucial to examine to what extent these states’ citizens support such cooperation moves (Lelieveldt & Princen, 2011, p.109). The importance of the public opinion to put constraints on the actions of member states’ political leaders and parties is also seen in the European refugee crisis in the post-2015 era, as related with the topic of the thesis.

3.3. The EU’s Externalization Policy in the European Migration Crisis from a Post-Functionalist Perspective

This part of the chapter explores why post-functionalism is useful in explaining the externalization of the EU’s migration policy during the European refugee crisis in the post-2015 period. The European migration crisis is one of the main crises that the EU has been facing during the last decade besides the Eurozone crisis and Brexit. In all of these crises, politicization existed to some extent. Grande et al. (2016, p.20) stress

the claim of de Wilde and Zürn; “the rising politicisation of European integration is primarily reaction to the increasing authority of the EU overtime”. In other words, in these types of crises, which many different actors have a voice, higher levels of politicization are expected because they are significant moments in time when the questions of regional integration are debated and conflicts about sovereignty, identity and solidarity arise. Such incidents represent turning points in the transfer of political authority to supranational institutions which also affects the territorial expansion of the EU (Grande et al., 2016, p.20). Nevertheless, this transfer of political authority to the EU, as a supranational institution, could not be realized successfully during the refugee crisis because it exhibited an increasing level of politicization due to the high political salience of the immigration issue and high political contestation as Schimmelfennig (2018, p.980) points out. Apparently, policies of the EU regarding the high numbers of migrants arriving in many European countries gained a visible, attributable and negative perceived effects on people (Schimmelfennig, 2018, p.980). According to Eurobarometer, public support and trust for the EU declined during the Eurozone crisis and, after a short recovery in 2014 and early 2015 it decreased again during the refugee crisis in the second half of 2015. People mobilized against refugees and Islam. In order to better understand the public opinion, one should look at the Eurobarometer findings. Fourth chapter will examine Eurobarometer data in more details by referring the findings over the feelings of EU citizens towards the migrants who came from outside the EU.

One can discuss that immigration became the dominant issue of contestation in domestic politics and elections particularly in the member states which were affected the most by the crisis. Polarization became high within and between the member

states and domestic politicization strengthened the “intergovernmental distributional conflict” between member states (Schimmelfennig, 2018, p.980). As a result, European governments became reluctant to reconcile with other member states since an agreement on a compromise at home was also not successful under the pressure from Eurosceptic parties and voters (Schimmelfennig, 2018, p.980).

As Schimmelfennig (2018, p.984) also highlights, when the public support declined under the impact of the refugee inflows, governments of member states began to block or avert the refugee flow through the introduction of border controls, assistance to their transit and periphery countries or building fences. What they all emphasize is that the new divide creates a break with the permissive consensus period and that the conflicts across Europe are transferred from the political decision-making to the public sphere (Schimmelfennig, 2018, p.984). In a similar vein, Mauro and Memoli (2016, p.1) state that while the EU is still suffering from the negative effects of the Great Recession, the refugee crisis intensified polarization, salience and mobilization both within national and European political contexts.

As the public opinion constrained the political elite, Mauro and Memoli (2016, p.3) assert that people and political parties changed their positions and they preferred a national versus European decision over the number of refugees to accept in the aftermath of the mass refugee influx. Thus, this blocked further implementation of Dublin system. Consistently with the arguments of post-functionalists, public concern paved the way for refusing the ideas coming from EU institutions about the partition of refugees since the crisis deepened the “sentiments of refusal” towards refugees (Mauro & Memoli, 2016, p.3). The effects of the public concern were

observed in parties which demonstrated an orientation towards rejection during intense phases of the crisis. They shifted their positions from center and center-left towards a stricter position which emphasized rejection (Mauro & Memoli, 2016, p.21). Hence, one can state that the interaction between the concerns of member states' political leaders and those of the public shaped each other. Therefore, the link between the rejection of refugees towards the desire to maintain national privileges over refugees' quotas and the inability of further EU integration on the Dublin system became evident. Since political leaders felt the pressure of the majority who rejected refugees and did not want to delegate the decision to the EU, they preferred a national rather than a European quota system.

Huysmans (2000, pp.757-758) adds that it also led political leaders to acquire and use a conservative discourse that presented "multiculturalism" as a cause of societal disintegration, as also represented in Huntington's *The Clash of Civilizations* (1996) since the work emphasizes that the multiculturalism made the differentiation between them and us visible by defining other cultures as a danger to the survival of the home culture. Therefore, the discourses of political leaders representing migration as a cultural danger to societal and political integration became a crucial source to mobilize a security-oriented rhetoric and strengthened the forms of new radical conservatism highlighting the clash of civilization discourses with a dream of cultural and racial unity (Huysmans, 2000, p.762). Political leaders of member states' these kinds of discourses manipulate the public so that they easily activate especially exclusive identities. The identity politics paves the way for a security approach of migration since the public opinion and political parties hold xenophobic attitudes.

That is why, even the Central European states besides the Visegrad group wanted to externalize immigration because of the feelings of fear and insecurity.

3.3.1. Post-Functionalism and EU Migration Deals

Eventually, the refugee crisis brought a partial suspension of the Schengen free travel regime rather than an adaptation of its basic rules among member states which prevented a qualitative shift in their competences towards more integration. Instead, it solely led to a quantitative expansion of EU institutions' activities (Schimmelfennig, 2018, p.981). That is why, the EU focused on externalization in order to overcome the refugee crisis. Since member states have failed to reach a consensus on enhancing the capacity of the EU for the reception and partition of the growing number of refugees, they have focused on preventing refugees from reaching EU borders in the first place. These measures include the deal with Turkey in 2016 as well as other migration partnerships such as Khartoum process with African countries. All of these types of cooperation with the periphery countries involve promised financial and technical assistances by the EU in return for partner countries' efforts to limit the inflow (Dimitriadi, 2016, p.4).

So, the EU started to outsource the crisis outside of its borders to the countries in its periphery and supported their efforts to host migrants in order to contain the migratory inflows to Europe. For instance, over time, the EU shifted its position from an "open-door policy" with Germany as its main proponent to a pragmatism and realpolitik-oriented policy (Saatçioğlu, 2016, p.2). Around 800 000 refugees arrived in Germany in 2015 when Merkel opened the Balkan route. Hostility and anger levels towards refugees grew even in Germany, especially due to Cologne and

Munich attacks. It increased the level of fear and created a divided German society. Hence, Merkel switched her stance and searched a long-term solution to prevent more refugee inflows (Demirsu & Cihangir-Tetik, 2018, p.4).

When member states did not find a common solution and were not able to prevent polarization in domestic politics, Germany started to cooperate with Turkey. As the refugee crisis reached its peak, the EU established a strategic rapprochement with Turkey through the EU-Turkey deal in 29 November. The deal suggested that refugees who reached Greece would turn back to Turkey under the “one in one out policy”. In exchange, the EU “reward” Turkey by promising visa liberalization (Saatçioğlu, 2016, p.3). However, in this case, the EU set aside its conditionality regarding Turkey to handle the refugee issue. Hence, one can state that the EU put its main interests as its priority even at the cost of democracy promotion in its periphery (Börzel & Lebanidze, 2015, p.13). Furthermore, there are similarities to the EU’s current attitude vis-à-vis Turkey in its earlier cooperation with Gaddafi’s Libya and Ben Ali’s Tunisia with the intent of externalizing refugee flux towards Africa (Saatçioğlu, 2016, p.4).

Cooperation among member states to establish reception centers along the Western Balkan route can be another example of the EU’s externalization desire because refugees’ registration before their relocation to the EU states or their return is decided in these centers (Saatçioğlu, 2016, p.3). Moreover, an Emergency Trust Fund of 1.8 billion euros was set up at the Valetta Summit in order to improve the EU’s external borders security by supporting African countries such as Algeria, Morocco, Libya and Tunisia. By doing this, containing and externalizing irregular

migration towards Europe became more manageable (Müftüler-Baç, 2015, p.3). Thus, once again, the EU demonstrated that its main concern is to ensure security and stability within and across its borders rather than promoting democracy. Even though the deal between the EU and Turkey was established as a tool of burden sharing, it looks like the EU did not hold the responsibility as much as Turkey or other third states. Its main aim is to keep refugees out from its borders.

In general, the EU's response to the refugee flows indicates that the EU crisis management style was established within the wrong legal framework because only one member state shouldered the burden, European asylum rules were neglected and the EU Dublin regulation was violated (Elitok, 2019, p.7). In this manner, the Temporary Protection Directive of 2011 was put forward in order to cope with refugee inflows, however it was not implemented. Even though it is "based on the principle of solidarity, where each member state shares the responsibility" (Elitok, 2019, p.8). "According to this directive, all persons under temporary protection can be transferred (relocated) to another member state. By not implementing the temporary protection directive,...some member states did not interact with Turkey nor with one another...(Elitok, 2019, p.8). Therefore, their non-cooperative behavior resulted in the "malfunction of collective action and solidarity" (Elitok, 2019, pp.7-8). The overall response to the crisis demonstrates that member states implied a shift of power from the supranational EU institutions to the nation states with their independent policies so that the supranational or subnational actors did not gain and exercise power over nation states (Elitok, 2019, p.7-8). Similarly, according to Lévêque (2017), as one of the consequences of this non-cooperative behavior, the EU's preference to send refugees back to Turkey through a deal cannot be evaluated

as a success since it was not implemented as a result of a compromise among the majority of member states. There was constraining dissensus among member states due to their internal domestic constraining dissensus. Therefore, no matter what the cost, the EU has an “obsession” of preventing refugees from coming to its borders for more than twenty years and this kind of externalization-oriented cooperations with other countries do not reflect practicability and seems so “cynical” (Lévêque, 2017). Consequently, the deal with Turkey shows how member states exploit the EU to pursue migration-control oriented aims. The revival of EU-Turkey relations based on this deal, is mainly structured as interest-oriented as well (Tsarouhas, 2019, p.29).

3.4. Conclusion

As this chapter has demonstrated, post-functionalism is useful in explaining the EU’s externalization of the 2015 refugee crisis. Post-functionalism clearly shows how the refugee crisis has intensified a cultural divide across Europe which weakens the advocates of a multicultural and open Europe against its opponents. As Hooghe and Marks (2019, p.4) claim, previously calm pro-EU citizens have started to mobilize in large numbers and the debate over the EU began to play a major role in the national elections. By the political construction of migration as a security issue, the crisis has been a major contributing factor for the electoral success of nationalist parties across East and West Europe (Hooghe & Marks, 2019, p.1122). When Europe and immigration have combined, it fuelled a nationalist challenge to mainstream political parties. For instance, their share of votes decreased from an average of 72.5% in the late 1990s to 54.5% in 2018 (Hooghe & Marks, 2019, p.3). Thus, it paved the way for the constraint of authority reallocation by the politicization of exclusive identity in the mass politics which depends “on the character and salience of an issue, how it

is connected to other issues, whether a decision enters mass politics, and the ideologies of the actors who make key decisions” (Hooghe & Marks, 2019, p.3). The fourth chapter examines this nationalist challenge later. Therefore, in the case of the EU’s externalization in the 2015 refugee crisis as the EU-Turkey deal expresses as well, externalization of the EU emerged due to the constraining dissensus in member states’ domestic politics and across the EU. This constraining dissensus arose from the politicization of refugees based on factors such as issue salience, discourses, media and opinion polls. Hence, the root cause of all of these is the growing significance of identity politics and securitization of migration through spreading xenophobia from the public and populist far-right parties, as the fourth chapter will demonstrate.

Indeed, post-functionalism draws on comparative analyses of public opinion, political parties and voting by theorizing the “incidence of exclusive identity at the individual level, the conditions under which exclusive identity is politicized in competition among political parties, and the resulting structure of political conflict” (Hooghe & Marks, 2019, p.2). Post-functionalism creates a debate about polity, not just policy by putting “a tension between the functional benefits of multilevel governance and the desire for self-rule on the part of those who conceive their national identity in conflict with the exercise of supranational authority” as Hooghe and Marks (2019, pp.2-4) assert.

So, when we look at the puzzle of this thesis, since the puzzle is to explain the main reason behind the EU’s externalization attempts during the 2015 European refugee crisis, it presents independent-dependent variables and a shaping context, as the first

chapter demonstrates. The independent variable of this thesis is constraining dissensus within and among the EU member states can be seen as the driving force behind the EU's externalization of the refugee problem outside its borders. Hence, constraining dissensus can be considered as the explanatory factor of this thesis in order to explain the dependent variable which is the externalization of the EU. There is also a context, which is identity, that shapes constraining dissensus and the link between independent and dependent variables as well. Exclusive identities are mobilized in public opinion and in far-right political parties so that they reflect xenophobic feelings. Therefore, increasing xenophobia pushes the EU to be more careful about its actions towards the refugee crisis and accelerates the process of externalization. So, the EU's eagerness to externalize the refugee problem is affected by the mobilized exclusive identities. The growing Euroscepticism and xenophobia fuelled the constraining dissensus so that the EU finds its way in an alternative method, that is externalization. The fourth chapter examines this shaping context and independent variable in more details after presenting a brief literature review on the European refugee crisis of 2015.

CHAPTER IV

EUROPEAN REFUGEE CRISIS OF 2015

This chapter initially proposes a brief narrative of the European refugee crisis of 2015, then explores the division within the EU in terms of member states' different stances regarding the crisis. It is significant to show this division of opinions and positions because it provides a connection between constraining dissensus and externalization. By examining xenophobic feelings of the public opinion and Eurosceptic attitudes of political parties, especially the far-right ones, to understand exclusive identity, this chapter makes clear why and how constraining dissensus emerged in the refugee crisis. Therefore, it reveals that the constraining dissensus between the European public opinion and mainstream parties led to the constraining dissensus among member states. In order to analyze identity as the shaping context of the independent variable (constraining dissensus), data from European Commission's Eurobarometer and many other surveys are used for the assessment of public opinion impacts. Beside this, press releases of political leaders from newspapers and European Parliament national elections results of member states are

used for the impact of right wing parties on the refugee crisis. Hence, this chapter argues that the constraining dissensus constitutes a route to the externalization method of the EU which the fifth chapter analyzes later. Thus, it is important to make these analyses to better apprehend the cooperation process between Turkey and the EU as a tool of externalization.

4.1. An Overview of the Refugee Crisis of 2015

Due to in-depth consequences of globalization, mass refugee flows increased and intensified all over the world. It also encouraged the concept of a world without borders. Relatedly, one of the most increasingly discussed issues is the European refugee crisis in 2015-2016. In the pre-crisis status quo in 2013-2014, the primary focus of the EU had been on decreasing the number of fatalities in the Central Mediterranean region. Despite the increased sense of urgency especially created by Operation Mare Nostrum, policy responses had preserved the status quo. So, by advocating the above, Collett and Le Coz (2018, p.9) claim that the EU policy approaches had shifted little during these years by offering the same techniques such as “continuation of the Global Approach to Migration and Mobility, including mobility partnerships and regional dialogue processes, joint Frontex operations, and the establishment of EUROSUR in the Mediterranean” (Collett & Le Coz, 2018, p.9). However, two key aspects changed in 2015; the scale of the refugee movement particularly across the Eastern Mediterranean and the rate of arrivals who were nationals of states that experienced conflict and instability (Collett & Le Coz, 2018, pp.7-8).

In the aftermath of the civil war and instability in Iraq, Syria and Libya, the number of people who fled their countries reached 1.3 million between 2015 and 2016

(Hooghe & Marks, 2019, p.1120). They arrived in southern Europe but, due to the deficiencies and imbalances of the EU's migration and asylum regime, many people were drowned at the sea (Pastore & Henry, 2016, p.49). The figure of recorded deaths between January 2014 and February 2017 of men, women and children, who spent their last minutes suffering in the Mediterranean Sea was 12,397 and the responsibility for these deaths lie within the European leadership (Jones, 2018).

The EU's "common asylum and migration system (Dublin system)" claims that member states can compromise on common measures which lead to the responsibility sharing in terms of the refugees who had already arrived in the EU territory and also for managing the future mass movements. Some of these measures comprise funds to encourage member states and third countries in the management and accommodation of migration inflows, and setting new hot spots in Greece and Italy (Council of the European Union, 2015). By the climax of the refugee crisis in the summer of 2015, the European Commission requested a significant number of member states to make the necessary steps in order to transform the Dublin agreement into the national legislation. However, the Dublin (III) agreement, which was the revised version of the Dublin agreement and had agreed upon member states in 2013, failed in terms of its implementation in many member states in the summer of 2015 (Postelnicescu, 2016, p.204). This is because the Dublin system emphasizes the minimal common rules on migrants and asylum-seekers, but it was only capable of coping with small numbers of people. That is why, when the southern member states such as Greece and Italy quit security controls in summer 2015 and let refugees migrate to the North (Hooghe & Marks, 2019, p.1120).

In this context, one of the most significant control mechanisms of the EU in recent years was protecting external borders by reinforcing security precautions. The President of the EU Commission Jean-Claude Juncker made migration and border protection as a top priority during his term with the goal of “reducing the incentives for irregular migration by addressing its root causes, improving returns and dismantling smuggling and trafficking networks; saving lives...and providing more legal pathways for asylum-seekers and more efficient legal channels for regular migrants” (European Parliamentary Research Service, 2019, p.1). Commission President Juncker’s State of the Union speech in September 2015 addressed on a proposal to expand the emergency relocation program from 40,000 to 160,000 refugees and to consolidate European border management and asylum standards by replacing voluntary relocation system to a mandatory one (Collett & Le Coz, 2018, p.15). However, it reflected internal worries since this crisis became multifaceted; it became a humanitarian crisis due to the struggles of governments to provide food and shelter, it also reflected a policy crisis because the EU and national leaders were unable to agree on a common response (Collett & Le Coz, 2018, p.15). Hence, both in the national governments and within the EU institutions, an effective management of the crisis was absent. Within the EU institutions, it was uncertain “who should be leading the response and what the EU response should be” (Collett & Le Coz, 2018, p.15).

4.2. A Divided EU: Constraining Dissensus among Member States

A shared European response failed to ensure a fair sharing of responsibility for “registering and processing people in need of protection and who are not returning to their home countries or safe third countries they are transited through” (European Commission, 2016, p.21). It is obvious that while the ambiguity in the EU

institutions continued, the division between Eastern and Western Europe also persisted. As Postelnicescu (2016, p.207) stresses, there was an ongoing debate about “two-speeds Europe” or “a la carte Europe”, “where any member states give and take as much as it wants.” As a consequence of this approach, the refugee crisis emphasized that common legal procedures among member states will be very difficult to set. Požarlik (2017, pp.35-36) gives a citation from Ružica Jakešević and Siniša Tatalović; it worrying was that the refugee crisis triggered some legislative measures which generally framed migration as a national security issue by neglecting humanitarian and social aspects in many member states, especially in Eastern Europe. Security first approach started to prevail in reaction to some of the EU member states’ agenda on migration, as it is shown in the slow implementation of relocation and resettlement plans. For instance, in May 2015, the UK criticized the EU’s relocation plan over the crisis for its “non-voluntary” character (Požarlik, 2017, p.39). In the framework of the relocation plan (September 2015), Hungary, the Czech Republic, Slovakia and Romania voted against the EU proposal to relocate an additional 120,000 refugees. Attention of member states shifted to the individual actions of EU member states that stressed national interests rather than vulnerabilities of refugees (Požarlik, 2017, p.39).

For example, the Polish government opposed to the mandatory quota system and declared that it would only accept the entrance of Christian Syrians to Poland. Beside Poland, Slovak, Czech, and especially Hungarian governments followed the same path as well. On the contrary, Germany advocated the idea of Commission so that the proposal of a mandatory quota system could not be accepted unanimously. While Germany displayed welcoming attitudes to immigrants and emphasized European values in order to succeed a collective solution, Orbán was complaining about

Merkel's "open-arm refugee policy" and he claimed it as "moral imperialism" (Benvenuti & Toygür, 2016, p.2). Orbán suggested that the EU should have improved its border control and protection to prevent refugees through fences. Nevertheless, Merkel objected to the idea of "fortress Europe" by building fences and walls because it could prevent helping Greece and Italy in handling the crisis (Benvenuti & Toygür, 2016, p.2). Since a unanimous agreement could not be achieved about how to settle refugees in the EU, origin and transit countries were addressed, which will be explained later in the thesis by examining the case of the EU-Turkey deal as related with the externalization of the EU.

As an illustration, media contents and discourses of political leaders explicitly demonstrate these two opposing stances; those of Visegrad states which showed an apparent unilateralism and those of Germany in particular. The most explicit example of unilateralism and securitization of the crisis is Hungarian migration policy with its barbed wire fences built on the Hungarian-Serbian border aiming to prevent refugees from entering Hungary. The spokesman of the prime minister Zoltan Kovacs openly emphasized a security-oriented approach rather than democracy for the migration policy of Hungary. Zoltan Kovacs highlights that:

We are going to introduce a new measure — no migrants, not even those who have achieved their request for asylum, can move freely until there is a final, legal decision whether they are entitled to political asylum or refugee status. They will not be entitled to move freely in the country [...] You have to stop migration beyond Europe's borders. The recognition is very welcome [...] Everybody who comes to the EU as a migrant is basically coming illegally (Požarlik, 2017, p.41).

Orbán's securitization approach was supported by the general Hungarian population and the migration issue began to be grasped as a security threat. This perception was reinforced through a media campaign in March 2015 and ruling government's

discourses about migration. This anti-migration campaign and the political rhetoric mostly stressed the security and identity factors over economic components (Szalai & Göbl, 2019, p.104). As Islam is conceived as a threat to the “ethnic homogeneity” of Hungary, FIDESZ considered migration as an intimidation to the state due to factors like “terrorism, religious and cultural differences”. Hungarian discourse discriminates refugees and identifies them as dangerous regardless of the state’s obligation to protect migrants. Securitization approach of FIDESZ frames migrants both as terrorists and economic threat. It is clearly demonstrated in the billboard of the campaign: “if you come to Hungary, you need to abide our laws and respect our culture” and “you cannot take away the jobs of Hungarians” (Szalai & Göbl, 2019, p.109). Thus, this domestic rhetoric mobilizes the public opinion so that the voters started to be manipulated by “the fear of migration”. Also, in Orbán’s discourse for his campaign which aimed success in 2019 European parliamentary elections, he blamed Brussels for its will to replace European people with refugees and to deteriorate Christian culture and the power of nation states (Dettmer, 2019).

Moreover, other than the Orbán government, other central Eastern European countries like the Czech Republic, Poland and Slovakia rejected a common agreement with Germany in terms of migration and showed a similar approach. The Czech prime minister Andrej Babiš stated: “Germany has not addressed us and I will not sign this agreement” and “No negotiations have taken place between the Czech Republic and Germany on this question” (Oltermann, Chrisafis & Connolly, 2018). In Poland, a pensioner declared: “We don’t want terrorists here, have you seen what they’re doing in the west?” (Leszczyński, 2015). Also, the chief of the prime minister’s cabinet, Elżbieta Witek, stated: “The Polish government will not change its mind about the refugees. It’s a final decision. I’m a Christian and a Catholic and I

try to be a good person, and the Polish government acts in the same way... A good Christian is someone who helps, not necessarily by accepting refugees” to TVP the state broadcaster. That is because, “since Poland is one of the most homogenous states in Europe which is mainly Polish and Roman Catholic after the Second World War, Muslim migrants are the problem for homogenous society of Poland” (Cienski, 2017).

On the other hand, the situation of Germany, despite the other member states, is different because Germany has transformed into a “reluctant hegemon” (Paterson, 2011, p.57) after the Eurozone crisis. Germany has already an important role for its “commitment to the European enlargement and integration” (Paterson, 2011, p.57). So, Merkel has been holding the role of “unelected leader” of the EU for a long time (Benvenuti & Toygür, 2016, p.5). Merkel suggested that “the migration issue is global and requires a global solution” by claiming: “How we deal with the migrant question will decide whether Europe continues to exist in the future” (Connolly, 2018). Relatedly, she believed that the EU’s future would be built on that type of a solution through establishing deals with member states about the issue of accepting the refugee returns, who had registered in EU states (Connolly, 2018).

However, what is more crucial is, Germany responded to the crisis with an ambiguous hospitality with its inclinations towards both xenophobia and “Willkommenskultur (culture of welcome)” because responses were uniquely conditioned by memories and some realities of today that are related with xenophobia or fascism (Holmes & Castañeda, 2016, pp.13-14). Although Germany opposed the idea of a fortress Europe and welcomed refugees more than any other EU member states to mitigate the burden of southern member states, over time it

implicitly externalized the refugee problem through a deal with Turkey. In this case, the German government played a critical role in finding a solution to the crisis only in the EU borders. So, the strategy behind its attempts did not reflect a practical and global solution as opposed to its declarations. Hence, one can argue that attempts and actions towards externalization by Germany, some other Western European states and Visegrad states are depended on their domestic politics which is shaped by the identity politics.

As concluding remarks for this section, it can be stated that this division among EU member states reflects the tension between national and supranational governance. Since the EU institutions are limited by the subsidiarity principle and deep political sensitivity, the EU always wavers between those member states that desire to see more intervention and those that consider such intervention as an intrusion into their sovereign domain and governance practice (Collett & Le Coz, 2018, p.6). As a result, the failure to predict, prepare and quickly respond to such crises has a lasting impact on public confidence in the ability of national and EU leaders to manage current and future refugee flows (Collett & Le Coz, 2018, p.6). As Lahav (2004, p.1153) claims:

the cooperation wavered between the third intergovernmental pillar of the Justice and Home Affairs and the first pillar of supranational decision making. Whereas the 1999 Tampere report issued by the European Council went further than ever to identify the principles for cooperation, it made a specific plea for strong leadership to shape public opinion and to further communitarize immigration/asylum policies.

Therefore, the EU's accordance with two approaches towards immigration cooperation mostly depends on the public opinion of the EU member states which has permanent effects on decisions (Lahav, 2004, p.1153). Willingness towards a supranational entity to take over some issue areas for more effective policy making and the resistance towards this trend when it threatens the national culture and

identity, compete with each other in regard to the immigration issue (Lahav, 2004, p.1175). Thus, there is an ambiguity on where immigration authority should lie; within the national government or within the EU. It leads to the split of the European public on allowing authority on the immigration issue; one part of the public understands the necessity of coping with immigration supranationally but the other part is unwilling to accept the consequences of supranational decisions such as the loss of national sovereignty (Lahav, 2004, p.1175). As a consequence of that, constraining dissensus is reinforced and prevails through the opposition of the public opinion against immigration and, the support of the public for the far-right parties. Hence, constraining dissensus between member states is better analyzed with the constraining dissensus between the public opinion and the elite, especially mainstream parties, within the member states.

4.3. Identity Politics and Constraining Dissensus within the EU Member States

4.3.1. The EU and Identity Politics

The unilateralism of member states demonstrates the political sensitivity of the migration problem and prevented them from establishing common beneficial measures with a policy on migration and asylum across the EU. This political sensitivity is fueled by the insecurity and economic concerns since the refugee crisis posed both economic and security problems in the host countries. Thus, these types of problems led the identity politics to generate xenophobic feelings in the public opinion and in some political parties, especially the far-right ones. As a result, mainstream parties shifted their positions and policies towards an anti-immigrant stance in order not to lose their electoral power and popularity. Particularly in recent years, a growing “fear of disintegration” is emerged due to the lack of cooperation between member states in many EU fields. It is based on the perception that “the EU

is a threat to the national sovereignty” since it can be seen as “an exogenous shock”. It suggests an “external threat by many people, because it leaves the stage to foreigners, decreases the authority of national states over their populations, generates economic insecurity and facilitates migration” (Hooghe & Marks, 2018, p.110). Particularly, migration is recognized as a threat by the people who are grieved of cultural intermixing and the deterioration of national values and by the ones who must compete with migrants in the job market and by those who look for economic or cultural haven in the rights of citizenship (Hooghe & Marks, 2018, p.110). These transnational shocks create opposition to transnationalism and also pave the way for the emergence of a transnational cleavage.

Therefore, the identity politics gained much more power over the last five years and responses of the EU in respect to crises, such as establishing an externalization policy or deals with periphery states, reflect an opposition to this transnational cleavage. Identitarian motives shape domestic politics and that is why, “domestic politics constitutes a powerful constraint on the strategies and preferences of member states regarding the EU through limiting their scope to make mutual decisions and creating a constraining dissensus which makes conflict resolution much harder within the EU”. It also leads to politicization due to unstable identities because “identities are not fixed and have the ability to put constraints on the governments over European issues” (Hooghe & Marks, 2008, p.22). As Hooghe and Marks (2008, p.13) suggest, less exclusive national identities existed since the early 1990s until “Europe is faced with a tension between rapid jurisdictional change and relatively stable identities”. Such a tension was politically activated through its salience because the scope and the depth of the European integration have increased with the deterioration of national barriers which gave rise to mass immigration and economic

competition. Secondly, political entrepreneurs have started to mobilize the tension through the construction of a connection between national (exclusive) identities and EU issues. Since these exclusive identities are more susceptible to construction, priming, framing and cueing about EU issues, they easily affected European public opinion (Hooghe & Marks, 2008, p.12). As it is known, the media in general, and particularly in the case of migration crisis, has a crucial role of constructing the identities of “us” and “other”. So, since the refugee crisis produced uncertainty among European citizens, this uncertainty was exploited by the media that represented immigrants as “enemies at the door”, instead of presenting facts and concrete situations (Vincenzo, 2019, p.417). Afterward the media’s representations of immigration and immigrants tended to be negative and selective, the impact of the media on public opinion began to feed differentiated attitudes and feelings in many cases (Vincenzo, 2019, p.417). For instance, Holmes and Castañeda (2016, p.13) state that the events during the immigration flow were framed as a crisis by the media, penetrated into the daily media, captured global political attention and produced various contradictory responses and discourses. Some of these events are:

...boats of refugees are turned back to sea (Klepp 2013), refugee centers are set on fire (Agence France-Presse, August 26, 2015), politicians are violently attacked for supporting refugees (Agence France-Presse, October 19, 2015), and Syrian refugees are imagined as connected to the violent November 2015 attacks in Paris (Reuters, November 16, 2015) (Holmes & Castaneda, 2016, p.13).

Post-functionalism theorizes the conditions under which exclusive identity is mobilized. This mobilization depends on contexts and “the more exclusively an individual identifies with an ingroup, the less that individual is predisposed to support a jurisdiction encompassing outgroups” (Hooghe & Marks, 2008, p.13). Relatedly, Risse (2004, p.145) claims that the European identity is not given, it is a construct which has a content that changes depending on the political and social

context in which it is portrayed. The increasing politicization and contestation of European identity by reflecting opposite stances of “modern Europe” versus “fortress Europe” imply that identities cannot remain fixed for a long time, they are often contested and subject to political struggles.

As the previous chapter emphasized, with the Maastricht Treaty that accelerated the pace of European integration and brought a new reality within the public debate, an increasing amount of literature started to focus on the citizens’ perceptions of the EU as a whole. The end of the permissive consensus era popularized the concept of Euroscepticism (Beaudonnet & Di Mauro, 2012, p.2). Euroscepticism was originally generated to define the opposition of political parties to European integration but then it also applied to describe the feelings and attitudes of antipathy towards the EU institutions. Especially during the 1990s, a wide discussion about “the EU democratic deficit” gave Euroscepticism a major role in characterizing the gap between citizens and the EU institutions (Beaudonnet & Di Mauro, 2012, p.2). Thus, one can discuss that the growing role of citizens implies that the mass politics has been becoming a new force in the process of European integration. Also, as post-functionalism expects, the politicization that mobilizes Eurosceptic citizens empowers Eurosceptic parties and impairs the support for the EU (Schimmelfennig, 2017, p.7). The reason is that, as McLaren (2015, p.8) states similarly like Hooghe and Marks, long-established identities such as national identities are likely to be extremely powerful since they are still relevant to European citizens in the contemporary world despite the large-scale changes which would bring the end of nationalism such as modernization and social mobility, as many expect.

In general, the overall discontent that the immigration crisis has created and the disenchantment of citizens in respect to the inability of governments to handle the crisis made public opinion highly skeptical and critical. Therefore, it is not an accident that there was an increase in support for radical right populist parties in both northern and southern Europe's recent national elections (Vincenzo, 2019, p.423). The quick breakthrough of radical right parties across Europe reveals the growing popular discontent with immigration, which is seen as a result of rapid globalization and European integration. Lahav (2004, p.1151) states that far-right movements and its actors are often studied as isolated phenomena related to racism and xenophobia, by neglecting the wide public opposition towards immigrants. However, Europe's far-right parties used the refugee crisis to their advantage by channeling old stereotypes about immigrants to gather public support for their cause as Cas Mudde suggests (Einbinder, 2018). According to Mudde, these parties did not create anti-immigrant stereotypes, rather they fostered them to influence the conversation (Einbinder, 2018). Forthcoming sub-sections examine the impacts of context of identity in a deeper manner, in the public opinion and political parties across the EU member states. They analyze particularly Germany and Hungary as two totally opposite member states during the refugee crisis.

4.3.2. Impacts of the Public Opinion on the Refugee Crisis

Immigration has intensely changed European states since the end of the Second World War. Although European states and empires before them, had many experiences of immigration, refugees in our contemporary world are coming from so far places and bringing "customs and ways of life that are often perceived to be very different from (and inconsistent with) those of the native population" (McLaren, 2015, p.1). Moreover, immigration also changed European states' perceptions over

the state-citizen relationship with the rise of concepts such as national identity, loyalty and the connection of these with the “modern state” (McLaren, 2015, p.1). Thus, the changing nature of immigration in the post-Second World War era has produced negative public perceptions of immigration. Lahav (2004, p.1172) states that “Opposition to immigration may rise more as a function of European integration or concerns about the nation state, culture, national economy, or other societal factors than the personal threat of immigration.” In a similar vein, Schimmelfennig (2017, p.6) stresses that “the public opinion has turned against the EU, as European integration has moved into core areas of state sovereignty and national identity and has produced effects reaching deeply into national economic, financial, and welfare policies.” However, despite a high extent of public opposition to it, immigration to many European countries has continued (McLaren, 2015, p.85) but even though Europe is more multi-cultural than it was in the past, anti-immigration attitudes prevail among European citizens (Vincenzo, 2019, p.415).

In this context, Lahav (2004, p.1152) claims that researchers often ignore the role of public opinion in affecting EU cooperation on immigration and asylum policy. However, by suggesting that the public is more sensitive to and informed about immigration developments (beyond their personal interests), as contrary to what is believed, she also denies a public which is uninformed and irrelevant to European policy makers. She highlights the importance of the impacts of new mobilization patterns by national publics, policy experts, political parties, youths or European legislators, that shape electoral politics (Lahav, 2004, p.1154). Contemporary concerns like “new politics” and “new security” issues such as immigration, provide evidences for various and non-random attitudes of mass public and explain them systematically. These concerns influence both political and social attitudes and

opinion to immigration via media, especially new media (online networks) more than traditional media, because it produces hate speeches by controlling the tone of news coverage and centering public debate on immigration issues (Vincenzo, 2019, p.416).

4.3.2.1. Eurobarometer and Survey Data Analysis Related to Immigration

4.3.2.1.1. Eurobarometer Data

The European Commission's Eurobarometer data can clearly demonstrate the perceptions of public opinion on the immigration issue throughout the years.

Analyses of the public opinion by the European Commission (Eurobarometer) has been examined and announced in a regular manner since 1973. However, since 1990s where the EU has started to be politicized, European citizens have been dissatisfied with a limited participation in the decision-making process. In spite of the fact that the EU can be considered as a representative democracy, in 2009, European Parliament Constitutional Affairs Committee brought a component of "direct democracy" into question (Kakon, 2019). Academic researchers fed the growing distrust towards the EU as well, and stated that the EU should continue to consider debates about new decision-making processes including "national referendum", "citizen initiatives" and "right to direct participation mechanism" (Kakon, 2019). Thus, the increasing attention to public opinion in the EU suggests that the public opinion matters.

Hence, in this part of the thesis, Eurobarometer surveys will be used to shed light on public opinion during the 2015-2018 period. However, for the "immigration" data, only those on the EU level and national level will be examined with regard to two member states specifically; Germany and Hungary.

Issues that concerned European citizens in the spring of 2014 were mostly economic problems. "Economic situation" was in the first place, "unemployment" was in the second place, "the state of Member States' public finances" was in the third place, while migration was in the fourth place with a share of 21% (Standard Eurobarometer 81, 2014, p.44). This situation started to change in 2015 and immigration has become one of the main problems that need to be addressed by making a peak after 2015 (see Table 1).

Table 1: Percentages of the European respondents who consider immigration as the top concern according to 2014-2018 Eurobarometer data for Germany and Hungary.

Period of Time	Level	Germany (%)	Hungary (%)
2014 Spring	National level	22	3
	EU level	28	19
2014 Autumn	National level	37	3
	EU level	37	18
2015 Spring	National level	46	45
	EU level	55	43
2015 Autumn	National level	76	34
	EU level	76	68
2016 Spring	National level	56	28
	EU level	57	67
2016 Autumn	National level	45	30
	EU level	50	65
2017 Spring	National level	37	27
	EU level	40	60
2017 Autumn	National level	40	28
	EU level	47	58
2018 Spring	National level	38	24
	EU level	42	56
2018 Autumn	National level	36	21
	EU level	45	54

Source: Standard Eurobarometer Reports from 2014 to 2018 on the Public Opinion in the EU.

In autumn 2014, there was a growing attention to immigration since “immigration” reached a rate of 24% and was expressed as the main problem by almost the quarter of the Europeans (Standard Eurobarometer 82, 2014, p.56). Moreover, Europeans’ concerns about immigration increased not just at the EU level but also at the national level (EB82, 2014, p.62). In the report, it is also stated that there is an increase of 15 percentage points compared to the date from autumn 2011. Additionally, more than 7 out of 10 Europeans (71%) wanted a common European policy in the area of migration (EB82, 2014, p.175).

In this context, 57% of 23 countries’ citizens approached “extra-community immigration” (non-EU immigration) negatively, which we can call a great majority against 35% of people who perceived it positively while 8% of Europeans gave no reply (EB82, 2014, p.176). Related rates about the people who had “negative feelings” for immigration are 67% for Hungary and 61% for Germany (EB82, 2014, p.177). Relatedly, the data of Germany's autumn 2014 are remarkable because German citizens expressed “immigration” as the first main problem both at the national level and at the EU level, with a rate of 37%.

On the other hand, “immigration is easily the main issue at European level, pushing terrorism into second place” in autumn 2015 (Standard Eurobarometer 84, 2015, p.51). The rate of those who expressed “immigration” as the main problem in the spring of 2015 (Standard Eurobarometer 83, 2015), rose from 38% to 58%, with an increase of 20 percentage points, in the autumn. Moreover, “the economic situation” has fallen from second place in spring 2015 to third place (21%) and “unemployment” and “the state of Member States’ public finances” were ranked equally (17% in both cases) (EB84, 2015, p.51).

As it is seen in Table 1, German citizens answered “What do you think are the two most important issues facing the EU at the moment?” by placing “immigration” in the first place with a rate of 55% in the 2015 spring, which also increased to 76% on both national and EU levels in the autumn of the same year. It is stated that Germany was occupied the second place in terms of “immigration” after Malta. Moreover, in Hungary, a striking increase was observed with an increase of 25 percentage points, to 68% (EB83, 2015, p.52).

When it comes to 2016, immigration became the most important issue facing the EU with a 48% share in spring and with a 45% share in autumn (Standard Eurobarometer 86, 2016, p.30). According to the results of European citizens, “terrorism” was placed in the second row and “economic situation” was placed in the third row again among many issues. This ranking is also valid for autumn 2016. When analyzing the levels of Germany and Hungary, “immigration” was expressed as the first problem in all of them (EB86, 2016, p.34). For Germany, the rate of 57% in spring was reduced to 50% in autumn. Even though there was a decrease of 26 percentage points compared to the autumn of 2015, it is noteworthy that more than half of the Germans who participated in the survey considered it as the first problem. In Hungary, 67% of Hungarians in the spring of 2016 and 65% of them in the autumn, considered “immigration” as the top problem. It is remarkable that more than 65% of the people evaluated “immigration” as the most important problem at the EU level in 2016.

When we move forward to 2017 data, while “immigration” became the second most important problem with 39%, after “terrorism” (44%), in the spring 2017, it outpaced “terrorism” with 1 percentage point and became the first problem with 39% by the

autumn of 2017 (Standard Eurobarometer 87, 2017, p.4; Standard Eurobarometer 88, 2017, p.4). Even though “immigration” experienced its third consecutive decline in the period that the thesis examines, problems such as “economic situation”, “public finance” and “unemployment” fell into almost less than half of the rates of other concerns and there was no significant change in their rankings (EB88, 2017, p.4). It can be claimed that the terrorist attacks which some European countries experienced in 2016 and 2017, are the reason behind that the immigration overtook terrorism. As Table 1 demonstrates, when it is analyzed country by country, the rates for Germany were 40% and 47% respectively in autumn and spring. In the case of Hungary, the percentage is 58% in autumn 2017 with a decline of 2 percentage points, compared to spring 2017.

As of spring 2018, by leaving “terrorism” behind again, “immigration” was treated as the top concern with 38% (Standard Eurobarometer 89, 2018, p.4) and in autumn 2018 with 40% (Standard Eurobarometer 90, 2018, p.12) of the Europeans who were surveyed. While the number of countries stating immigration as the main problem was 14 in 2017, it dramatically increased to 26 in 2018 (EB90, 2018, p.14). At the EU level, Europeans thought that the most important issue facing the EU in autumn 2018 was “immigration” with a share of 45% by Germans, and 54% by Hungarians (EB89, 2018, p.15). The same was valid for “immigration” in spring 2018 with a share of 48% by Germans and 52% by Hungarians (EB90, 2018, p.7). It is also important that “immigration” shared the second place with “rising prices/inflation/cost of living” at the national level. For instance, “immigration” was in the lead in Germany with 36% (EB89, 2018, p.18). Nevertheless, at the national level, “immigration” was not the main concern in Hungary (21%). In fact, there is an

outlier observation across the public opinion dataset of Hungary; “immigration” was in a decline at the national level since spring 2015 (see Table 1).

In 2017, a special Eurobarometer was conducted on “Integration of immigrants in the European Union”. According to its results, at the EU level, Europeans tend to highly overestimate the number of non-EU immigrants as a proportion of the population of their country. In all European countries except Croatia and Estonia, respondents overestimate the proportion of immigrants who live in their country. The estimated proportion of the population who are immigrants is “at least twice the size of the actual proportion of immigrants” in 19 member states. In several countries, the rate of the overestimation is much higher than the others (Special Eurobarometer 469, 2017, p.5). Also, many Europeans think that immigrants are “a burden on the country’s welfare system” (56%), “worsen the crime problems in the country” (55%) and “take away jobs from workers in the country” (39%) (EBS 469, 2017, p.4).

Immigration from outside the EU is perceived as “more of a problem” in Hungary with a share of 63% rather than perceiving immigration as “equally a problem and opportunity” and “more of an opportunity”. There is a slight difference in Germany; 38% of Germans perceive it as equally a problem and opportunity, 35% of them perceive it as more of a problem. When we look at the EU in general, 38% of Europeans perceive immigration as more of a problem, 31% of them perceive it as equally a problem and opportunity and 20% of them perceive it as more of an opportunity (EBS 469, 2017, p.3).

When the overall Eurobarometer data are examined, there is a sharp increase in 2015 as it is expected. As the peak of the migration crisis passed, despite a certain decline in 2016 immigration maintained its place as the leading cause for concern for the EU

and for many member states amid other economic and social concerns. Besides Germany and Hungary, a general analysis conducted by Debomy and Tripier (2017, p.1) highlights that there are highly contrasting attitudes among member states. Interestingly, member states in central and eastern Europe, which were not directly exposed to the crisis, express more “reticence”, “a genuine hostility” and “an aversion to actions of solidarity” than the member states which were the most exposed to the problem (Debomy & Tripier, 2017, p.1).

4.3.2.1.2. Data from Related Surveys

Besides Eurobarometer results, in order to enrich the perceptions of Europeans, the thesis examines the results of other surveys about the extra-community migration in the following part. Institut d'Études Opinion et Marketing en France et à l'International (l'Ifop) conducted a survey titled “Les Européens face à la crise des migrants” (Europeans face migration crisis) for Jean Jaurès Foundation and Fondation Européenne d'Études Progressistes. It also conducted “Les Européens et la question des migrants/Image et préjugés sur les migrants en France” (Europeans and the question of migrants/Image and prejudices about migrants in France). These were held in France, Germany, Britain, Spain, Italy, the Netherlands and Denmark between 12-14 October 2015 and September 2017 respectively. It highlights crucial results for Germany.

According to the 2015 survey, while 79% of Germans agreed that it is a duty to embrace those fleeing war and corruption (l'Ifop, 2015, p.24), 55% of German citizens were in favor of helping the home countries to settle (“fixer”) immigrants in their homeland (l'Ifop, 2015, p.59). Furthermore, 48% of Germans wanted to send help to transit countries where refugees were located. It seems that Germany tended

to externalize the problem despite their sympathy towards those of fleeing war and conflict. Also, 72% of Germans wanted immigrants to return to their countries after staying in Europe for a certain period of time (l'Ifop, 2015, p.50). In a deeper thought, 68% of Germans did not consider donating money to non-governmental organizations that help migrants and 60% of them also stated that they could not spare time to help immigrants. In a similar vein, 93% of Germans were against the stay of immigrants in their home or property (l'Ifop, 2015, p.15). Moreover, 32% of Germans perceived that those who came are “economic migrants” who wanted to achieve better living conditions compared to 60% who defined them as “asylum seekers” who fled from war (l'Ifop, 2015, pp.40-41). In the share of 32%, 83% of German respondents were mostly the sympathizers of the populist party AfD. Relatedly, as another important indicator to emphasize this perception, in 2017, rates for those who defined immigrants as an “economic migrant” and those who defined them as asylum seekers are 52% and 39% for Germany (l'Ifop, 2017, p.45). So, among far-right supporter citizens in Germany there was a greater perception that the refugees were mostly the ones who seek better life conditions due to economic reasons, not the ones who flee from the war in their homeland, which is the reality. Related to the party sympathizers, when respondents asked about sharing of immigrants to different member states and giving a group to Germany, 37% of citizens were opposed to it. In this share of 37%, 40% of it consisted of FDP supporters, 44% of it consisted of right-wing supporters and 22% of it consisted of left-wing supporters (l'Ifop, 2017, pp.6-11).

In addition, 54% of Germans thought that the immigrants would settle and live in European countries and would not return to their home countries (l'Ifop, 2015, p.47). Those who thought so in 2017 was 55% for Germany (l'Ifop, 2017, p.56).

Furthermore, 69% of Germans agreed that the admission of immigrants would open the door to more immigrants from African countries, Syria, Iraq or Afghanistan (l’Ifop, 2015, p.30; 2017, p.15). Critically, the rates regarding the opinion that there are potential terrorists among immigrants in Germany for the years 2015 and 2017, were respectively; 64% and 87% (l’Ifop, 2017, p.15). In France, the UK and Poland, which are the other 3 member states covered by the l’Ifop survey, the rates related to this view were 69% (2015) and 79% (2017) for France, and 80% (2015) and 90% (2017) for the UK. In terms of Poland, which only the data of 2017 are presented, the percentage of those who had the same opinion was 84% (l’Ifop, 2017, pp.15-19).

Consequently, although these surveys indicate that helping those fleeing from war or poverty was considered as a duty by more than half of the Germans, the results also indicate that they favored that the aid should be carried out outside their country and they did not want migrants inside Germany. There is a tendency among AfD sympathizers to perceive immigrants as people who did not come to Germany due to war or conflict; they thought that immigrants generally migrated for economic reasons. Hence, it is striking that respondents who are supporters of the far-right were more inclined to exclude immigrants from their communities because it can be interpretable that these respondents have exclusive identities. It also makes sense that the overwhelming majority of Germans wished that the immigrants were sent back to their home countries.

On the other hand, for the case of Hungary, Bori Simonovits (2020) conducted research on what people think and conceive about the increasing level of mass migration in Europe after 2015. Based on European Social Survey Round 7 and Round 8 data and a Gallup World Poll carried out in 2016, she states that “Hungary

is one of the worst-performing countries in terms of social distance and welcoming attitudes towards migrants” (Simonovits, 2020, p.161) Furthermore, based on a survey conducted by TÁRKI in January 2017 on xenophobic attitudes of Hungarians, the level of xenophobia has reached an all-time high with a share of 60% of the total population (see Figure 2).

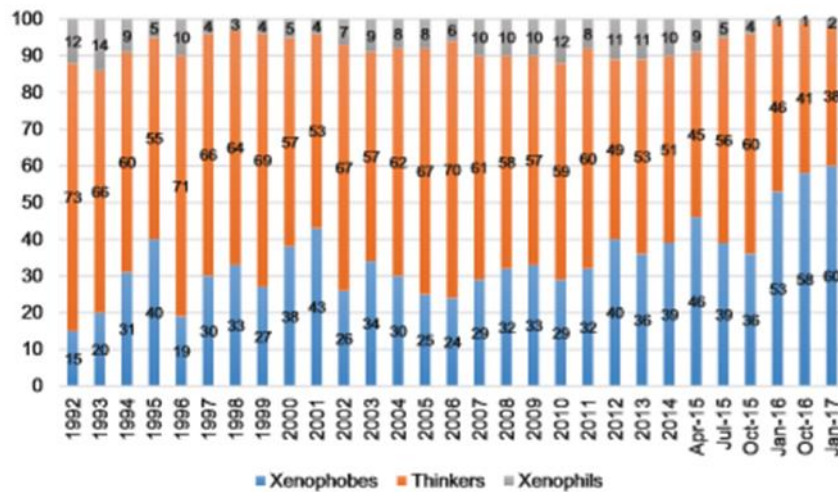


Figure 2: The Ratio of Xenophobes, Xenophiles and Thinkers in Hungary (1992-2017).

Source: TÁRKI Omnibus Survey 1992-2017 (as cited in Simonovits, 2020).

Moreover, she conducted another empirical research in 2017 and examined the opinions respondents in discussions about the post-2015 mass migration. Then, she found out that the respondents differentiated quite easily between forced and labor migrants and expressed more empathy towards forced migrants due to religious and political reasons (Simonovits, 2020, p.168). In general, “most of the respondents had an overwhelmingly negative view of both the recent migration flow affecting Europe and the integration process”. Participants also thought that too many immigrants had arrived in Europe and Hungary “without a proper screening and documentation process” (Simonovits, 2020, p.168). It is found out that most of the respondents had been informed through public media channels reflecting primarily the official views

of the Hungarian government's anti-immigrant rhetoric such as billboard campaign all over the country. Also, they seemed to overestimate the real numbers of migrant populations in Hungary although the proportion of migrants is very low in Hungary since the greater majority of people are those who migrated from the neighboring countries that used to be part of Hungary before 1920 (Simonovits, 2020, p.169). "Newcomers" were mostly perceived to have neither proper skills to contribute to the economy nor be truly vulnerable people who are eligible for social welfare. This is reflected by the lower status respondents who said "there were Hungarians who were more in need than the Syrian refugees wearing Nike shoes and having smartphones" (Simonovits, 2020, p.169). The following idea was also expressed in several groups; "if someone is a refugee, thus fleeing from a war zone, why doesn't he stay in his home country and fight?" They also discussed that "it is not Europe's responsibility to let the refugees in, as on their way Turkey was the first peaceful country" (Simonovits, 2020, p.169).

Most of the arguments argued by participants reflected the concepts of the government in terms of terrorism, contagious diseases, a burden on the welfare state. In the case of cultural threats, lack of language skills is conceived to be an important problem. Respondents emphasized that the problem is that "migrants tend to arrive in groups and live in blocks in European cities, making integration nearly impossible. Some of them added that even though they make up only a minority of the population, they tend to dominate the majority population" (Simonovits, 2020, p.170). Thus, based on these results, it can be said that 6 out of 10 Hungarians would not let any asylum seekers into Hungary and mostly their narratives were not in favor of either labor migration or forced migration to the country (Simonovits, 2020, p.171). Results also demonstrate "how successfully and efficiently the moral panic

has reached its target population” (Simonovits, 2020, p.172) and how the Hungarian government easily manipulated the public opinion through xenophobic discourse.

4.3.3. Conclusion

Public opinion survey results demonstrated that immigration emerged as the main problem at the EU level, while it was also considered as an important problem at the national level. Another noteworthy point is that “immigration” and “terrorism” have always been at the top two sources of concern at the EU level. According to EB data, terrorism which ranked as the top concern only in 2015, was always the second concern in other years. It can be said that “immigration” is considered as a factor that strengthens the fears over terrorism since immigrants are generally perceived as groups that increase crime rates or that are potential terrorists, by the majority of the Europeans. Therefore, further academic research on the cause-effect relationship between the presence of immigrants and, crime and terrorism is needed. Also, even though there was an increase in the total number of immigrants in 2015, despite many measures taken over the years, there is no decrease in the anxiety and negative approach expressed by the public opinion. In addition, even in member states where the share of immigrants in the total population is very low, this share is perceived to be higher by the public. One can also argue that exclusive nationalist attitudes which are identified in the several answers of the mass public opinion correlate strongly with hostility towards immigrants and foreigners. In general, the majority of the public opinion of both Germany and Hungary is opposed to the presence of immigrants within their borders and want to externalize them.

Correspondingly, on major issues such as immigration, governments especially party leaders in charge of executive authority, try to predict the effects of their decisions on

domestic public. Public opinion on European issues has become an area of strategic interaction among party elites in their contestation for political power (Hooghe & Marks, 2008, p.9). Therefore, in the refugee crisis, the dissensus between elites and mass public on immigration policies can be also seen in advanced industrialized European states (Lahav, 2004, p.1154). Particularly, public concern about the effects of immigration on the national political community is likely to create a perception of disconnect with the elites and institutions which govern the community.

Furthermore, citizens who are most concerned about immigration are more likely to distrust that elites and institutions are sufficiently preserving the national community (McLaren, 2015, p.1). Thus, it is understandable that the public prefers to see national, rather than EU competence over immigration (Lahav, 2004, p.1164). Accordingly, as one of the propositions of post-functionalism suggests; when the mainstream parties cannot meet the demands of the mass public, a public-elite divide/gap emerges and it can pave the way for the rise of far-right political parties in the electoral arena, which the chapter will now turn to.

4.3.4. Impacts of the Far-Right Parties versus Mainstream Parties on the Refugee Crisis

As migration is a sensitive political issue, it has affected local, regional, national and supranational elections (Vincenzo, 2019, p.417). According to Lipset and Rokkan (1967), social cleavages based on religion, language and social class are seen as the basis for both party presence and electoral support of these parties. The relationship between party structures and concerns of social cleavages that they reflect, began with the universal suffrage and the consolidation of the democratic acquis in states (Andersen & Evans, 2005, p.74). When citizens emphasize “ascriptive” characteristics such as

place of birth, parentage, and having lived in the country for a long time, and when official policy also takes a fairly exclusive approach to newcomers, individuals are more positive about their political systems, but when the individual emphasizes these sorts of characteristics and government policy is fairly inclusive, trust is lower (McLaren, 2015, p.101).

Hence in the European context, the failure of government policy to reflect the nationality preferences of citizens in terms of immigrants can produce a decline in the political trust (McLaren, 2015, p.101). Politicians do not certainly represent the opinion of common citizens. In general, the coverage of the issues is too government-centric. Mainstream parties generally prefer to contest left–right issues and avoid conflict about European integration through the adaptation of a pro-integration position, so that they maintain the status quo and avoid the politicization of this issue (Dolezal & Hellström, 2016, p.163). As McLaren (2015, p.10) suggests, people specifically blame their political elites and institutions for allowing refugee flows in the first place and so they disregard these elites and institutions as a consequence. Significant amount of citizens in European member states have expressed concerns about the levels of immigration but the outcome of immigration policies did not meet these demands. Therefore, there can be a strong impression that the political system has failed to adequately protect the national community from “the perceived negative effects of immigration”. Then, “non-establishment political elites” particularly the leaders of the far-right, put the blame on the policies adopted by governing institutions and establishment parties for rising levels of immigration (McLaren, 2015, p.10). It highlights a “disconnect” between public opinion with respect to immigration and immigration policy outcomes and it is called the “gap hypothesis”. This disconnect identifies a key cause of the political distrust that elites and government institutions constantly fail to recognize public opinion in the case of immigration (McLaren, 2015, p.52).

Since the mass inflow of refugees has changed identity politics, Eurosceptic populist parties (the far-right ones) framed the Schengen crisis in terms of borders by promoting an exclusionary fortress Europe. Therefore, the dominance of exclusionary stances in the politicization of EU affairs has deteriorated a common European interest in the Schengen crisis (Börzel & Risse, 2018, p.83). Since immigration has become one of the few areas on which parties can compete rhetorically by using “sociocultural traditions” including national and cultural references to activate “feelings of loyalty or prejudice” (McLaren, 2015, p.84), Eurosceptic populist parties and movements, especially those on the right to a greater extent than those on the left, achieved to mobilize citizens with exclusive national identities along the TAN (traditional/authoritarian/nationalist) /GAL (green/alternative/libertarian) cultural cleavage (Börzel & Risse, 2018, p.97). They purposely used identity politics in order to transform covered attitudes of citizens into the manifestation of political behavior, particularly voting behavior (Börzel & Risse, 2018, p.97). As Maag and Kriesi (2016, p.220) argue, the dimension of GAL/TAN shows the conflict between sovereignty and supranationalism. This dimension is the most powerful and general predictor of party positioning on the issues that emerges from European integration. Parties which are close to the TAN side like radical right parties, are highly Eurosceptical and their electoral weight within their national party systems has increased significantly during the past two decades (Hooghe, Marks & Wilson, 2002, p.977).

The Euroscepticism of these parties is associated with their opposition to immigration. They portray themselves as the defenders of the national community and national culture against foreigners. Conservative parties also defend national

culture and sovereignty against the influx of refugees and conflicts of identity within the state, even though they are not as extreme as radical right parties (Hooghe, Marks & Wilson, 2002, p.977). Similarly, Cas Mudde claims that “nativism” is the core of radical right parties (Einbinder, 2018). Mudde also refers to the European refugee crisis in 2015 and stresses that; when it comes to their rise in the past decade, it is related to the perception that the established parties cannot control the situation. During 2015, the general discourse was crisis-oriented, by saying “we are in a crisis” the mainstream parties reflected that they could not deal with it. Thus, citizens started to look for alternatives and radical right parties said that they can solve the problem by just having strict borders again (Einbinder, 2018). As a reactionary force, they have been successful in agenda-setting and deciding how and what do citizens talk about the refugee crisis. They are also successful because there are many people who share the same ideas with these parties against most liberal democratic parties which no longer have a convincing ideology and discourse. They have difficulties in terms of handling challenges such as multiculturalism, European integration and terrorism (Einbinder, 2018). Nevertheless, Mudde also expresses that many protests against these challenges such as tighter border controls in Austria or Hungary, were not prompted by the far-right parties so that they can be seen as a “catalyst” more than a cause (Einbinder, 2018). Also, in his book titled *Populist Radical Right Parties* (2007, p.300), Mudde claims that, by increasing the salience of immigration, radical right parties make especially mainstream right-wing parties more worried about losing votes to them if they would not respond quickly and severely.

Therefore, political parties are not “political arms of already formed collective bodies” anymore and also, voters no longer have life-long loyalties to the political parties as well (Hooghe & Marks, 2016, p.2). Thus, one can expect established

political parties to respond to voter preferences by implementing convenient policies (Hooghe & Marks, 2016, p.20). Hooghe and Marks (2016, p.20) also state:

However, as cleavage theory predicts, the positional flexibility of political parties is heavily constrained in response to a new social divide. Change has come not because mainstream parties have shifted in response to voter preferences, but because voters have turned to parties with distinctive profiles on the new cleavage.

Consequently, the populist radical right became the driving force of the politicization of immigration in the electoral arena. As Hooghe and Marks (2008, p.13) stress, the stronger the populist party, the more likely that individuals with an exclusive national identity are Eurosceptics. Hence, in the refugee crisis, depoliticization through supranational delegation eventually led to more, not less politicization against the EU in which “detached” elites took decisions that undermine national sovereignty (Börzel & Risse, 2018, p.101).

In 2014, Pew Research Center found out that the majority of respondents who identified themselves with the right wing, wanted to limit the number of new immigrants arriving to their countries. The radical right parties in some developed European states were the second or the third in popularity and strength in national parliaments (Ratković, 2017, p.48). The increase in support for these parties is undeniable since in several European states, these parties became the second largest party with about 30% of voters’ support or in some cases government formation became depended on their support and they even participate in the ruling coalition (Ratković, 2017, p.51). So, European elections in 2014 confirmed the tendency of “turning right” (Ratković, 2017, p.57).

In the scope of far-right electoral success boosted with the refugee crisis, one can argue that especially in some EU member states this success is obviously

demonstrated. In order to understand their victory, we should look at their turning points in the domestic politics of the member states. In this context, specifically Germany and Hungary, and some other member states are emphasized in terms of their far-right parties' success after the refugee crisis.

4.3.4.1. The Rise of the Far-Right in Germany

To begin with, in Germany, which is examined in a more detailed manner in the forthcoming chapter due to its initiative of migration deal with Turkey, Merkel's "we can do it" (wir schaffen das!) and friendly welcoming of refugees at train stations were not adequate for two reasons according to Börzel and Risse (2018, p.101). First, the residue of permissive consensus was used up during the euro crisis and second, liberal elites did not start an effective "counter-discourse to the right-wing populist framing" and did not engage in a "communicative discourse" to legitimize policies that appeal to inclusive identities. Moreover, when the right-wing populist AfD (Alternative for Germany) which was not established until 2013, and CSU (Christian Social Union) as the Bavarian branch of Merkel's CDU (Christian Democratic Union), started to articulate the exclusionary anti-refugee discourse, Merkel remained silent (Börzel & Risse, 2018, p.101).

There was no unified Germany in response to the refugee crisis. Some within the Merkel's own party criticized her response as "too generous" and gave warning that the crisis was turning into a "national catastrophe" (Holmes & Castañeda, 2016, p.14). The German chancellor desired to make a compromise agreement with its smaller partner CSU in order to establish transit zones along the southern German border to expedite the deportation of ineligible asylum seekers by highlighting that the migration should be better regulated. She said at Bundestag that "We must have

more regulation regarding every type of migration, so that people have the impression that law and order are being enforced.” Also, she underlined the necessity of protecting Europe’s outside borders with more effective ways via partnerships with periphery countries to tackle illegal migration and lessen the incentives for economic migration (Connolly, 2018). However, CSU’s Seehofer demanded that asylum seekers wishing to enter Germany should not be allowed if they have already registered in another EU state. Merkel rejected this demand due to the fear that it would cause “a domino effect” across Europe by placing too much burden on EU states such as Greece, Italy and Malta. Seehofer refused the arrangements that Merkel made with fourteen different countries and later he threatened to resign (Oltermann, Chrisafis & Connolly, 2018). Hence, their negotiation process reflected the dissensus in their domestic politics. One reason for the CSU’s pressure for Merkel to get strict on immigration was the fear of being overthrown by the anti-immigrant and anti-Islam AfD (Oltermann, Chrisafis & Connolly, 2018). The stance of AfD which prioritizes traditional German culture and denies Islam as a part of German community, emphasizes the closure of the EU borders, bringing back the comprehensive identification control within German borders, the establishment of refugee camps abroad to prevent refugee arrivals into Germany. At the same time, the party aims to immediately expel the ones who has been rejected for asylum and encourage foreigners to return to their home countries with financial support (Knight, 2017).

The chancellor Merkel came under fire from almost all parties after negotiations in Brussels and Berlin. In particular, AfD’s parliamentary leader Alice Weidel demanded her immediate resignation. Weidel stated that “Under your regime, Germany has shifted from being a motor and stability guarantor to a driver of chaos.”

She also referred to the conflict within Merkel and Seehofer's conservative coalition as "undignified theatrics" and Germany as "a madhouse, the headquarters of which is the chancellery" (Connolly, 2018). There are some turning points for AfD's success; for instance, Merkel's "back-and-forth" between bold open-border policies and reducing the number of refugees discredited her coalition and left a power vacuum for other parties to gain strength. Thus, Merkel's "flip-flopping immigration policies" generated a political backlash and brought AfD more support and publicity (Thompson, 2017). Polls demonstrated a sharp increase in the support for AfD up to 15%, after the growing number of refugees and it received 12.6% of the vote in the German federal election of 2017 that made it the third largest party in the German parliament (Steinmayr, 2017, pp.24-25).

The thesis demonstrates this far-right success in Germany and later in Hungary by using the data of European election results by national parties from the database of European Parliament. Hence, regardless of the differentiation of party systems across sample member states and their other small parties or new established parties which gained minority of votes, the forthcoming figures solely aims to show the rise of the far-right votes after the refugee crisis. The two figures below illustrate German national votes in two legislative periods of the Parliament.

Table 2: 2009-2014 Legislative Period: Germany - Final results

National Parties	Percentage of Votes
CDU - Christlich-Demokratische Union	30.70%
SPD - Sozialdemokratische Partei Deutschlands	20.80%
Grünen - Bündnis 90/Die Grünen	12.10%
FDP - Freie Demokratische Partei	11.00%
DIE LINKE - Die Linkspartei/ Die Linke	7.50%

Source: 2019 European election results, National results for Germany (2009-2014). Accessed on <https://www.europarl.europa.eu/election-results-2019/en/national-results/germany/2009-2014/constitutive-session/>

Table 3: 2014-2019 Legislative Period: Germany - Final results

National Parties	Percentage of Votes
CDU/CSU - Christlich Demokratische Union Deutschlands/Christlich-Soziale Union in Bayern	35.30%
SPD - Sozialdemokratische Partei Deutschlands	27.30%
GRÜNE - Bündnis 90/Die Grünen	10.70%
DIE LINKE - Die Linke	7.40%
AfD - Alternative für Deutschland	7.10%
FDP - Freie Demokratische Partei	3.40%

Source: 2019 European election results, National results for Germany (2014-2019). Accessed on <https://www.europarl.europa.eu/election-results-2019/en/national-results/germany/2014-2019/constitutive-session/>

As it is seen in Table 2 and Table 3, AfD positioned itself among the main German political parties by gaining 7.10% votes in 2014. Furthermore, AfD continued to increase its support in the 2019-2024 legislative period with 11.00% votes while the CDU-CSU's percentage of votes decreased to 28.90% (2019-2024) from 35.30% (2014-2019) as stated in Table 4 (European Parliament, 2020). Nevertheless, one cannot claim that the CDU-CSU lost votes due to AfD but it is clear that despite the attempts by Merkel to harshen her stance on immigration, AfD added to its electoral success and now it has representatives in every state parliament (BBC, 2019).

Table 4: 2019-2024 Legislative Period: Germany - Final results

National Parties	Percentage of Votes
CDU/CSU - Christlich Demokratische Union Deutschlands/Christlich-Soziale Union in Bayern	28.90%
GRÜNE - Bündnis 90/Die Grünen	20.50%
SPD - Sozialdemokratische Partei Deutschlands	15.80%
AfD - Alternative für Deutschland	11.00%
DIE LINKE – Die Linke	5.50%
FDP - Freie Demokratische Partei	5.40%

Source: 2019 European election results, National results for Germany (2019-2024). Accessed on <https://europarl.europa.eu/election-results-2019/en/national-results/germany/2019-2024/>

4.3.4.2. The Rise of the Far-Right in Hungary

When it comes to Hungary, during the refugee crisis, the EU asked Hungary to welcome 1,294 refugees. However, the Hungarian government spent around 28 million euros for a xenophobic anti-refugee campaign, rather than accepting the EU decision. The government called voters to protect the Hungarian national identity and

community from being “discolored” by Muslims and multiculturalism (Goździak, 2019). Furthermore, on 2 October 2016, the citizens of Hungary were asked: “Do you want the European Union to prescribe the mandatory settlement of non-Hungarian citizens in Hungary without the consent of the National Assembly?” and 3.3 million Hungarians voted “No” in the referendum. Although the voter turnout was only 39%, Orbán declared in a televised speech:

The European Union’s proposal is to let the migrants in and distribute them in mandatory fashion among the Member States and for Brussels to decide about this distribution. Hungarians today considered this proposal and they rejected it. Hungarians decided that only we Hungarians can decide with whom we want to live. The question was ‘Brussels or Budapest’ and we decided this issue is exclusively the competence of Budapest (Goździak, 2019).

Actually, the highly unpopular Orbán took the crisis as an opportunity to regain political control and popularity. Orbán’s FIDESZ became a “genuine far-right party” by putting xenophobia at the heart of its politics (Krekó, 2017, p.2). According to Political Capital’s Demand for right-Wing Extremism Index which is based on the European Social Survey, xenophobia among Hungarian citizens is higher than in most of the post-socialist states. Hungary had one right-wing and one far-right anti-refugee party; FIDESZ and Jobbik respectively. However, it changed practically, now there are two far-right parties in Hungary today; “a genuine one and a softer version” (Krekó, 2017, p.3). By the radicalization of the public discourse, Jobbik’s strategy legitimized “hate speech and anti-minority sentiments” in the public paved the way for FIDESZ’s anti-immigration and anti-Muslim actions after 2015. As a result of it, FIDESZ was able to increase its popularity after the start of its anti-immigration campaign: The support for the party increased from 24% in March 2015 to 38% in January 2019. Its harsh anti-refugee attitudes and rhetoric reshaped the far-right and triggered a chain reaction. Since Jobbik realized that it could not compete with FIDESZ’s radical messages, Jobbik accelerated its moderation tactic in 2013

and tried to position itself as a “moderate right-wing party” while keeping its strict anti-immigration stance (Krekó, Hunyadi & Szicherle, 2019). Nevertheless, while Orbán’s FIDESZ won the majority in parliamentary elections twice in a row, Jobbik won 20% in 2014 by placing itself in the second place for the first time. It can be claimed that Jobbik is “the strongest national radical party” in the EU and Hungary’s second biggest political party based on the fact that Jobbik continuously improved its popularity (Ratković, 2017, p.53). Also, one can say that Orbán and FIDESZ have become more radical than the far-right Jobbik on many areas over time. Jobbik is not a genuine, hardcore far-right party and a guarantee against the far-right anymore because FIDESZ became the far-right. “Jobbik is only ‘Fidesz light’ these days” (Krekó, 2017, pp.3-5).

As Table 5 and Table 6 below demonstrate, Jobbik has no increase in votes between two legislative periods of the European Parliament. However, what is significant is that FIDESZ with its coalition with KDNP constitutes the majority of votes as the ruling coalition both in the two legislative periods with higher percentages of votes even among other member states’ ruling parties. It can be argued that the mainstream right-wing party FIDESZ moved to the far-right with its extremely radical anti-refugee actions during the crisis so that Jobbik had no significant duty in the eyes of the public.

Table 5: 2009-2014 Legislative Period: Hungary - Final results

National Parties	Percentage of Votes
FIDESZ-KDNP - Fidesz - Magyar Polgári Szövetség, Kereszténydemokrata Néppárt	56.36%
MSZP - Magyar Szocialista Párt	17.37%
JOBBIK - Jobbik Magyarországért Mozgalom	14.77%
MDF - Magyar Demokrata Fórum	5.31%

Source: 2019 European election results, National results for Hungary (2009-2014). Accessed on <https://www.europarl.europa.eu/election-results-2019/en/national-results/hungary/2009-2014/constitutive-session/>

Table 6: 2014-2019 Legislative Period: Hungary - Final results

National Parties	Percentage of Votes
FIDESZ - KDNP - Fidesz-Magyar Polgári Szövetség - Kereszténydemokrata Néppárt	51.48%
JOBBIK - Jobbik Magyarországért Mozgalom	14.67%
MSZP - Magyar Szocialista Párt	10.90%
DK - Demokratikus Koalíció	9.75%
EGYÜTT-PM - Együtt2014 - Párbeszéd Magyarországért	7.25%

Source: 2019 European election results, National results for Hungary (2014-2019). Accessed on <https://www.europarl.europa.eu/election-results-2019/en/national-results/hungary/2014-2019/constitutive-session/>

Besides southern member states such as Italy, Spain or Greece which experienced far-right success as well, there are many Western member states other than Germany

and Hungary that faced the far-right uptrend. For instance, in France, National Front that rejects Schengen rules and desires to re-establish full French control over its borders (Hooghe, Marks & Wilson, 2002, p.980), surprised Europe and the world in December 2015 when it won the first round of French local elections (Ratković, 2017, p.54). After the first round of the regional elections, FN was ahead of mainstream parties and made a breakthrough with a 30% share of votes nation-wide and more than 40% in some areas (The Guardian, 2015). Actually, the popularity of Marine Le Pen, the leader of FN, increased after the Paris attacks of 2015. The populist right won six of the thirteen regions in France. After the success in the local and European elections, Le Pen announced her candidacy for the following presidential elections in May 2017 (Ratković, 2017, p.54). Also, the concept of security was exploited by Le Pen's anti-immigration and anti-Islam rhetoric which it was already high in minds of voters (The Guardian, 2015). Hence, Le Pen's stance was in parallel with the skeptical public opinion in France since growing numbers of jobless people and fear of terrorism fuelled anti-immigration sentiment among citizens. French citizens' 55% opposed to the softening of asylum rules, according to an Odoxa poll published in *Le Parisien* (The Guardian, 2015).

As another example, in Austria, the far-right Freedom Party of Austria (FPÖ) made its vote share double from 2009 in the Upper Austrian state elections in 2015 and achieved over 30% of the vote with a strict anti-asylum campaign. Polls indicate that the support for FPÖ remained approximately at the same level from 2009 state elections until late 2014, but immediately afterwards it increased drastically in 2015 when the number of refugee arrivals started to increase (Steinmayr, 2017, p.25). The party won 12.71% in the European Parliament elections in 2009 while it increased to 19.72% in 2014 (European Parliament, 2020). Moreover, when Norbert Hofler from

FPÖ lost in the presidential election in 2016 by less than one percent, the rise of the far-right was confirmed in the country (Ratković, 2017, p.53).

Furthermore, in Poland, Law and Justice Party (PiS) has moved the country to the right by expressing a populist, pro-Catholic and anti-immigrant agenda over the past four years. However, Poland's far-right parties were concerned that PiS did not go far enough. Hence, Polish far-right parties formed a coalition ("Konfederacja") in order to turn their popularity among young voters into seats in the parliament on October 2019 and to become the first party to challenge PiS from the right (Soguel & Rębała, 2019). Mr. Urbaniak who is the regional head of the National Movement party, which is a part of the Konfederacja, said that: "We decided to be together and to be elected together because it is easier to take at least 5% of voters needed to be in the parliament" (Soguel & Rębała, 2019). So, these sample examples of the far-right uptrend and their electoral success in the member states indicate that the migration crisis deeply affected internal dynamics of the EU by reaching the public and electoral arena.

4.4. Conclusion

As a conclusion for this chapter, one can state that migration patterns and politics mutually interact, and this was also the case in the 2015 refugee crisis. Thus, public concern about immigration has obvious electoral implications. Individuals who express higher concern about the impact of immigration on their national community, are the ones who have higher distrust of politicians and political institutions. Therefore, this situation increases the electoral success of the far-right which can be seen in the voting behavior of citizens. To crown it all, the lack of consensus among mainstream political parties on the crisis has fueled ambiguity and

provoked a desire for a political renovation, which is confirmed with the far-right victory. Hence, the refugee crisis emphasizes divisions within the EU member states, which led to the radicalization of the European political scene so that the war was not outside; on the contrary, it was already inside. As this chapter claims, this constraining dissensus within member states paved the way for an overall constraining dissensus among member states as well. Accordingly, the next chapter analyzes the consequence of this constraining dissensus among member states by examining the refugee externalization process of the EU in the case of the migration deal with Turkey.



CHAPTER V

EXTERNALIZATION POLICY OF THE EU IN THE 2015 REFUGEE CRISIS

This chapter presents the externalization policy of the EU especially with regard to the case of the EU-Turkey migration deal. It initially provides short indicators for the lack of consensus among member states which led to the EU's cooperation with third countries as an externalization tool in migration. Following, it gives a brief narrative of the EU's readmission agreements as an externalization tool in migration before moving on to the EU-Turkey migration deal, including the readmission agreement between Turkey and Greece. It scrutinizes why and how the readmission agreements with third countries are used as an externalization tool in the area of migration. Then, it offers a review of the existing literature on the Joint Action Plan and the EU-Turkey Statement while presenting the timeline of the cooperation process between Turkey and the EU. Lastly, this chapter presents a discourse analysis by examining the official EU documents to support the main argument of the thesis that the EU's migration agenda is driven by the idea of externalization, which is based on constraining dissensus among member states. In this part of the thesis, since the EU institutions, especially the European Commission, play critical roles in determining the externalization-oriented migration agenda of the EU, official documents of the

EU will be analyzed with respect to the externalization policy of the EU in the case of migration deal with Turkey.

5.1. Lack of Consensus Among Member States and the EU's Cooperation with Third Countries as the Externalization Tool in Migration

Many crises in Europe such as migration crisis reinforced the perceptions that the EU no longer serves the interests of its member states. Engelbrekt, Michalski, Nilsson and Oxelheim (2018, p.35) relatedly claim that European elites have tended to seek compromise until recent years and also, a lack of consensus among the EU member states was recovered earlier by innovation and creativity. However, this is no longer the case. As the previous chapter presents, in May 2015, the Commission presented a comprehensive package for developing EU migration policy to strengthen cooperation on border control because under the existing common European asylum system (CEAS), asylum seekers were not treated uniformly and recognition rates varied in different member states. Hence, the Commission launched a new reform in order to make the system more efficient, fairer, harmonized and more resistant to future migratory pressures, while ensuring uniform standards for protection, granting rights to beneficiaries of international protection, discouraging secondary movements and increasing the prospect of integration (European Parliamentary Research Service, 2019, p.7). In this new framework, the distribution of asylum-seekers among member states from Greece and Italy to other member states would be based on some criteria which were defined by the Commission under the new emergency mechanism (Article 78.3 of the Treaty on the Functioning of the European Union). These criteria are GDP, size of population, unemployment rate and past numbers of asylum seekers (European Commission, 2015a, p.5). The European Commission

considered this step as “the precursor of a lasting solution” so that it proposed legislation by the end of 2015 to ensure a “mandatory and automatically-triggered relocation system to distribute those in clear need of international protection within the EU when a mass influx emerges” (European Commission, 2015a, p.4). However, several member states opposed the proposal of the Commission for reasons relating to national sovereignty and due to the way that the allocation criteria were formulated. Since member states could not agree on this issue, the decision was taken by a qualified majority which is not typical on questions of this kind (Engelbrekt et al., 2018, p.35).

5.1.1. Indicators of Lack of Consensus Among Member States from the Official EU Documents

The lack of solidarity among member states was due to the growing hostility towards refugees within many member states, as the previous chapter suggests. This made it impossible for the EU to take effective decisions (European Parliamentary Research Service, 2019, p.3). Parkes (2017, p.22) states that the EU policies today are short-sighted and motivated by national electoral pressures which creates a conclusion like “no one is born racist but everyone can become racist when they are continuously bombarded by the negative effects of migration and diversity”. As a consequence, the lack of solidarity and consensus among member states became inevitable. The reform of the system did not advance due to contrasting attitudes in public opinion and hardship in balancing solidarity and responsibility between different member states. The European Commission itself states that “the EU can achieve greater results only by speaking with a single voice” (European Commission, 2016a, p.7) and “These ambitions can only be reached through close and sustained cooperation

between the EU and its Member States, in partnership with the countries of origin and transit of migrants” (European Commission, 2016a, p.17).

The Commission undoubtedly points out that the member states should make efforts in this regard. However, the fact that they did not make efforts in an equal extent can be seen from the Commission reports soon after the refugee crisis. In the reports of the Commission, while the shortcomings of existing asylum and refugee system are emphasized by saying that the EU has started to implement a permanent migration management and relocation system for origin and transit countries, it also emphasizes that the migration deal with Turkey is a legitimate part of the system which ensures a legal route of migration from Turkey to Europe. However, in general, Commission reports highlight that many member states did not contribute enough for this new migration management system. In the report called *Communication from the Commission to the European Parliament, the European Council and the Council, Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the European Agenda on Migration* (14.10.2015), the Commission complained about violations of the rules. For example, in the framework of implementation of EU law in 2015, the Commission has sent administrative letters to five member states regarding the “Eurodac Regulation on fingerprinting”, and to ten member states regarding the “correct implementation of the Return Directive”. Nevertheless, on the “Return Directive”, only one response has been received so far, so that the Commission has waited for the remaining responses and stated that it would swiftly assess this situation. A following administrative letter has been addressed to one member state regarding the compliance with the “Asylum Procedures Directive”, the “Reception Conditions

Directive” and the “Schengen Borders Code”. So, it is understood that there are also warning letters which are sent to individual member states by the Commission.

Moreover, the Commission has received no response from any of the member states about 40 infringement decisions and 34 files which were previously opened on the implementation of its directives and instructions to establish a system for the management of the migrant crisis, as it is stated in the report:

In respect of the decision on 40 potential or actual infringement decisions adopted in September, concerning the Asylum Procedures Directive, the Reception Conditions Directive and the Qualifications Directive, in addition to the 34 cases opened before then, the Commission has not received any responses so far. Given the particular importance of this legislation, Member States are urged to respond as early as possible within the two month period. The Commission will continue to pursue infringement procedures swiftly and effectively, where necessary, to ensure full compliance with EU legislation in this area (European Commission, 2015b, pp.11-12).

Thus, the Commission sometimes struggles with member states which do not respond to the letters it has sent and do not follow its instructions. Even if it gets a response, it is in a position to be under-informed. As another example, it is underlined that:

Member States were asked last month to notify the Commission of the assets, which can be held ready to deploy to help refugees. Only eight Member States have notified that they have – limited – civil protection assets or experts they would be prepared to deploy still this year, should a request be made. The Commission reiterates the need for Member States to support the mechanism with substantial contributions (European Commission, 2015b, p.8).

As a result, we see that the Commission is in a position of a classroom teacher who warns students anonymously, if they do not comply with the general class rules.

In another report titled *Communication from the Commission to the European Parliament and the Council Towards a Reform of the Common European Asylum System and Enhancing Legal Avenues to Europe* (06.04.2016), in order to mobilize member states to take their obligations and take responsibility, the Commission

makes clear that it took measures to “respect” the rules of the common European asylum regime: “Reliance on this criterion was based on the assumption that a linkage should be made between the allocation of responsibility in the field of asylum and the respect by Member States of their obligations in terms of protection of the external border” (European Commission, 2016b, p.4). Because of its importance, “obligation” is highlighted five times only in this report (European Commission, 2016b, pp.4-7-8-10-11-12). Also, “fair sharing of responsibility”, “allocation of responsibility”, “transfer of responsibility” and “determination of responsibility” are the major themes that the Commission frequently voiced. The Commission within the scope of the required efforts, always recommends a comprehensive harmonization of asylum procedures across the EU member states by encouraging them to make arrangements in their national legislations in line with the new common European approach (European Commission, 2016b, p.10). It is understood that the Commission was constantly trying to remind member states the duties that they did not realize. Also, the most used words in the Commission’s reports clearly reflect the need for cooperation and coherence among member states since these words are “respect”, “responsibility”, “harmony”, “harmonization”, “harmonizer”, “solidarity” and “obligation”.

As the ultimate issue, there was a problem of resettlement among member states besides relocation of refugees. The resettlement of refugees is voluntary and “14 Member States resettle, with three other Member States resettling on ad hoc basis, while the rest does not participate in resettlement despite political expressions of good will” (European Commission Migration and Home Affairs, 2014, p.8). These are because of the fact that the need of burden sharing and equal distribution of

asylum seekers have not been agreed within the Union. For example, since the European Commission is the guardian of the treaties and it is responsible for monitoring the implementation instruments of the Common European Asylum System, it declares some violations by member states:

There are many 35 open infringement cases that include one or more violations of the following instruments: Open infringement cases within the Common European Asylum System: Asylum Procedures Directive 2005/85/ EC: 4 cases: Greece Italy Cyprus Hungary, Reception Conditions Directive 2003/9/EC: 5 cases: Greece France Italy Cyprus Hungary, Qualification Directive 2004/83/ EC and 2011/95/ EU: 14 cases: Bulgaria Greece Spain France Italy Cyprus Lithuania Hungary Malta Poland Portugal Romania Slovenia Finland, Dublin II Regulation 343/2003: 1 cases: Italy, Long-Term Residence Directive 2011/51/ EU: 11 cases: Belgium Germany Greece France Italy Latvia Malta Austria Poland Slovenia Sweden (European Commission, 2015c, p.2).

In these reports about the EU's reform on CEAS, Turkey was considered as an important actor since it is a transit country. The Commission states:

Turkey is a pivotal partner. Together with Lebanon and Jordan, it has borne the brunt of the humanitarian effort to shelter Syrian refugees. Its geographical position makes it the dominant channel for migrants arriving in the Western Balkans. Turkey has shown that it is capable of taking decisive action to combat smuggling (European Commission, 2015b, p.13).

Cooperation with Turkey was a crucial element of the High-level Conference on the Eastern Mediterranean-Western Balkans Route on 8 October 2015. Many beneficial aspects to provide a fruitful cooperation with third countries across the route was agreed in this meeting. It included supporting countries of first asylum and transit, coping with the root causes of migration and fighting against smuggling (European Commission, 2015b, p.13). Thus, the EU brought Turkey into the game by October 2015 through different agreement tools. Before examining the EU-Turkey migration deal in detail, the next two sub-sections offer a narrative on the EU's cooperation processes with third countries including Turkey and then underline how and on what criteria the EU based the deal with Turkey.

5.1.2. The EU and Cooperation Processes with Third Countries

Since the member states failed to adopt a common policy on asylum, the EU changed its approach to the refugee problem. In May 2016, it made an agreement with Turkey, which meant that Turkey would close its border with Europe in practice. Consequently, the flow of refugees to Europe diminished sharply (Engelbrekt et al., 2018, p.35). Besides the agreement with Turkey, the EU made deals with African countries as well. Hence, it is clear that the political impact of the refugee crisis in Europe gave momentum to the EU's interest in externalization (Frelick, Kysel & Podkul, 2016, p.207). The EU first desired to shift responsibility towards the non-EU states on the Western Balkan migration route and then eventually to Turkey, the central transit country for 850,000 arrivals in Greece in 2015 (Frelick et al., 2016, p.207). Meanwhile, the EU also rejuvenated its efforts to create migration partnerships with African countries by establishing an emergency trust fund for Africa in November 2015 at the Valletta Summit on migration with the clear aim of decreasing migration to Europe (European Council, 2015a). Moreover, efforts to ameliorate the implementation of the existing 17 readmission agreements were done. In order to eliminate obstacles to readmission and improve communication between relevant authorities, Joint Readmission Committees were undertaken in 2016 with Serbia, Cape Verde, FYROM, Russia, Moldova, Turkey, Pakistan and Ukraine (European Parliament, 2015, p.37). In a similar vein, Parkes (2017, p.9) highlights that the migration crisis was a test for the EU to test its capacity in the refugee reception, to use economic opportunities of immigration and to share the burden carried by Turkey, Lebanon or Kenya through the resettlement of refugees. However, he claims as well that the EU failed this test and experts started to criticize its

practices as “securitisation”, “externalisation” and “burden-shifting” (Parkes, 2017, p.9) because it portrayed refugees as a security threat. The EU also deployed the military to prevent the flows and it used its neighborhood policy and humanitarian aid to transform Turkey, Jordan, Lebanon and other third countries into huge migration buffers. As a result, the EU played a divisive role in the international arena by causing refugee standards to be corrupted. Parkes (2017, p.10) claims that many migration experts suggest the EU’s first priority should be to establish a solid European asylum system but instead, the EU focused on protecting its fragile immigration and borders system. According to Parkes (2017, p.10), it favored to make dirty deals with third countries. This choice, for instance, was expressed by the President Donald Tusk:

[we] must end at once this completely unnecessary argument between the proponents of protecting external borders and the advocates of solidarity and openness [...] What we need is a rational hybrid of both ways of thinking. We cannot pretend any longer that the great tide of migrants is something that we want [...] our openness is not our conscious choice, but a proof of our weakness (European Council, 2015b).

So, it is clear that the overall attitudes of the EU are reflected in the expression of the President of the European Council Tusk since he defined openness to refugees as a weakness. Thus, the EU has developed cooperation with third countries by means of externalization tools within the framework of the safe third country, visa policies and readmission agreements. Hence, it transferred the responsibility of protecting refugees from the EU to transit or origin countries of migration. Even though refugees wanted to reach the EU in order to seek protection, under the principles of the CEAS, the EU authorized the return of refugees even if they have reached EU territories. So, the rights of refugees were neglected, and the EU’s migration policies were produced without legitimacy, which also led to burden shifting instead of burden sharing.

5.1.3. The Safe Third Country - First Country of Asylum Principles and Readmission Agreement with Turkey

As mentioned previously, the unequal burden sharing within the EU affected third countries through cooperation and readmission agreements. Especially, “the safe third country” and “first country of asylum” principles are the results of externalization tools of the EU as in the case of Turkey as well. The directive of the Council on asylum procedures 2005/85/EC determines the concept of European safe third countries and Article 27 presents the conditions of the safe country principle for a person who wants to seek asylum (Council of the European Union, 2005). Then, the Council Directive 2005/85/EC was re-regulated with the 2013/32/EU Directive and its Article 38 claims that the member states can send asylum seekers to third countries where there is a possibility to request and receive protection in accordance with the Refugee Convention; without any risks of persecution, refoulement or treatment of violation (Council of the European Union & European Parliament, 2013). According to this Directive, “first country of asylum” principle generally legitimizes the decision of asylum seekers’ return to another country. If asylum seekers have already been granted protection by another country, member states have the right reject a person’s asylum application. It is also often referred to as “safe third country” principle. Hence, this principle decreases the possibility of equal distribution of refugees within the EU and paves the way for burden shifting of refugees to the third countries. Eventually, readmission agreements become the guarantees of this mechanism by further contributing to the cooperation deals with third countries. Readmission agreements justify the implementation of the “first country of asylum”/ “safe third country” principle. They do not aim to ensure asylum

seekers an equal access to procedures and their preservation from refoulement. Instead, they ensure automatic expulsions of asylum seekers (Caron, 2017, p.36).

In the cooperation process between the EU and Turkey, a readmission agreement under the EU-TR Statement in order to decrease irregular migratory movements from Turkey to the EU was decided to be implemented in June 2016. It suggests that the irregular migrants and third country nationals who transited through Turkey and arrived in Greece would return to Turkey. Its legal basis of returning asylum seekers is based on the recognition of Turkey as the first country of asylum and a safe third country by Greece (UNHCR, 2016, p.6). Also, the purpose of Asylum Procedures Directive (APD) is “to establish the minimum common procedures for EU Member States when they grant and withdraw international protection for third country nationals and stateless persons, and also ensure EU Member States comply with the principle of non-refoulement” (Poon, 2016, p.1198). Relatedly, its Article 33(1) and (2)(b) stated that Greece can consider asylum seekers as “inadmissible” who want international protection in Greece because Turkey can be considered as the first country of asylum under Article 35(b) and a safe third country under Article 38 of the APD (UNHCR, 2016, p.1). By this means, when a case is accepted as inadmissible, asylum applications are not required to be examined by member states.

Thus, the readmission agreement is a tool for the EU’s externalization policy as the third chapter previously stated. “The readmission agreement shifts the cost of managing irregular immigration from the destination country to the transit country” (Yılmaz, 2017, p.115). By doing this, “...Turkey takes the all responsibility of irregular migrants on the road to reaching the EU...Even if the readmission

agreement can diminish successfully irregular migration,...the root causes of migration will not be solved” (Yılmaz, 2017, p.115). One reason for this can be that it violated international rules and laws regarding the refugees such as the 1951 Refugee Convention. It violated the principle of non-refoulement of the 1951 Refugee Convention and another aspect about Turkey: When Turkey has ratified the Convention, it has imposed a very specific geographical restriction on the concept of refugee; only European asylum seekers can acquire the refugee status and can obtain the resulting rights in Turkey (Jennequin, 2020, p.4). So, the next section emphasizes the Joint Action Plan and the EU-Turkey Statement, which includes this readmission agreement, in a chronological manner.

5.2. The Joint Action Plan and the EU-Turkey Statement

As the previous chapter highlights, the rise of populist far-right parties and their discourses, as one of the significant factors, paved the way for the transformation of the EU’s migration policy. The case of Germany is a significant example of such transformation because Germany is generally known for its “asylum system and high recognition rates” but it shifted its path since 2016 (Dimitriadi, Kaya, Kale & Zurabishvili, 2018, p.12). Domestic concerns about the integration of refugees were strengthened with the rise of AfD (Alternative for Deutschland). Family reunification put on hold de facto for around two years and fewer positive recognition of asylum applications were achieved. Then, the EU became more outward than before; it sought to communicate directly with the countries of origin and transit such as Turkey (Dimitriadi et al., 2018, p.13). Similarly, as Hanewinkel (2018) states, the German government under pressure from the rising popularity of the far-right AfD,

started to campaign for further expansion of the externalization policy. The focus was on crucial countries of origin and transit.

In this case, German government played a critical role in finding a solution to the crisis since Merkel's Germany played the role of "unelected leader" of the EU for a long time (Benvenuti & Toygür, 2016, p.5). Moreover, due to the intergovernmental structure of the two EU institutions; the European Council and the Council of Ministers, "Germany's aggregate structural capabilities and the asymmetrical interdependence between Germany and the (particularly small) member states of the Union provide the country with a greater leeway for power politics in these two intergovernmental institutions" (Turhan, 2016, p.29).

German preferences always play a leading role in the development of EU-Turkey relations and Turkey's path to the EU so that its preferences also led the formation of migration deal with Turkey (Turhan, 2016, p.29). Hintz (2019, p.168) claims that although both sides have political and economic reasons to improve relations, obstacles to achieving the necessary level of trust still exist. For instance, there is a belief within the EU that the perspective of Turkey's membership is no longer conceivable and instead, Turkey is just a "major strategic ally", "a key trading partner" and "a power that should be kept close" (Saatçioğlu, 2020, p.170). This is clearly seen in the German-Turkish relationships in the post-Syrian crisis period. In many ways, the Syrian refugee crisis has revealed the changing nature of EU-Turkey relationship. According to Hintz (2019, pp.168-169), the welcoming attitude of Germany reflected concern about Turkey's willingness to host Syrians escaping the civil war, so that Merkel initiated the EU's negotiations with Ankara to stop the

refugee flows. As known, Germany was facing growing domestic challenges from populists who supported anti-immigrant and anti-Islam approaches. As similar pressures were increased in Turkey, where public opinion complained about the presence of four million refugees, Merkel wanted reassurance that Erdoğan would not renounce, for her domestic constituency. That is why, as Saatçioğlu (2020) stresses, mutual strategic interests led to a functional and cooperative relationship between Turkey and Germany in the post-crisis period. The functionalism reflected the EU's "asymmetric strategic dependence" on Ankara that is illustrated when the refugee crisis of 2015 started a strategic partnership between the EU and Turkey which is necessitated due the EU's political vulnerabilities and incapability to manage the crisis on its own (Saatçioğlu, 2020, p.171). However, their cooperation was developed at the expense of the EU's political membership conditionality as well (Saatçioğlu, 2020, p.179). Therefore, comparison to the earlier period, despite the observed deterioration in Turkish democracy, the EU demonstrated that "it does not treat Turkey as a serious membership candidate and is willing to put its own conditionality regime on the back burner to secure its strategic interests" (Saatçioğlu, 2020, p.171).

In this case, one can argue that the Syrian civil war and conflict in 2011, as the starting point of the refugee flows, have also significantly affected the relationship between Turkey and Germany, and it can be considered as the initiator reason behind the process of the EU's externalization policy. From 2011, Arab Spring and the new direction in the Middle East "towards reshaping the maps", started opposition protests in Syria. As a result, the crisis has caused nearly 5 million Syrians to be displaced and almost 3 million of them to take refuge in Turkey (Paksoy & Başdağ,

2019, p.1118). Most of the Syrians escaped to neighbouring countries such as Turkey, Jordan, Lebanon, Egypt and Iraq. However, Syrians who were not able to work or have a livelihood in the host countries started to search for better opportunities in Western European countries. In the summer of 2015, many Syrians, together with other irregular migrants, crossed the land and sea borders to reach the EU territory, and the problem for Europe started from then on, when the refugees arrived Europe itself. Soon after, “Europe became overwhelmed with these mass population movements and irregular borders crossings” (Kale, 2017, p.67; Erdoğan, 2019, p.18).

From the beginning of the Syrian civil war in 2011, Turkey has pursued an “open door policy” for Syrian refugees. As related to this policy, Turkey has also adopted a neo-liberal approach to economic relations which promotes a liberal visa policy with its neighbors as well. Nevertheless, this liberal visa policy contradicted with the EU’s approach to implement strict border controls and “the Schengen negative list by an accession country” (Kale, 2017, p.64). Since the beginning of the Syrian war, the EU has criticized the violent reactions of Syrian government to the uprising which had started as a “peaceful demonstration against an oppressive regime” in 2011 (Fröhlich, 2016). In May 2011, the European Council has suspended all cooperation processes with Syria which has established within the “European Neighbourhood Policy” framework. As parallel, the EU has extended restrictive measures towards Syria from May 2011, despite the “Euro-Mediterranean Partnership” and the “European Neighbourhood and Partnership Instrument” (ENPI) (Fröhlich, 2016). In general, the EU has followed a “pre-existing, tested and comfortable rulebook”, a

“one size fits all” or “following suit” approach, which also revealed the EU’s failure to build a common foreign and security policy (Fröhlich, 2016).

After a brief narrative of the Syria crisis and the EU’s approach to it, we can return to the period after German initiative in 2015 refugee crisis. Since Turkey became a crucial partner in terms of the EU’s ambition to cooperate with the country of transit on border management to control irregular movements of asylum seekers, on 23 September 2015, the EU leaders decided to enhance cooperation and dialogue with Turkey at the informal meeting of heads of state and governments. They discussed possible ways to respond to the unexpected influx of refugees coming to Europe, possible measures to preserve external borders of the EU and to ensure assistance to refugees and neighboring countries (European Council, 2015c). Thereafter, on 5 October 2015, the President of the European Council Donald Tusk met with Turkey’s President Erdoğan to discuss solutions for the refugee crisis based on “financial assistance, border management, fight against smugglers, integration policies and visa liberalization” (European Council, 2015d). Then, the Commission discussed launching EU-Turkey cooperation on support to refugees and migration management on 6 October 2015, so the draft of the Joint Action Plan was prepared. On 8-9 October 2015, at the meeting of Council of the EU and Justice and Home Affairs, Council argued about the future management of the EU’s external borders and made conclusions on the future of the return policy. According to this meeting, Tusk and German Chancellor Angela Merkel visited Turkey on 18 October 2015 when the second meeting on irregular migration from Turkey to the EU was held on the basis of an action plan draft (Benvenuti & Toygür, 2016, p.9). In other words, the

EU leaders accepted that they need Turkey in order to prevent the unwanted migratory flow to the EU.

Afterwards, on 29 November 2015, significant financial and political incentives were assigned to Turkey in the scope of its cooperation to stop this illegal migration, at the meeting of the EU heads of state or government with Turkey. European leaders agreed on a Joint Action Plan at this third meeting. This meeting aimed to give political and financial support to Turkey in order to enable strict border control and improve the care for refugees within Turkey. In addition to providing financial aid to Turkey, the EU committed to relaunch the accession negotiations which were paralyzed before due to the Cyprus veto (European Commission, 2015d). In addition, on 25 December 2015, the Commission proposed a Voluntary Humanitarian Admission system for Syrian refugees in Turkey to create a mechanism of solidarity and responsibility sharing among member states (European Commission, 2015e). According to this scheme, when there is a significant decrease in the irregular flow of refugees to Europe through Turkey, member states will voluntarily help the resettlement of refugees regarding their capacities, as previously mentioned in this chapter. The Commission offered the distribution of refugees to the EU countries by means of a resettlement basis on their “absorption, reception and integration capacities, GDP size, asylum efforts, and national unemployment rates” (European Commission, 2015e).

On 7-8 March 2016, a progress made in the implementation of the Joint Action Plan and a new system was discussed at the meeting of the EU heads of state or government with Turkey. This system is called as 1:1 (“one in one out”) and it was

established based on the idea that Turkey would readmit all refugees arriving to Greece from its territory and in exchange, a same amount of Syrian refugees will be resettled from Turkey to EU countries. Europe also committed to cover the cost of the readmission process by paying an additional 3 billion euros to Turkey in order to improve the management of the refugees in its territory. Moreover, the EU committed to lift the visa requirement for Turkish people by June and to open five negotiation chapters in Turkey's accession process. So, these components constitute the cornerstones of the agreement (Adam, 2017, p.45; European Council, 2016a). In terms of the financial assistance to Turkey, however, only 1.9 billion of the 3 billion euro which were promised to Turkey have been paid to Turkey in 2018 and Turkey alone spent 30 billion euro for the refugee management (Bennett, 2018, p.25).

At the meeting of the EU heads of state or government with Turkey on 17-18 March 2016, the new deal under the Joint Action Plan was approved and the EU and Turkey finally agreed on a Statement on 18 March 2016. They discussed Turkey's role in alleviating the huge refugee protection problem in the Middle East and the burden sharing of the problem (European Council, 2016b). To sum up the EU-Turkey Statement, the following are the main articles; in exchange for Turkey's engagement to prevent refugees leaving its territory, the EU committed to re-energize the suspended accession process of Turkey by establishing a more organized and frequent high-level dialogue with Turkey and open new negotiation chapters. Secondly, the EU committed to accelerate the lifting of visa requirements for Turkish citizens in the Schengen zone by October 2016. Last but not least, it also committed to provide an initial 3 billion euro to enhance the situation of Syrians in Turkey (European Council, 2016b). What is striking is that the EU requires Turkey's

compliance on 72 criteria to gain the visa liberalization (Marcilly & Garde, 2016, p.4). However, 65 of them were completed by 2019 and Turkey is challenged due to remaining criteria. European criticism about the definition of terrorism in Turkey, Cyprus problem and the pressure on the opposition and the press in Turkey are some of them. Furthermore, Turkey stated that it will withdraw the readmission agreement if visa liberalization is not applied by April 2018 (Kılıç, 2019).

On 20 March 2016, the EU-Turkey deal came into effect and on 4 April 2016, first boat of refugees arrived in Turkey from Greece (Benvenuti & Toygür, 2016, p.10). Nevertheless, there was another problem with the agreement; the financial assistance of the EU. The Commission proposed to submit for an additional 3 billion euro in the scope of “EU Facility for Refugees in Turkey”. This Facility included concrete projects for refugees in the field of health, infrastructure, food, education and other living costs that can be financed by the Facility. Once these resources are used to the full and Turkey meets the commitments proposed by the EU, the EU will mobilize additional funding for the Facility with an additional 3 billion euro up to the end of 2018 (European Council, 2016b). So, 6 billion euro in total was planned to be allocated for Turkey. However, a billion of it would come from the EU budget and two-thirds of it would come from the member states. But, major disagreements arose within the Council because member states pressured the Commission to cover the whole fund and disagreed over its regional distribution (Bennett, 2018, p.25; European Council, 2016a). “The financial burden sharing mechanism is planned to be implemented gradually. However, it is difficult to understand how this fund will be established” (Yılmaz, 2017, p.123). It is understood from the President Erdoğan’s declaration that “the cost of this crisis to Turkey is \$25 billion in total, \$12 billion

from the government's budget and the remaining from NGOs and the municipalities in the country" (Yılmaz, 2017, p.123). Therefore, time to time, the Turkish government felt alone in this process and the EU and Turkey relations demonstrate that there is no trust between the two sides since the only success achieved was when the EU-Turkey Statement decreased the number of deaths in the seas and numbers of irregular refugees coming from Turkey to Greece.

Moreover, the Statement does not assure that the EU will resettle Syrian refugees in member states. In 1:1 scheme, refugees who have already arrived in Greece to seek asylum in the EU lose their chance within the EU when they are returned to Turkey. They are interchanged for a registered refugee. So, this can be considered as a penalty by the EU for refugees who reach the EU in an irregular way. However, this penalty type of attitude violates the international refugee law because resettlement should not be a condition or a reward for refugees in terms of their right to seek protection in the EU. Furthermore, another problem about this agreement is, although the Turkish border management became more compatible with the EU practices due to the accession interests of the country, the legality of the agreement has been highly criticized. In addition to the conflicting views on whether Turkey is accepted as a safe third country or not, the EU-Turkey negotiations on border management were not completely institutionalized and competences continued to be fragmented, despite the multiplicity of actors in the EU (Bennett, 2018, p.25). Bennett (2018, p.24) emphasizes that the EU-Turkey deal can be seen as the proof for "the lack of actorness" of the EU. This is because:

Although the 2016 EU-Turkey deal may be considered part of an emerging EU sectoral diplomacy in JHA, negotiations were mainly led by Germany and the Netherlands and are therefore debatable as evidence of supranationalisation. Germany wanted to contribute more as the largest receiving EU nation in terms of

migrants, while the Netherlands took charge as the Council Presidency. This demonstrates the continuing presence of the intergovernmental Council in external relations (Bennett, 2018, p.24).

In a similar vein, during the whole process, “Chancellor Merkel collaborated mainly with the Commission President Juncker rather than with the European Council President Tusk and it was criticized by many EU politicians and officials” (Turhan, 2016, p.28). It also indicates the German policy of “going it alone” (“Alleingang”) in the European Council, which means that “the willingness to undertake unilateral actions, if necessary; in other words, the readiness to go it alone” (Turhan, 2016, p.28). Related to this, Turhan (2016, p.28) also claims that the Franco-German axis did not act as the “steering wheel” in terms of identifying the content, scope and conditions of the EU-Turkey cooperation during the refugee crisis. For instance, Merkel and Hollande only twice made a joint declaration on the crisis management, as the French President did not participate in the mini-summits held by Merkel and Juncker between the dates October 2015 and March 2016 (Turhan, 2016, p.28).

According to certain observers, this negotiation process brought the relative deactivation or elimination of the Union and especially France, from the decision-making process (Billout, 2016, p.29). Legendre and Gorce (2016, p.64) state that French suggest that the German leadership in this process is dependent on the passiveness of other member states and claim that this leadership emerged due to two attempts of Germany. First one is the German government’s unilateral decision to welcome refugees in the 2015 summer, which fostered the irregular refugee movements. The second one is taking initiative and starting a negotiation with Turkey after suffering from welcoming refugees, since it faced the problem all by itself. Hence, these attitudes of Germany caused the lack of support especially from

its partner member states in the central Europe (Legendre & Gorce, 2016, p.64).

Other than Germany and the Netherlands (to some extent), according to this intergovernmental approach within the EU, Greece was also instrumental in negotiations through its deep meetings with Turkey in December 2015 and March 2016.

Nevertheless, the EU-Turkey deal was later claimed as “not legally binding” by the EU due to the fear that judicial complications can emerge under the international law, especially regarding the 1951 Refugee Convention (Bennett, 2018, p.25) and also due to the EU’s intergovernmental approach. Similar to Bennett (2018), Adam (2017) also underlines that the General Court announced that the EU-Turkey deal was not concluded by the EU, but its member states. Adam (2017, p.46) indicates that:

By issuing the EU-Turkey Statement of 18 March 2016 as a press release, national heads of state and government were able to circumvent Treaty provisions on EU treaty-making and exclude the European Parliament from the decision-making process. Intergovernmental approaches allow the creation of non-legally binding deals, dodging judicial review on the rights of asylum-seekers. In this case, a process of de-institutionalisation took place through the shirking of human rights responsibilities.

Therefore, despite the great use of the EU framework for the preparation of migration and asylum policies, member states remained as big players with the Commission playing a minor role. Thus, the choice of an intergovernmental approach led to “non-legally binding decisions and informal arrangements” that did not permit legitimate policy-making supervision in this process (Adam, 2017, p.46). Adam (2017, p.47) also stresses, according to Amnesty International, many asylum applications were rejected at first instance with a fast-track procedure without making any assessment of refugees’ merits, based on the assumption that Turkey is a

safe country for refugees and asylum-seekers. On the other hand, there are also positive aspects about the EU-Turkey migration deal. Kale (2016, p.2) also underlines that the deal acts as a reconciliation statement between the two parties without legal status and it can be seen that the EU practiced very slow-running procedures with a consensus. That is to say, the EU-Turkey Statement is not an agreement under the international law hence, it is not legally binding. So, there can be possible revisions for the Statement (Kale, 2016, p.2). However, she also emphasizes that since there are many vulnerabilities in Turkey's process of democratization and security system such as current Turkish political situation which reflects concerns of increasing suppression of the press, limited freedom of expression and prosecution of academics, "a European anchor" is more critical than before for the Turkish democratic transformation and its security (Kale, 2016, p.4). Both Turkey and the EU acted strategically and pragmatically in order to enhance the collaboration. Significantly, for the Turkey side, the cooperation can keep the accession process alive.

In conclusion, after its implementation, the EU-Turkey deal delivered mixed results. As Adam (2017, p.56) states, since the beginning of the crisis, reactions of the EU member states to the refugee crisis displayed a lack of unwillingness and solidarity to find a unified solution for the worst humanitarian crisis of our contemporary world. The deal agreed with Turkey with an aim to manage the irregular movements of refugees, created a dangerous model for the EU's cooperation with third countries on asylum and migration due to its "controversial legal nature and the lack of proper procedural safeguards" (Adam, 2017, p.56). In addition, as observed in the last years, one can argue that the deal has a huge potential to push the EU and Turkey away

from each other due to increasing resentment between both sides and unsatisfied promises made under the deal. For instance, after years of negotiations, re-invigoration of accession has still not delivered according to its promises and even further, the deal weakened an already delicate bond. The process and the continuity of the deal can be affected by the threats from both sides, especially from Turkey. Since this migration deal is used as an externalization tool by the EU to make Turkey a buffer zone for refugees and there are many unkept promises, Turkey can renounce the deal as an intimidation and threat to the EU. In fact, in March 2020, despite this year was not included in the time frame of the thesis, Turkey demonstrated that when the EU does not support and fulfill the promises, Turkey can easily deteriorate the deal. After the jet incident which has paved the way for a crisis between Ankara and Moscow and a succeeding chain of developments led to a radical shift in Syria policy of Turkey (Köstem, 2020, p.5), a Russian-Turkish alignment came into effect to end the Syrian conflict since late 2016 as both Turkey and Russia had interests in Syria to end the conflict (Köstem, 2020, p.9). According to Köstem (2020, p.10), the case of Idlib has continued to be a reason of disagreement between Ankara and Moscow. Safe zones in Idlib was seen as an opportunity for Turkey, in terms of its national security, to settle the refugees because the UN has warned multiple times about a new wave of refugee flows to Turkey and Europe if the Russian-backed regime forces start their campaign over Idlib (Köstem, 2020, p.15). In April 2019, this foreseen scenario happened and Idlib campaign fueled Ankara's concerns about new wave of refugee flow towards the Turkish borders (Köstem, 2020, p.16). Thus, in case the combat in Idlib would push many more Syrians into Turkey, Turkey urged the EU to help in order to create a safe zone in Idlib where Syrian refugees could live. However, since there has still been no solid burden-sharing with the EU, Turkey

let 130 thousand refugees to the EU in March 2020 (Rettman & Nielsen, 2020).

Therefore, it seems that the deal continues to give mixed results. The next section examines the official EU documents on the cooperation with Turkey in terms of migration and asylum. It shows how the EU implied its externalization policy in its documents through legalizing and legitimizing the return of asylum seekers to Turkey.

5.3. Discourse Analysis of the Official EU Documents Regarding the Externalization Policy of the EU in the Case of Migration Deal with Turkey

As this thesis has explored, externalization policy in migration means the extension of border and migration controls beyond the migrant receiving nations to neighbouring countries. It also implies the transfer of some of the responsibility for the migration management to transit or origin countries. In this context, externalization policy is faced with intense criticisms within the scope of practices related to the EU's migration and asylum policies in the literature. A group of critics claims that this approach, which adopts a security perspective, is about a Europeanization process that increasingly violates the rights of non-European migrants and asylum seekers and the word "regulation" has been replaced with "control" in the discourses of many European countries when there are new legal arrangements related to the migration flows (M'bodje, 2018).

The EU emphasizes its externalization policy and its practices by underlining its negotiations and agreements with third countries such as the EU-Turkey Statement and Joint Action Plan. Therefore, reports and statements of the EU institutions with regard to the migration agenda after 2015 are analyzed in this sub-section, by

emphasizing the cooperation with Turkey. The European Parliament has been actively involved in the adoption of new legislation which deals with both irregular and regular immigration as a co-legislator and the European Council plays an important role in setting the strategic priorities. However, the European Commission plays the major role since it developed a common migration and asylum policy in order to manage the refugee crisis. That is why, due to its crucial role during the crisis, reports of the Commission are mostly examined along with some Parliament and Council reports. The majority of the data analyzed here are especially from 2015 to 2017 where the EU's new migration and asylum agenda gained prominence after the 2015 European refugee crisis with the growing dissensus among European member states. Hence, keywords or themes which imply the EU's externalization policies in its migration agenda are examined below.

To begin with, the European Commission explains its externalization practices by stating that the cooperation and negotiation processes with origin and transit countries are crucial. In this framework, this statement can explain the EU's path in general:

The EU can also take immediate action to intervene upstream in regions of origin and of transit. The Commission and the European External Action Service (EEAS) will work together with partner countries to put in place concrete measures to prevent hazardous journeys (European Commission, 2015a, p.5).

In this context, the main objective of cooperation processes with third countries is to protect the EU's external borders. It can be considered as one of the key words in the reports. The European Commission frequently emphasizes "manage" and "stability" with respect to the protection of the EU's external borders:

An indispensable part of restoring stability is the external border. This is at the heart of the Commission's commitment to bring forward before the end of the year proposals to develop a fully operational European Border and Coast Guard, as a

recognition that Member States must be supported more strongly in the challenge of managing Europe's external borders (European Commission, 2015b, p.15).

Therefore, the protection of external borders brings “stability”. Moreover, together with stability, “security” is the main concern for the EU. In the refugee crisis, the EU adopted a security approach which seeks to externalize the crisis. Hence, the official discourse of the EU puts more emphasis on the border control and security. The security perspective of the EU is also seen in the discussions on the visa liberalization roadmap; the Commission emphasizes that Turkey should “abolish issuance of visas at the borders as an ordinary procedure for the national of certain non-EU countries, and especially for countries representing a high migratory and security risk to the EU” in terms of the visa policy (European Commission, 2013, p.8). So, it is understood that the EU prioritized its border security and put a security-oriented requirement for Turkey to achieve visa-free regime. In addition to that, the refugee influx is portrayed as an influx of illegal people which pose a threat to the European societies, in the official documents. So, the migration issue has been securitized in the EU discourse with regard to the terrorism issue. Strict border controls are asked from Turkey in order to both regulate irregular migration and prevent border crossings by foreign terrorists (European Commission, 2015f, p.74). The Commission also states that Turkey’s assessment of terrorism, terrorist threat and penalties for terrorist activities are different than the those of the EU. That is why, Turkish police should improve its capacity to identify suspicious individuals via “improved profiling” (European Commission, 2015f, p.74).

According to this security perspective, an emphasis on strong migration management throughout the external borders is common in the European Commission documents: “Well-functioning and effective migration management at the external borders which

are under most pressure is key to restoring confidence in the overall system, and in particular in the Schengen area of free movement without internal border controls” (European Commission, 2015b, p.3). Especially, the Commission reports also use the words “protect” and “manage” with respect to external borders against migration flows, in a frequent manner (European Commission, 2015b; European Commission, 2016b). Related to this, one of the main aims to preserve external borders is to protect the integrity of the Schengen area:

the Commission will continue to provide support to Member States to implement all the agreed elements to stem disorderly irregular migration flows, protect our external borders, and safeguard the integrity of the Schengen area, including in particular the decisions on relocation, the hotspots and measures to ensure returns and readmissions, whilst ensuring effective access to asylum procedures for those in need of international protection (European Commission, 2016b, p.2).

These statements are all related to the fact that the most important problem of the EU with respect to external dimension is migration, as the Commission (2015b, p.13) claims:

At the core of the priority actions and the joint Communication of the Commission and the High Representative/Vice-President last month was putting migration at the top of the EU's external concerns. This has been shown through the commitments to extra funding set out above. But the diplomatic offensive now under way has also put migration at the centre of bilateral, regional and multilateral dialogue.

Hence, it is clear that the EU's migration policy encompasses borders outside the EU due to the need of multilateral dialogues. The Commission (European Commission, 2015b, p.13) similarly underlines that the European Agenda on Migration emphasizes that a successful migration policy should inescapably work outside as well as inside the EU.

So, related to the EU's engagement with the outside of the Union, one of the key inference and argument in the official statements of the EU is “control from

distance”. It reflects the EU’s strategy of external borders management with an emphasis on cooperation with neighboring and partner countries. The EU’s efforts to cooperate with third countries are also crucial to establish a common migration and asylum system which encompasses all migratory routes in order to prevent irregular migration flows:

To consolidate and deepen this approach on all migration routes, the European Council further calls for the following: Showing full commitment to our cooperation with Turkey on migration and to support for the Western Balkans; full and non-discriminatory implementation of the EU-Turkey Readmission Agreement with all Member States... (European Council, 2017, p.2).

As it can be seen, the EU improved its relationships and actively engaged with Turkey as a “key regional and international actor”, besides Russia, US, Saudi Arabia, Iran, Turkey and Iraq” (European Commission, 2015b, p.14). Hence, the Commission reflects this cooperative approach of the EU in the sentence which summarizes its externalization-oriented migration policy:

The EU must continue engaging beyond its borders and strengthen cooperation with its global partners, address root causes, and promote modalities of legal migration that foster circular growth and development in the countries of origin and destination. This reflection will be addressed more broadly by the Strategic Review initiated by the HR/VP to assess the impact of changes in the global environment, as well as by the forthcoming Review of the European Neighbourhood Policy will also aim to set out proposals in close partnerships with our neighbours for a more focused cooperation on issues of common concern, including migration (European Commission, 2015a, p.7).

This statement shows how the partnership system inevitably came into play in terms of the external borders management. Sentences like “Cooperation with third countries is of critical importance” (European Commission, 2015a, p.8) or “Partnership with countries of origin and transit is crucial and there are a series of established bilateral and regional cooperation frameworks on migration in place. These will be enriched by stepping up the role on migration of EU Delegations in key countries” (European Commission, 2015a, p.8). These also clearly claim that

“partnership”, “cooperation” and “collaboration” are the keywords of the new migration agenda during the 2015 refugee crisis. In this framework, the EU lists the basic characteristics of these partnerships: “Fundamental to such partnerships is that the EU must support its partners – with financial assistance, with expertise, with the confidence to work together and demonstrate a common effort” (European Commission, 2015b, p.14).

Most importantly, readmission agreements with the main countries of origin and transit are essential for the EU in order to enhance cooperation on decreasing return rates of irregular migrants and deterring further irregular migration (European Commission, 2015g, p.10). Thus, in order to achieve its objectives, the European Commission suggests that the Commission and member states should work together to provide “adequate leverage in relation with the partner countries” and “a fine balance of pressure and incentives” which is needed to improve cooperation and readmission (European Commission, 2015g, pp.10-14). For example, “mobility partnerships” and “visa policy” are generally seen as useful leverages in cooperation on readmission. A visa facilitation agreement, that is in parallel with the readmission agreement which also observed in the case of migration deal with Turkey, is considered as an “effective system of return” (European Commission, 2015g, p.15; 2015b, p.7).

As the thesis previously mentioned, Turkey is an inevitable partner in terms of the EU’s migration agenda because the majority of refugees transited Turkey to reach the Europe. Turkey is not crucial only due to its geographic location; it is also one of the major third countries that ensure “shelter” for Syrian immigrants by showing

“humanitarian efforts” in terms of putting measures to combat human smuggling (European Commission, 2015b, p.19). Particularly through the Statement, cooperation with Turkey keeps to hold a major role in intercepting the migration problem in the Eastern Mediterranean which is efficiently and mutually addressed both by the EU and Turkey:

At their meeting of 25 May 2017 Presidents Juncker and Tusk and President Erdoğan have stressed the central importance of the EU Turkey Statement for the joint management of the migration challenge and their common determination to work for its continued successful implementation (European Commission, 2017, p.2).

As the agreement process with Turkey progresses, the EU highlights that it is still necessary to show the commitment to this process (European Council, 2017) because although there was a substantial fall in the numbers of irregular movements and deaths at the sea in 2015 summer and 2016, migration related problems remained tragic. There were still tragic figures in 2017 in terms of the amount of migrants and deaths (European Commission, 2017). So, one can see that since the EU did not reach its desired stage and result in previous years, a call for strengthening cooperation between member states and other partners was still made in 2017 (European Commission, 2017).

Another aspect with regard to “control from distance” is to provide liaison officers and different support agencies throughout the borders and seas. In accordance with the externalization policy, the protection of the external borders and the efficient functioning of the partnership would be ensured undoubtedly by the well-equipped officers and border agencies, in terms of the delegations to the partner countries. So, an emphasis on this aspect exists in the case of Turkey as well. The “hotspot approach” set by the Commission in the scope of European agenda on migration

states that “the Borders Agency, EASO, Europol and Eurojust” provide operational assistance to member states according to their respective mandates (European Parliament, 2016, p.24). Therefore, the liaison officers, who monitor developments in the migration situation, coordinate actions and provide information exchange. The role of the agencies and officers is defined as below;

additional EU budgetary resources, especially humanitarian aid, will be required to tackle the migrant and refugee crisis in the Mediterranean; calls for the establishment of migration information centres in third countries and notes the swift deployment of European immigration liaison officers to EU delegations in key third countries to gather information on migratory flows, co-ordinate with national liaison officers, and co-operate directly with the local authorities, thus enabling the activation of early warning systems at EU level to allow a timely reaction to new migration crises (European Parliament, 2016, p.36).

The Council welcomed the intention of the Commission to steer and promote an integrated system of return management through building “synergies” between the European Reintegration Instrument Network (ERIN), the European Integrated Approach on Return towards Third Countries (EURINT), the European Return Liaison Officers network (EURLO), European Migration Liaison Officers (EMLOs), Immigration Liaison Officers (ILOs) and Frontex Liaison Officers. The European Council suggests that they should support one another in a mutual way while avoiding duplication in order to enhance the EU’s return system’s effectiveness (European Council, 2015f). Thus, the European Council (2015f) states that these agencies’ liaison officers were deployed in Turkey, besides Egypt, Morocco, Nigeria, Senegal, Lebanon, Pakistan, Serbia, Ethiopia, Tunisia, Sudan and Jordan in 2015. Moreover, the EU initiated a cooperation with NATO as an international player to build a stronger security system in the Aegean Sea. These agencies and their deployed teams at the seas and borders, are responsible to make immediate intervention to ensure the return of refugees and to help their identification in the sense of strengthening cooperation with third countries and return operations

(European Council, 2015f; European Council, 2015e). Thus, to ameliorate controls at its external borders, these agencies are one of the key tools of the EU's externalization policy. By this means, the EU can easily monitor, inspect, intervene in and appoint its own officers in third countries' borders including those of Turkey, within the cooperation processes. In the EU reports that generally talk about the EU-Turkey cooperation, the emphasis on the collaboration between border agencies increases in the reports over years, after 2015.

Another point that sheds light on the externalization policy of the EU is the excessive use of the verb "prevent" in the reports. This verb and its synonym "stem" attract attention with their intensive uses in the reports, as in the examples: "...and for Turkey to fulfil its commitments to prevent irregular migration flows from its territory to the Union" (European Parliament, 2016, p.26); "...reinforce the dialogue with Turkey at all levels, including at the upcoming visit of the Turkish President (5 October), in order to strengthen our cooperation on stemming and managing the migratory flows..." (European Council, 2015c); "As a matter of urgency, Turkey needs to make significant progress in preventing irregular departures of migrants and refugees from its territory" (European Commission, 2016c, p.2). In addition to these, the paragraph about the EU-Turkey Statement that is given below, is a significant example because it frequently repeats "prevent" and "stem":

Results must be achieved in particular in stemming the influx of irregular migrants. The EU and Turkey agreed to implement the Joint Action Plan which will bring order into migratory flows and help to stem irregular migration. As a consequence, both sides will, as agreed and with immediate effect, step up their active cooperation on migrants who are not in need of international protection, 'preventing' travel to Turkey and the EU, ensuring the application of the established bilateral readmission provisions and swiftly returning migrants who are not in need of international protection to their countries of origin. (European Council, 2015e).

Yet, these efforts did not enough to deter immigrants from passing through Turkey and arriving to Europe. So, the EU encouraged Turkey and other partner countries that they should reduce the incentives which increase migration into Europe (European Commission, 2016b, p.10). The Commission (2017, pp.14-15) emphasizes it by saying:

While crossings have stabilised at low levels, the push factors for migration to Europe remain. The EU-Turkey Statement continues to play a key role in ensuring that the migration challenge in the Eastern Mediterranean is addressed effectively and jointly by the EU and Turkey.

The agreement with Turkey aims to develop “a system of integrated return management” (European Commission, 2015b, p.7) which mainly describes the EU’s outsourcing policy. The Commission stresses that “readmission is an indispensable component of an effective migration policy” because those who return should be readmitted to their origin countries (European Commission, 2015b, p.7). This only come into play through a close partnership with third countries by using all available tools at the EU’s disposal in order to increase the number of returns (European Commission, 2015b, p.7). That is why, the verb “return” is frequently used in the official EU reports as well. For example; “it is essential that rapid and significant efforts are made to increase the return to Turkey of those persons who are not entitled to remain in Greece, in full compliance with EU and international rules” (European Commission, 2017, p.15). “Rapid returns” are often emphasized and it is also stated that the returns should be “voluntary”, if not, “forced”: “The other essential component is action to secure swift return, voluntary or forced, of people not in need of international protection and who do not therefore qualify for relocation” (European Commission, 2015b, p.3). Under the “Asylum, Migration and Integration Fund”, member states plan to increase returns twice within the scope of their national programs for 2014-2020, both through voluntary returns and forced

returns (European Commission, 2015g, p.3). It is suggested that “When migrants do not go back voluntarily, return must be enforced” (European Commission, 2015g, p.4). The Commission also claims that member states should use “detention as a legitimate measure of last resort, where it is necessary to avoid that the irregular migrants abscond and to prevent them from moving on to other Member States (secondary movements)” (European Commission, 2015g, p.4). Also, member states should find new alternatives to detention and less coercive measures such as “placement of irregular migrants under electronic surveillance” or “the use of semi-closed facilities” (European Commission, 2015g, p.4). Last but not least, the Commission encourages member states that voluntary return programs should be designed in a way that avoid to generate a “pull-factor – incentives” for further irregular migrants to arrive into Europe in order to benefit from such programs (European Commission, 2015g, p.3).

To sum up, all of the statements about immigrants who had arrived in Europe should return to Turkey, imply that the whole burden was transferred to Turkey. One can also argue that, with respect to the reduction of the incentives, the heavy responsibility of people who have not yet entered the European territory was transferred to Turkey as well, through the EU’s externalization policy. It is easier to suppress people who have not yet entered into the European territory. One of the reasons is that the EU drew a framework for the so-called “legal immigration” and it evaluated those who do not comply with the criteria as “clandestine” and “accusable” (Cévennes sans frontières, 2016). Hence, the externalization policy is the most effective tool that enables the EU to get rid of compelling responsibilities, especially undertaking the burden of asylum demands.

5.4. Conclusion

The Joint Action Plan and the EU-Turkey Statement reveal that the irregular migration is not perceived in a similar way by the EU and Turkey. For the EU, this issue has transformed into an issue of security or insecurity especially after the Syrian conflict in 2011 and it started to emphasize a threat to the EU's external borders. So, it is perceived as it should be solved within the borders of the countries of origin and transit, outside the EU territory. On the other hand, Turkey considered the accession process important and had to Europeanize its migration management through new practices and legal frameworks parallel with the EU standards and requirements. The EU treated Turkey as a partner, besides a candidate country and praised the role of Turkey in hosting the incoming refugees by expecting to see further effort from the Turkish government in the same direction. The EU stated that the cooperation should be carried out in terms of burden sharing by both parties, but the official European approach on this new partnership was principally shaped along border control and security, as opposed to the joint approach to a common problem. The findings of the discourse analysis show a continuity in the security discourse throughout all of the EU reports analyzed in this chapter. It suggests that the official EU perspective to the partnership reflects the predominance of security concerns, which emerged due to xenophobic feelings and attitudes in the public opinion and far-right political parties, as the previous chapter highlighted. Thus, due to these growing security concerns, constraining dissensus between public and political elite, that the politicization has created, was transferred to the EU level; among member states. As the beginning of this chapter demonstrates, there are references to this dissensus and reluctance among EU member states. This is another point that backs

up the thesis' argument that the EU's externalization policy in the refugee crisis is shaped by the lack of solidarity within the EU. Consequently, this chapter constitutes a bridge from constraining dissensus to the EU's externalization policy by the help of the discourse analysis.

Whatever the outcome of the EU-Turkey deal, it is apparent that externalization is the main anchor of the EU migration policy. While there are positive aspects in the framework, the overall approach is about the EU's efforts to expand its external borders to third countries in order to prevent refugees' arrival to Europe by forcing them to return to Turkey, even though they want to reach the EU, and to transfer responsibility and legal obligations from the EU member states to transit and origin countries.

CHAPTER VI

CONCLUSION

This thesis aims to reveal the main reason behind the EU's externalization-oriented migration agenda during the refugee crisis of 2015. In the second chapter, this thesis analyzed the main theories of European (dis)integration in order to evaluate their explanatory powers and find the most compatible one to explain the main reason. It claimed that prominent theories of European (dis)integration remain insufficient to explain the main driving force behind the EU's externalization-oriented migration agenda. It also argued that a post-functionalist theoretical framework offers the most compelling explanation. The thesis has drawn attention to a constraining dissensus based on factors such as identity, discourses of state officials, domestic politics and public opinion. It suggested that constraining dissensus as the key driving force of the EU migration agenda, is mainly shaped by identity politics. The theoretical framework paved the way for analyses of public opinion surveys, Eurobarometer results, European election results, statements of political leaders and discourses of the EU documents.

Therefore, with the help of the framework provided by Liesbet Hooghe and Gary Marks (2008), this thesis argued that there is a constraining dissensus between the European public opinion and mainstream parties, which led to a constraining dissensus among member states as well. Constraining dissensus is the outcome of the politicization in the refugee crisis. European political elites tried to depoliticize the issue of immigration by delegating the decision-making power to non-majoritarian supranational institutions. Nevertheless, depoliticization through supranational delegation led to more politicization and prevented the EU from giving an efficient response to the refugee challenges. There was no common solution and solidarity concerning the refugee crisis within the EU due to European public opinion and European far-right political parties. So, in the first place, the third chapter offered a literature overview of the EU's externalization policies in the migration field and another review to explain the transformation of European permissive consensus into constraining dissensus. Then, it made a connection between the EU's externalization policy in the European migration crisis and post-functionalist framework.

Following the theoretical framework, the fourth chapter gave a brief narrative of the European refugee crisis then it explored the divided EU in terms of the opposing stances of member states concerning the crisis. As a general pattern in the EU, most of the member states' political officials opposed the refugee arrival and tightened their border controls. Then, the chapter explained how and why constraining dissensus paved the way for externalization. In order to explain the causal link, the chapter analyzed identity politics as the shaping context in two aspects; impacts of the public opinion on the refugee crisis and impacts of the far-right parties versus mainstream parties on the refugee crisis. Hence, firstly, the Eurobarometer data

demonstrated that the public opinion on the immigration during the refugee crisis was mostly negative both in Germany and Hungary, as the main opposing member states in terms of attitudes towards immigration during the crisis. Secondly, the European Parliament election results showed the rise of the far-right in the European electoral arena. As in many EU member states such as Poland, Austria and France, AfD in Germany and FIDESZ's transformation into a far-right party in Hungary were significant. So, it is proved that the public concern about the effects of immigration on the national community created a perception of disconnection with the political elites and institutions, among European public. Accordingly, as post-functionalism suggests, when mainstream parties could not meet the demands of the mass public, a public-elite divide emerged and it changed the voting behavior of citizens. Therefore, this chapter suggested that the context of identity reinforced constraining dissensus between public opinion and political elite, and then this dissensus pushed political elites to pursue an externalization method in response to the crisis.

Later, the thesis offered a discourse analysis of the official EU documents in the fifth chapter to support its main argument. Through the analysis of the official documents from the European Commission, European Parliament and European Council on the EU's cooperation process with third countries and especially with Turkey, this thesis argued that besides constraining dissensus within member states, constraining dissensus among member states is also a driving force behind the EU's externalization-oriented migration agenda in 2015. This chapter presented a discourse analysis to articulate the lack of solidarity and reluctance among the EU member states during the crisis. Then, the thesis used the case of the EU-Turkey

cooperation by examining the Joint Action Plan and the EU-Turkey Statement as the two important components of the cooperation process. After brief reviews of the process, another discourse analysis asserted that Turkey is an important “key regional and international actor” in the migration area. The analysis also emphasized that migration is an issue of security/insecurity for the EU, which led to the externalization policy. Thus, the discourse analysis found that the EU considered migration as a threat to the EU’s external borders which was needed to be solved within the borders of the origin and transit countries, not within the EU territory. Therefore, the chapter found that the official EU approach to the partnership with Turkey was mainly based on security concerns since there is a continuity in the security discourse in all of the EU documents analyzed in this chapter. The words “stability”, “security”, “border controls”, “protection of external borders”, “control from distance”, “prevent” and “rapid returns” (even “forced returns”) are commonly used in the documents and reports to reflect the externalization policy of the EU.

Consequently, this thesis offered many future implications with regard to the refugee problem that has started in 2015. In the first place, as the main reason of the EU’s externalization policy, the growing constraining dissensus demonstrated that perceptions and opinions of the public are very powerful to put limits and obstacles to the both national and EU decision-making systems. That is why, the public seems to determine the future of the European issues and more importantly, the future of the EU. Henceforth, European citizens will demand a stronger relationship between their decisions regarding the EU and the EU. The dissensus between elite and public will be only solved by giving people a greater voice in shaping European issues, such as the refugee crisis. As long as the EU cannot offer clear solutions and make realistic

commitments for its public in terms of European problems, the international arena can witness more backwards in the European integration process.

Relatedly, there is a possibility that the question of identity will gain a greater deteriorating impact on the EU, especially after the European refugee crisis. A common European identity, which the EU has been advocating for a long time, is negatively affected during the refugee crisis due to the rise of national identity. This situation is also apparent in the other European crises such as Brexit. As a supranational organization, the EU relies on a common identity that transcend national interests and boundaries with the intent of achieving common goals such as common economic, political or social development. Thus, the rise of national identity among people can have groundbreaking implications for the EU and its integration process. These implications proved themselves as evident when the far-right parties gained power in national and European Parliament elections. While the shaking effects of Brexit has not been resolved in the EU yet, new identity crises, caused by the strengthening of far-right populist politics, will pose challenges for both the EU and its neighbors. After a while, defining new “others” and taking hostile attitudes towards these others, who are seen as the cause of all problems, can create a domino effect which may disrupt Europe’s own welfare and harmony.

Therefore, the refugee crisis generates long-term problems which requires long-term solutions rather than short-term solutions. It is an ongoing problem for the EU, its neighbours and third countries. However, established solutions which are based on the EU’s externalization policy remain inadequate due to their short-term and unrealistic characteristics, such as in the case of EU-Turkey deal. The EU has long

pursued different tools within the framework of its externalization policy regarding the migration management. Nevertheless, once again, externalization policy of the EU did not improve its shortcomings, instead it displayed deficiencies of its migration management system. As the current trends show, Europe will continue to be attractive to refugees due to the factors such as increasing internal conflicts, economic inequalities between the EU member states and other countries, and climate change so that the management of immigration will continue to have a greater salience in the EU agenda. Hence, the EU should build a more efficient migration management system that includes different external and internal migration policy tools, which does not rely on fragile deals with third countries. However, there is a possibility that the EU could still pursue a limited and negligent externalization-oriented migratory policy which pushes the EU to turn a blind eye to what is really happening. This type of policies endangers the refugees' rights to choose a country for seeking asylum although seeking asylum in foreign countries, as a basic human right, is guaranteed under international law for the people fleeing from their countries. Outsourcing European border controls and asylum processes towards the South will not solve the problem, it is only a short-term solution. Instead, it is a global responsibility, more than a European one, to ensure people's migration journeys as non-dangerous destinations.

With the framework of the EU-Turkey deal, the EU put everything on the table including the cases that it judges as politically unacceptable for many years. These include visa-free travel for Turkish citizens, opening of new chapters in Turkey's EU accession process and an amendment of the EU-Turkey Customs Union. However, these are unrealistic promises that could not be kept and over the past four years,

about 25,000 refugees have been resettled in the EU member states as Turkey has been hosting nearly 4 million Syrians. In this case, the EU and the Turkish government use refugee problem as a diplomatic leverage. They treat this crisis as a tool to threaten and to fear each other. However, it is a humanitarian crisis. Especially since March 2020, both the Turkish side, by opening and letting the refugees go to the EU and the EU side, by not accepting them into member states and using violence to refugees such as in the case of Greece, are not acceptable in terms of humanity and international law and rules. Thus, countries should stop to treat refugees as just a matter of statistical data or a simple number. But, the EU seems to be willing to pursue this deal without fulfilling commitments and if the deal would break down, the EU seems to strike another agreement with Turkey.

Therefore, one can predict that, in the following years, the EU is likely to continue to rely on a partnership system that is based on the principle of control from distance as a part of its externalization policy, in the light of experiences gained from the Turkish model. The thesis revealed that the desired level of solidarity and harmony among member states on the practices regarding the European migratory policy and efforts to guarantee the practice of a uniform approach which fits to all member states have not been achieved. One can assume that in forthcoming years, immigration will be seen as one of the most important problems faced by the European countries and there will be referendums focused on the issue of immigration. That is why, a robust and equal migration approach which has also a sanction system for member states is required in the future periods. If member states would achieve a consensus among each other in the first place and a well-established cooperation with transit states would be achieved when it is necessary, European

citizens would feel more comfortable in a well-arranged system and constraining dissensus could not grow. The fact that, besides the difference of culture and identity, many events are associated with immigrants and it feeds European concerns about immigration. So, one can foresee that public will insist EU to take stronger actions in the face of migration flows and to pay more attention to the voice of its citizens. Otherwise, with the identity crisis that has already occurred due to globalization, any European problems including the immigration problem could not be permanently solved and the EU could continue to externalize the burdens of the European problems to other countries.

As a last remark concerning the limitations of the thesis, this study mainly examined northern and central European member states rather than focusing on southern member states such as Italy, Spain and Greece. This generates a certain limitation because the southern member states' perceptions and attitudes in terms of the refugee crisis are also important to analyze the route to the EU's externalization policy. Especially in these three southern member states; Italy, Spain and Greece, the far-right parties gained huge power in the electoral arena as well as in the northern member states. It is also known that Italy was disappointed in the EU due to the absence of sufficient help and support from the EU. That is why, future research which focuses on the southern member states can improve the findings of this thesis on constraining dissensus. Moreover, further research can be conducted on the perceptions of transit and origin countries with regard to the EU. It would be more comprehensive to examine how these third countries approach the refugee crisis and cooperate with the EU, in order to understand their perceptions on the EU's externalization path. Since there are many other migration deals between the EU and

third countries such as Morocco, Tunisia and Libya, it would be significant to explore the dynamics of these cooperation processes to learn more about the externalization path of the EU.



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