The EU’s refugee ‘crisis’: Framing policy failure as an opportunity for success

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The EU’s refugee ‘crisis’: Framing policy failure as an opportunity for success

The refugee ‘crisis’ has been presented as a failure of the EU’s asylum policy. Yet, which kind of failure are we actually talking about? Is it a failure to deal with the external pressures that saw the number of asylum-seekers raise drastically or rather a failure to build a fully-functioning common asylum system? This article examines the strategies of policy-makers to frame the crisis either ‘as threat’ or ‘as opportunity’, concentrating on the failed proposal to relocate asylum-seekers across EU member states. The analysis looks at whether causes are framed as exogenous or endogenous to the EU and where blame is principally attributed. It seeks to develop existing models of policy failure and make them better suited to the EU’s particular institutional setting by drawing on strategic framing models and the Multiple Streams Framework. This new approach allows us to go deeper into the causes of ‘crises’ and to better understand the mechanisms linking ‘crises’ with policy solutions.

La « crise » des réfugié.e.s dans l’Union Européenne : Cadrer un échec politique comme une opportunité pour le succès

La "crise" des réfugiés a été présentée comme un échec de la politique d’asile de l’UE. Pourtant, de quel type d’échec parlons-nous en réalité ? S’agit-il d’un échec à faire face aux pressions extérieures qui ont vu le nombre de demandeurs d’asile augmenter considérablement ou plutôt d’un échec à mettre en place un système d’asile commun pleinement opérationnel ? Cet article examine les stratégies des décideurs politiques pour cadrer la crise soit comme une menace, soit comme une opportunité, en se concentrant sur l’échec de la proposition de relocalisation des demandeurs d’asile à travers les États membres de l’UE. L’analyse examine si les causes de cet échec sont considérées comme exogènes ou endogènes à l’UE et la faute est principalement attribuée. Elle cherche à développer les modèles existants d’échec des politiques et à mieux les adapter au cadre institutionnel particulier de l’UE en s’appuyant sur les modèles de cadrage stratégique et le Multiple Streams Framework. Cette nouvelle approche nous permet d’approfondir les causes des "crises" et de mieux comprendre les mécanismes qui relient les "crises" aux solutions politiques.
The EU’s refugee ‘crisis’: Framing policy failure as an opportunity for success

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Introduction

The refugee ‘crisis’ has been presented as a failure of the EU’s asylum policy. Yet, which kind of failure are we actually talking about? Is it a failure to deal with the external pressures that have seen the number of asylum-seekers raise drastically or rather a failure to build a fully-functioning common asylum system? This article examines the strategies of policy-makers to frame the crisis either ‘as threat’ or ‘as opportunity’ (Boin et al., 2009). It focuses on how ‘failure’ has been used by political actors, who have framed the causes of the crisis as exogenous or endogenous to the EU, thereby affecting where blame is principally attributed.

Looking into the discursive management of crises is important to understand their effects, that is, their (in)capacity to engender radical or incremental (policy) change. While many comparative analyses of EU crises focus on grand theories of European integration (Börzel and Risse, 2018; Degner, 2019; Genschel and Jachtenfuchs, 2018; Hooghe and Marks, 2019; Niemann and Zaun, 2018), they generally fail to account for the role of actors as sense-makers of the causes and consequences of crises. We need, therefore, accounts of the crisis that take into account the role of actors in the policy-making process in order to underline how their strategies and efforts to frame events are key to understanding why some events become more salient than others, which narratives become legitimate and where they come from. To this effect, this article draws on strategic framing models and the Multiple Streams Framework (MSF) in order to understand which actors have provided different narratives of the asylum crisis, why they adopt different perspectives and what effects it has for the success or failure of alternative policy solutions. The article seeks to define the conditions under which crisis events are transformed into a threat or an opportunity and the strategies that actors develop to frame legitimate solutions.
In this sense, the theoretical underpinnings of the article are in line with recent efforts to conceptualise the role of ideas, discourses and narratives in the last EU crises. However, in comparison to these previous efforts, this article focuses on the mechanisms underpinning the construction of problems and solutions in a context of uncertainty. Therefore, it aims to go beyond structuralist explanations focusing on the causal role of social structures (Matthijs and McNamara, 2015) and ad hoc explanations based on specific crisis situations (Guiraudon, 2018; Laffan, 2014). The model draws from and complements existing theoretical models based on constructivist approaches of EU policy-making, such as discursive institutionalism (cf. Schmidt, 2014), agenda-setting theories (Princen, 2011), field theory (Fligstein and McAdam, 2012), actor-based institutionalism (Ripoll Servent and Busby, 2013; Saurugger, 2013) and securitisation (Balzacq, 2010; Bigo, 2000; Buzan et al., 1998). It also relies on a long-standing literature looking at the role of ideas and actors in the Area of Freedom, Security and Justice (Bonjour et al., 2018; Boswell, 2008; Boswell et al., 2011; Guiraudon, 2003; Lavenex, 2001; 2018; Trauner and Ripoll Servent, 2015).

However, the article’s main aim is to provide theoretical explanations for the mechanisms underpinning the coupling process in the Multiple Streams Framework (MSF) by drawing on framing theories. The combination of these two models allows us to focus on processes of sense-making in times of crisis and, thereby, provides an operationalisation of frame contests and their impact on policy outputs. The model is then used to explain the emergence and failure of relocation quotas as a potential solution to the crisis. For this purpose, official documents, press releases and media interventions running between July 2014 and March 2016 – with an emphasis on the period April-October 2015 – have been coded using MaxQDA. The dataset gathers 318 documents portraying an array of views from heads of state and government, national officials, Commission representatives, Members of the European Parliament (MEPs) as well as domestic politicians. Noticeably, wider voices from civil society and non-governmental organisations are largely missing from media reports, which means that frame entrepreneurship originated mostly from EU policy-makers. The article argues that the failure of relocation quotas can be explained by the absence of a shared understanding of what was at stake in the crisis – which meant that the efforts of the Commission and some EP members to appeal to solidarity and the need to reform Dublin were seen as less legitimate than the ‘technical’ solutions proposed by the European Council.
Framing EU policy-making in times of crisis

The MSF aims to understand policy outcomes by focusing on the role of policy entrepreneurs and their ability to use windows of opportunity to couple three main streams: problems, policies and politics. The problem stream looks at how certain issues become a problem and which actors bring them (successfully) to attention; the policy stream looks at how solutions to problems develop in a ‘policy primeval soup’ or are picked up from a ‘garbage can’ filled with half-baked solutions ‘waiting’ to be coupled to a new problem; finally, the politics stream focuses on the opportunities for policymakers to turn problems into solutions, looking, for instance, at the national mood or the influence of political parties (Cohen et al., 1972). The approach is particularly well-suited to analyse crises, since it focuses on how ambiguity and time constraints affect policy-making and puts a particular emphasis on the relationship between actors and their institutional context (Kingdon, 1984; Zahariadis, 2003). Indeed, the basic tenets of the multiple streams approach state that, under conditions of ambiguity, policy-makers have only limited time to decide and cannot pay attention to all possible problems. Therefore, the MSF looks at policy-making as a sequence of complex interactions, which comprises both processes of policy change and stability, and considers actors (especially policy entrepreneurs) as key variables in the policy process (Cairney, 2012; Howlett et al., 2014; Kingdon, 1984; Zahariadis, 2014). However, the MSF remains relatively silent about the conditions and mechanisms of change as well as the relationship between structure and agency (Zahariadis, 2014).

I propose to fill this gap with the help of frame analysis: framing can be understood as the mechanism coupling the three main streams (cf. Copeland and James, 2014). Indeed, framing is implicit in the MSF, since policy entrepreneurs strategically attempt to frame an issue as a problem or a potential solution. Therefore, framing tells us more about the mechanism used to couple the three streams successfully and it provides the agency needed to make this process work. In this way, it helps the MSF make an ontological choice by providing it with an actor-centred (constructivist) worldview that underlines the necessity to view structures and agents as relational concepts (Kauppi, 2010; Ripoll Servent and Busby, 2013; Saurugger, 2013). It understands actors as conscious and reflexive agents capable of choosing those strategies and roles that are most appropriate in a given institutional setting (Hay 2002; 2010; Kauppi and Madsen 2008). Hence, policy entrepreneurs play an active role in framing political issues, deciding what goes on the agenda and what stays out of it as well as how specific solutions are presented and legitimised.
However, using framing to analyse EU policy-making is not straightforward. Eising et al. (2015, p. 516) affirmed that ‘we know rather little about the emergence and variation of frames in the EU, especially with regard to the contextual factors that impact on these frames’. Despite some early efforts to provide coherence (Entman, 1993), the literature on framing remains generally dispersed – even more so when it comes to studying the EU. Indeed, framing remains a relatively unspecified concept that hides very different understandings of what frames mean and how the mechanism works. This is probably why the EU literature has not used an integrated concept of analysis. Generally, studies using policy framing have focused on one specific EU institutional actor – looking in particular into the role of the Commission as agenda-setter (for a review, see Daviter, 2007; Copeland and James, 2014). There have been two major (albeit unrelated) attempts to introduce framing to EU studies: Daviter (2011) and Rhinard (2010) established many of the theoretical bases to study strategic framing in the EU’s policy system but neither of their models established a systematic way to operationalise the process of frame formation, framing mechanisms or the role of actors. In addition, this emerging research agenda hides deep differences in the ontological and epistemological understanding of framing. On the one hand, we have seen a growing line of research in which framing is understood as the process of ‘selecting and emphasizing particular aspects of an issue’ (Eising et al. 2015, 516). The latter focuses on the analysis of large-N patterns and attempts to establish how specific words are connected to each other in a given context. In comparison, another line of research draws rather on frames as ‘schemata of interpretation’ (Goffman 1974, 21) or ‘shared constructions of reality’ (Rein and Schön 1991, 263). There, meanings are not taken as given but as constructed by actors involved in the policy-making process. It is, therefore, a more flexible concept that looks both at what has been said (and done) and what remains off the agenda. That is why this second line of research prioritises depth over breadth and underlines the importance of examining framing as a process (Rhinard 2010; Schön and Rein 1995).

This article adopts this second understanding of framing, that is, a process during which ‘definitions of a situation are built up in accordance with principles of organization which govern events [...] and our subjective involvement in them’ (Goffman, 1974, p. 11–12). It is ‘a way of selecting, organizing, interpreting, and making sense of a complex reality so as to provide guideposts for knowing, analyzing, persuading, and acting. A frame is a perspective from which an amorphous, ill-defined, problematic situation can be made sense of and acted upon’ (Rein and Schön, 1991, p. 263). Frames, thus, involve both
discursive practices and activities that aim to give meaning to our environment and what occurs in it. This exercise of sense-making is embedded in a specific (institutional) setting, and situated in a given spatial and temporal context – what some have called meta-norms, (policy) narratives, ideology or (policy) paradigms (Blyth, 2002; Boswell et al., 2011; Hall, 1993; Laffan, 2014). In order to study change in policy-making processes, it is essential to identify which frames succeed, how and why ‘particular frames [...] prevail over competing ones’ (Kohler-Koch, 2000, p. 516). Therefore, I focus here on ‘framing contests’ (Boin et al., 2009, p. 82), since they underline the strategic value of frames: they are ‘a tool to manipulate [the context in which policymaking takes place] and its core elements, including relevant actor networks, the institutions that guide action, and the links between policy ideas and broader societal values’ (Rhinard, 2010, p. 43). Looking at dislocations and conflicts can help us understand both what is and what is (intentionally or unintentionally) not said or done (cf. Howarth et al., 2000). If we are interested in examining how policies are formulated and translated into policy outputs, frames should not be equated only with positive outcomes but also to non-decisions and inaction (cf. Bachrach and Baratz, 1962; Lukes, 2005).

In order to make the analysis of actors and their strategies more tangible, I combine the MSF with a specific model of ‘framing contests’ in times of crisis. Boin et al. (2009, p. 82) proposed a framework to analyse actors’ strategies when defining ‘frames and counter-frames concerning the nature and severity of a crisis, its causes, the responsibility for its occurrence or escalation, and implications for the future’. They focused on contests around the significance of events (i.e. whether they are actually framed as a crisis and how salient they are) and their causality (where does the crisis originate and who is to blame). They then considered how actors could exploit a crisis for either political (e.g. undermine the authority of the government) or policy gains (e.g. bring about substantive policy change). The authors, however, acknowledged that more research was needed in order to better explain the links between policy and politics as well as to consider the multifaceted nature of crisis outcomes (Boin et al., 2009, p. 101). It is here where the MSF can help link problems, politics and policy solutions. The following operationalisation brings together Boin, ‘t Hart and McConnell’s contribution with the MSF.
Table 1: Framing mechanisms and dominant logics

<table>
<thead>
<tr>
<th>Type of frame/Stream</th>
<th>Denial</th>
<th>Threat</th>
<th>Opportunity</th>
<th>Dominant logic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Problem</td>
<td>Minimise</td>
<td>Acknowledge</td>
<td>Maximise</td>
<td>Outcome-oriented</td>
</tr>
<tr>
<td>Politics</td>
<td>Exogenise blame (unforeseeable)</td>
<td>Exogenise blame (uncontrollable)</td>
<td>Endogenise</td>
<td>Legitimation</td>
</tr>
<tr>
<td>Policies</td>
<td>Resist change</td>
<td>Secondary change: venue-shift</td>
<td>Non-incremental policy change</td>
<td>Garbage-can</td>
</tr>
</tbody>
</table>

Sources: Based on Boin et al. (2009)

Table 1 categorises various framing mechanisms based on 1) the type of reaction to a crisis and 2) the different policy-making streams and the expected policy-making logic when one of these three streams becomes dominant.

Denial:

Frame entrepreneurs that react by denying the existence of a crisis will try to minimise the importance of the problem, considering that they are not significant or do not amount to a major disruption of societal or institutional norms. Therefore, it is expected that they will attribute the causality of events to exogenous factors that were unforeseeable (e.g. an earthquake) and, thus, do not question existing policies. Finally, that means that, when it comes to policies, they will attempt to resist any changes, since they will consider these events to be an exception, something that disrupts political life for a while but does not put into question existing policies (cf. Boin et al., 2009). It is expected that office-holders or policy-makers (especially those at the top of the hierarchy) will be more prone to denying the crisis and will try to continue with ‘business as usual’. They will be policy entrepreneurs in the sense that they will try to block any attempts of other actors to portray an event as a crisis and will actively resist the necessity to change existing policies.

Threat:

Frame entrepreneurs that accept the existence of a crisis but see it as a threat to the status quo will acknowledge that there is a problem; that political and societal life has been disrupted. In contrast to the first type of reactions, these frame entrepreneurs will attempt to exogenise blame by claiming that events were impossible to control (e.g. a global financial crisis affecting a well-managed economy). In this case, blame will be directed away from
those in charge of decisions and down the hierarchy. Finally, when it comes to policies, it is expected of policy-makers to accept some secondary changes, especially if they serve to assuage those expecting some sort of reaction and accountability for failures in the aftermath of a crisis (cf. Boin et al., 2009). We can also expect frame entrepreneurs to try to divert the attention by shifting solutions to another venue, so that the policy core remains intact but there is an appearance of political action elsewhere. Therefore, we expect those that could potentially be most affected by a change in the status quo to see a crisis as a threat and to adopt mechanisms of blame- and attention-shifting. This type of actor is a policy entrepreneur, but one seeking stability (especially when it comes to the policy core) rather than change.

**Opportunity:**

Finally, those that see a crisis as an opportunity are in the best position to become classical policy entrepreneurs, looking for non-incremental policy change. To this effect, they are likely to maximise the importance of events, even at the risk of appearing alarmist or opportunistic. When it comes to the politics stream, these policy entrepreneurs are expected to frame the crisis as something endogenous – the product of malfunctioning institutions and policies that call for major modifications. They might use these events to undermine the authority of other political actors and delegitimise their responses by claiming that they are responsible for the crisis and its consequences. Therefore, they will call for non-incremental policy changes and/or institutional changes framing it as an opportunity to overturn a failing system (cf. Boin et al., 2009). Frame entrepreneurs that see crises as opportunity are more likely to come from the opposition or from outsiders to the policy-making system; they can also be political actors that had already attempted to introduce new policies in the past but failed. In this case, the crisis is a chance to reintroduce their ideas and frame them as something that is now necessary to solve the problem.

**Dominant logic:**

Building on the classical MSF, Howlett et al. (2014) underlined that not all policy streams are likely to be of equal importance during the policy-making process. On the contrary, they expected one stream to become dominant; the other two streams do not disappear but become nested within the dominant stream. If we combine this idea of a ‘dominant’ stream with that of frames, we can then conceptualise a frame construction process as one where a given stream provides the main rationale underpinning the ‘framing contest’. First,
when the *problem* stream dominates, problems might be framed in a technocratic manner and presented as the most ‘rational’ or ‘optimal’ solution. In this case, experts may become key supporters of frame entrepreneurs (or act as such themselves), since the main policy-making logic will be outcome-oriented: the aim is to find the most suitable solution to a problem (cf. Boswell, 2009). Therefore, successful entrepreneurs are likely to frame issues as ‘technical’ and ‘neutral’ in order to convince others that this is the most optimal solution to the problem. Second, if the *politics* stream becomes dominant, frames are likely to emphasise issues of legitimation, especially when it comes to political actors. We can then expect policy-making to be dominated by frames that attempt to designate insiders and outsiders, that is, who is a legitimate decision-maker. For instance, we might expect entrepreneurs to attempt to frame themselves as the most adequate actors to make a decision or to justify why a counter-entrepreneur should not be part in the decision. Third, if the *policy* stream becomes dominant, ideology becomes secondary and frame entrepreneurs put forward ‘garbage can’ solutions – often based on half-baked ideas that never quite succeeded or are still in preparation and just ‘waiting’ to be coupled to a new problem (cf. Cohen et al., 1972; Guiraudon, 2003). For instance, a new event may serve frame entrepreneurs to revive and claim the necessity of projects that had already been in the Commission’s pipeline but had not received enough attention.

This is, of course, based on ideal-types, which means that the different mechanisms and logics might be more or less relevant at various stages of the policy process. Therefore, analysing how the different streams become more or less salient and which framing mechanism is (un)successful and why is also part of the empirical analysis.

**Who is to blame for the asylum crisis?**

The ‘migration’ crisis was not always a ‘migration’ crisis. It started rhetorically as a crisis in the Mediterranean, where the increasing number of people crossing sea borders led to more (visible) deaths. In this sense, the origins of the crisis can be traced back to the drownings on the coast of the Italian island of Lampedusa in 2013 and show, therefore, rhetorical continuity rather than a clear break caused by a sudden external event. From September 2014, the number of voices pointing at the need to tackle the crossings across the Mediterranean grew steadily, but it was not until April 2015 that the notion of crisis took a more general character – beyond the issue of smuggling as
well as the practices of search and rescue along the coasts of Italy, Greece and Malta. The Commission’s European Agenda on Migration (COM/2015/240 final), published on 13 May 2015, marked a shift from a localised issue on the EU’s sea borders to a more general problem that needed a broader repertoire of (policy) solutions.

The origins of the crisis were hardly contested; most people named the growing political instability outside the EU borders – with a particular emphasis on Syria and Libya – as well as the use of smugglers to cross the Mediterranean. This was often accompanied with an acknowledgement that the increasing number of migrants put frontline member states (and especially Greece and Italy) under pressure. Therefore, there was a clear absence of frame entrepreneurs trying to deny the existence of a problem. Similarly, most of the voices came from the top of the hierarchy (heads of state and government, ministers of the interior, top civil servants from the EU institutions and MEPs in a leadership position) – thereby silencing potential alternative solutions coming from civil society and non-governmental organisations. Despite the uniform profile of the frame entrepreneurs, the latter provided different definitions of how the crisis would affect the European Union – that is, they offered two contrasting understandings of the ‘common bad’ (cf. Biermann et al., 2019), one based on an endogenous interpretation of the crisis and the other based on strategies attempting to exogenise the blame.

**The ‘endogenous’ frame**

The first frame – a ‘solidarity’ frame – emphasised the internal dimension of the crisis and was mostly promoted by frontline member states (e.g. Reuters, 2015) and MEPs as well as the Commission. This frame blamed the Dublin system and the lack of solidarity among member states for the crisis.

How many times have we talked about [the Common European Asylum System]? How many trilogues have we had? How many pieces of directives and laws have we put together? Of course we have the tools to do the job. The issue is one of solidarity, and the issue is one of political action (Moraes, chair of LIBE committee, European Parliament, 2014a).

Solidarity goes hand in hand with responsibility. All Member States must take full ownership of the proper functioning of the system. The full and effective implementation of the Common European Asylum System is an absolute priority (Avramopoulous, HOME Commissioner, in European Parliament, 2014a).
The inability of frontline countries like Italy and Greece to control their borders and deal with the increasing numbers of migrants was, therefore, explained by endogenising blame and pointing at the structural failures of the Common European Asylum System (CEAS). The left-wing groups in the EP adopted this frame but extended the blame to the restrictive and security-led nature of EU asylum and border policies – which, in their view, had led since the 1990s to a ‘Fortress Europe’ responsible for the deaths in the Mediterranean (cf. Geddes, 2000).

[the EP resolution] perpetuates the conception of the European Union as a fortress and perceives the arrival of people who seek a better future and/or flee from political, armed, or humanitarian crises as a security issue, that is, as a threat (Juaristi Abaunz (GUE/NGL) in European Parliament, 2014c)¹.

They also extended the blame to the agricultural, trade and foreign policies of the EU – seeing them as a source of poverty and conflict in third countries.

The EU’s trade and agricultural policy in African countries is ruining local economies; its foreign policy, particularly in Libya. Not to mention the issue of climate migrants. All of them reasons that force these people to forcefully leave their homes (Mélenchon (GUE/NGL) in European Parliament, 2015c)².

Despite different (ideological) emphases, these frames coincided in identifying solidarity and responsibility as key to solving the crisis. They also agreed in seeing the rupture of the Schengen system as their ‘common bad’. Lack of solidarity might lead to a reintroduction of internal borders – which would ultimately threaten one of the main achievements of the European Union, namely Schengen.

Schengen is the most important, tangible achievement of Europe integration and we shall protect it (Avramopoulous, HOME Commissioner in European Parliament, 2015g).

The natural policy solution deriving from this ‘common bad’ was to depart radically from the existing logic of responsibility underpinning the current Dublin system – which determines that those member states unable to protect

¹ See also other interventions from Spanish and Portuguese MEPs from GUE/NGL and Greens. Also in European Parliament (2015b, 2015c).
² See similar interventions from the GUE/NGL group in European Parliament (2015d).
the external borders should be made responsible for those asylum-seekers arriving on their territory (Thielemann and Armstrong, 2013). The obvious alternative was a shift to a ‘capabilities’ system – that is, a quota system where asylum-seekers would be distributed across member states depending on the latter’s economic capacity (Merkel in Bundesregierung, 2015). This model was not new – indeed, it had appeared as a potential alternative since the origins of Dublin in the mid-1990s – but it had always been rejected by a majority of member states (Zaun, 2017). Interestingly, the first mentions of a quota or relocation system came from Bavarian President Horst Seehofer (Euobserver, 2014a) and other EPP members in Autumn 2014 (see Becker [Austria, EPP] in European Parliament, 2014b). However, the original authors of this idea were forgotten and the proposal of a relocation system was quickly linked to either Frans Timmermans or Jean-Claude Juncker – with some calling it ‘Juncker’s baby’ (European Parliament, 2015d; Politico, 2015c).

The supporters of a relocation system stressed the need to break away from past policy failures and find a long-term solution to the crisis (and potential new crises in the future). This search for long-term solutions was reinforced by proposals of the Commission, social-democrats, liberals, Greens and radical-left to introduce a holistic view that would also include legal migration channels (either in the form of humanitarian visas, resettlement or labour migration). The main proponents came from the social-democratic camp:

The Parliament must propose another migration policy for Europe, which addresses these issues in a global and transversal approach, integrating in particular: legal migration channels, whether they already exist or need to be encouraged, effective access to asylum procedures and the development of alternatives for people seeking international protection, and a renewed partnership with third countries on the basis of cooperation as equals and mutually beneficial interaction (Sylvie Guillaume [France, S&D] in European Parliament, 2014c). See also other S&D MEPs in the same debate.
Despite the range of proposals, the following debates focused mostly on the issue of relocation quotas. Although the Commission’s plan was to introduce a permanent quota system, it started by proposing a temporary solution.

To deal with the situation in the Mediterranean, the Commission will [...] propose triggering the emergency response system envisaged under Article 78(3) TFEU. The proposal will include a temporary distribution scheme for persons in clear need of international protection to ensure a fair and balanced participation of all Member States to this common effort. This step will be the precursor of a lasting solution. The EU needs a permanent system for sharing the responsibility for large numbers of refugees and asylum seekers among Member States (European Commission, 2015, p. 4).

It presented it as an ‘emergency solution’ that would have immediate effects and help to alleviate the situation in Greece and Italy; the idea of it being a ‘test case’ for further long-term reforms was quickly taken up by MEPs – especially since a permanent solution would include the EP as co-legislator (European Parliament, 2015a; Politico, 2015e).

Therefore, this ‘solidarity’ frame treated the crisis as a window of opportunity and used it to introduce policy solutions that departed considerably from the status quo. To this effect, it framed the crisis as an endogenous problem that potentially threatened to break down the European Union project. What is interesting here is that the most important frame entrepreneurs (Commission at large, especially Juncker, Timmermans and Avramopoulous) were supported by the centre- and left-wing of the EP and frontline member states. Northern member states like Germany, Sweden and Belgium largely agreed to the idea of relocation quotas – especially when the Dublin system eventually broke down in August-September 2015 (Politico, 2015b; 2015i). France had a more ambivalent position, with French EU affairs minister Harlem Désir affirming on 18 May 2015 that ‘France is against this proposal of quotas for handling irregular migrants in Europe’ (Euobserver, 2015e) – a position contradicted some days later (26 May) by interior minister Bernard Cazeneuve, who underlined that ‘this proposal [relocation quotas] [...] was partly inspired by proposals made by France. It’s reasonable that there should be a redistribution of the numbers in the European Union’ (in Politico, 2015d). Therefore, it is surprising that, given this broad support to the ‘endogenous’ frame, it failed to convince and did not ultimately lead to non-incremental policy change.
The ‘exogenous’ frame

The second type of frame presented the problem as exclusively exogenous. It fought against the attempts to endogenise blame by pointing at Africa and other undemocratic systems as the main source of migration.

Let me be clear. Europe did not cause this tragedy (Tusk in European Council, 2015f). We are slowly becoming witnesses to the birth of a new form of political pressure, and some even call it a kind of a new hybrid war, in which migratory waves have become a tool, a weapon against neighbours (Tusk in European Council, 2015e).

If we look to the Mediterranean and keep telling each other what Europe still has to do, where Europe fails, then, although we need to be self-critical as European politicians – no doubt about it –, we should also be able to state: The chief culprits do not sit in Europe, they sit in Africa. There we have corrupt states and politicians that give no perspective to their people (Weber, EPP in European Parliament, 2015b).

The emphasis was on pointing at the danger of ‘uncontrolled’ flows that could not be stopped. Orbán and Tusk even spoke of an ‘exodus’, which responded to the idea of an uncontrollable threat coming from the outside.

Europe is not being pressured by a ‘refugee problem’ or a ‘refugee situation’ [...] Rather, the continent is under threat of an ever-growing modern exodus (Orbán in Politico, 2015f).

The present wave of migration is not a one-time incident but the beginning of a real exodus, which only means that we will have to deal with this problem for many years to come (Tusk in European Council, 2015d).

At the same time, this frame hid two different definitions of the ‘common bad’ – i.e. two different perceptions on what was being threatened by the crisis. On the one hand, a group led by Manfred Weber (leader of the EPP in the European Parliament) pointed at the issue of distinguishing between
those deserving international protection and those that came to Europe for economic purposes.

Whoever claims that, if we open the doors for legal labour immigration, it will end the misery in the Mediterranean, they are deluding themselves and others [...] We do not believe that opening legal channels to Europe en masse is a solution to illegal migration (Weber, leader of the EPP, in European Parliament, 2015b).

Therefore, the increase in migration flows was linked to the issue of irregular (in their words, illegal) immigration and the need to quickly separate the flows and foster their return to countries of origin or transit. For instance, the Council presidency put it neatly when affirming: ‘it is important to have a comprehensive approach with a view to providing asylum for those in genuine need, as well as at the same time ensuring the effective return of those who do not have a right to stay’ (Zanda Kalniņa-Lukaševica, President-in-Office of the Council, in European Parliament, 2015d). Here, the main threat followed a frame traditional for (although not unique to) the conservatives and Christian-democrats (Hix and Noury, 2007; Ripoll Servent, 2015): accepting more (economic) migrants created competition with native populations – especially those affected by unemployment:

For those of you who shake your head, one could point to the debates in Europe showing that every fifth young person on this continent has no work. In view of this social situation, I want to openly discuss, whether now is the right time to open the doors to our continent (Weber, leader of the EPP, in European Parliament, 2015b).

This type of arguments based on a socio-economic dimension lost momentum when it became clear that most of those arriving on European shores did have a claim for international protection.

On the other hand, Central and Eastern European leaders concurred in blaming exogenous causes for the crisis, but linked the ‘common bad’ to a

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4 See also similar interventions from ECR MEPs, EPP MEPs and Vice-President of the Commission Timmermans in the same debate. Similar interventions can be found in European Parliament (2015b, 2015e, 2015f), especially coming from ECR MEPs and the Commission.
nativist dimension. Leaders like Orbán saw the rising number of migrants as a risk for ‘European civilisation’:

We shouldn’t forget that the people who are coming here grew up in a different religion and represent a completely different culture. Most are not Christian, but Muslim […] Or is it not worrying that Europe’s Christian culture is already barely able to maintain its own set of Christian values? (Orbán in Politico, 2015f).

This frame resonated in other Viségrad 4 countries like the Czech Republic and Slovakia but also in other new member states such as Bulgaria, Romania and Cyprus (Euobserver, 2015d; 2015h; Euractiv, 2015a; 2015b). This was, certainly, a message directed mostly to domestic audiences, but it was not far from the discourses of other Western conservatives, like CSU leader Horst Seehofer and former German interior minister Hans-Peter Friedrich (also CSU), who saw the inflow of migrants as a potential door for terrorists:

[It is] completely irresponsible that untold thousands are streaming into the country uncontrolled and without registration […] There is no way to reliably determine how many of them are Islamic State fighters or Islamic sleepers (Friedrich in Politico, 2015g).

Here, the definition of the ‘common bad’ was rooted in nativist claims based on threats to citizens – either in the form of identity and culture or security.

These two definitions of the ‘common bad’ were not contradictory – since they both focused on keeping migrants out of the EU – and served to reinforce each other when it came to proposing solutions to the crisis. For these entrepreneurs, the logical answer was ‘border protection’: the crisis showed that the EU had not been able to manage its external borders properly and, hence, in order to save Schengen, there was a need to ‘close doors and windows’:

Recently I visited refugee camps in Turkey and Jordan and I heard only one message: we are determined to get to Europe. It is clear that the greatest tide of refugees and migrants is yet to come. Therefore we need to correct the policy of open doors and windows. Now the focus should be on the proper protection of our external borders and on external assistance to refugees and the countries in our neighbourhood (Tusk in European Council, 2015f).
Reinforced border control became an emblem of increased security in the EU:

For all refugees, easy access to Europe and lack of external borders have become, besides the “Willkommenspolitik”, a magnet attracting them to us [...] Europe without its external borders equals Europe without Schengen (Tusk in European Council, 2015e).

The idea of enhancing border protection took different forms. At the start – when the attention was turned to the Mediterranean – the main proposals came from the European Council and the High Representative of the European Union for Foreign Affairs and Security Policy (Federica Mogherini) and targeted the destruction of smuggler boats on the coast of Libya (Euobserver, 2015b; 2015f; The Guardian, 2015a), which led to the new defence mission EUNAVFOR Med (CFSP/2015/778).

In addition, the European Council (2015a, point III.16; 2015c, point f) – with an explicit support of the Commission (Euobserver, 2014b) – insisted on the importance of involving third countries in monitoring and controlling land borders5.

The best way to protect people from drowning is to ensure that they do not get on the boats in the first place. Almost none of the migrants are Libyans. Therefore, we will help the countries around Libya – Tunisia, Egypt, Sudan, Mali and Niger among others – to monitor and control the land borders and travel routes (Tusk in European Parliament, 2015b).

Indeed, this idea resonated with long-term member states’ preferences for strengthening the EU’s competences in border management (Geddes, 2000; Guiraudon, 2000; Lavenex, 2006; Parkes, 2015). In practical terms, this meant, first, improving border surveillance as well as intelligence-sharing and practical cooperation among member states (Politico, 2015a) and, second, increasing the resources for search and rescue operations while maintaining the mandate given to Frontex (European Council, 2015c). These proposals – together with ancillary measures such as reinforcing the ‘safe third country’ principle (Weber, EPP leader, in European Parliament, 2015b) and enhancing the use of returns – received a broad support from leaders and MEPs coming from the EPP, the ECR and the far right (Euobserver, 2015a; 2015b).

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5 See also Angela Merkel in Politico (cf. Euobserver, 2015f; 2015h).
Therefore, by exogenising the problem and defining it as an uncontrollable phenomenon, the main frame entrepreneurs needed to propose solutions that were consistent with this logic. Their ideas were based either on secondary policy change (for instance, reinforcing Frontex and existing border management policies) or a venue-shift to defence policies or cooperation with third countries – with Turkey quickly becoming the preferred partner (Council of the European Union, 2015; Euobserver, 2015i; European Council, 2015b).

**To what extent can framing logics explain the failure of relocation quotas?**

Frame entrepreneurs used very different mechanisms to ground their policy solutions. In the case of the ‘endogenous’ frame, the dominant logic was based on a mechanism of legitimation that used norms of solidarity, responsibility and fairness to break away from the existing Dublin system. This logic posed frontline member states as victims of an unfair system that were being abused by those unwilling to help them ‘share the burden’. Indeed, even if the first solution proposed by the Commission was based on temporary and voluntary quotas to relocate asylum-seekers from Italy and Greece (and later Hungary) to other member states, it quickly raised clear dividing lines in the Council (see Polish official in Politico, 2015c). It is, therefore, not surprising that, when the Commission proposed to make the quota system permanent, the proposal ended up in deadlock.

There are two reasons that help to understand why the idea of relocation quotas failed. First, these entrepreneurs framed the solution through the ‘politics’ stream. Their strategy of legitimising solutions to the crisis on the basis that existing policies lacked solidarity and were not fair towards frontline member states helped draw clear ‘winners’ and ‘losers’. This dividing line followed a geographical rather than an ideological cleavage and helped those opposing relocation quotas to transform the idea into a ‘zero-sum game’: by shifting away from Dublin, those that did not have any asylum-seekers would ‘lose out’ and be forced to accept migrants (cf. Zaun, 2019). The cleavage became even deeper when the positions of frontline and Northern member states like Germany, Sweden and Belgium became aligned. These two groups of countries had been on opposite sides in the past when it came to reforming Dublin (Zaun, 2017) – but formed a common front to get the temporary relocation quotas through in the (European) Council. The emergence of a majority headed by Germany
made it easier for Eastern Europeans to oppose the idea of quotas and present it as a ‘diktat’ of the Western (and largest) member states.

The European concept of ‘someone letting immigrants into their country’ and then ‘distributing’ them among the other member states is a mad and unfair idea (Orbán in The Guardian, 2015b).

In Bratislava, Slovakian Prime Minister Robert Fico said he was prepared to break the EU’s rules rather than accept the proposal.

I would rather go to an infringement than to accept this diktat (Fico in Euractiv, 2015a)

Therefore, the emerging Visegrád 4 coalition repeatedly used justifications that appealed to popular fears against migrants in countries not used to diversity and outsiders (BBC, 2015). Indeed, the second reason why the solution proposed by the ‘endogenous’ frame did not work was that it conflicted with the ‘exogenous’ frame. First, it underlined the nativist dimension used by populist governments in the Eastern member states – emphasising an ‘us’ vs. ‘them’ divide and the feeling that the ‘EU’ was undermining their sovereignty and right to decide on the composition of their society. This underscores the problem of using an ‘endogenous’ frame when there is no shared definition of the ‘common bad’: Eastern European countries acted not for a ‘European common good’ but rather for a domestic audience. Therefore, any departure from the ‘status quo’ was presented as a shift from being ‘winners’ under Dublin to being ‘losers’ under a new system.

The ‘endogenous’ frame also undermined the logic of the ‘economic’ definition of the ‘common bad’. The idea of quotas was framed by entrepreneurs as a potential ‘pull factor’ that would entice more migrants to come to the European Union (see for example Spain and Poland in Euobserver, 2015g; 2015j). This argument was seconded by Donald Tusk, who (at a later stage) clearly accused relocation quotas of being ‘ineffective’ and ‘highly divisive’ (European Council, 2017). Therefore, he saw relocation quotas as unable to respond to the ‘illegal immigration’ logic behind the ‘exogenous’ frame:

When Tusk says they are ‘ineffective’, it is of course in the big picture that relocation does nothing to reduce the number of illegal migrants arriving to Europe (EU official in Euobserver, 2017).
Since the idea of relocation quotas ran on a geographical cleavage, it led to visible splits within party families – particularly inside the EPP. For instance, Juncker was the main proponent of the relocation quotas – supported by key German politicians like Angela Merkel and (in the early stages of the crisis) Horst Seehofer. At the same time, social-democratic politicians like German Martin Schulz (SPD and then EP President) and Dutch Commissioner Frans Timmermans (social-democrat) were also vocal supporters of a (permanent) relocation system (Euobserver, 2015c). On the other side, Orbán (whose party belongs to the EPP) was the most visible detractor of this solution, joined often by Weber. Weber’s position is interesting, since it shows a shift in the position of the Bavarian conservative party (of which he is vice-chair) from support to opposition of relocation quotas. This shift came with an increased interest in domestic politics (due to the rise of the Alternative for Germany party) and an alignment with Orbán (cf. Dilling, 2018). This position was also supported by social-democrats in Slovenia (see Cerar in Euractiv, 2015a) – which shows the pan-ideological nature of this cleavage.

In contrast, the ‘exogenous’ frame entrepreneurs adopted a mechanism based partially on the garbage-can and the outcome-oriented logics. The language of their proposals was more technical and did not make appeals to solidarity. It was directed to solving a specific problem (inefficient border control) and proposed solutions that were aimed to closing gaps in the area of border management or that would support the purpose of border policies (e.g. removing migrants by returning them to countries of origin or transit). Many of these solutions were not new; the idea to cooperate with third-countries on border management or to enhance the powers (and budget) of Frontex was in continuation with past practices – which had introduced border management provisions in readmission agreements (Billet, 2010) or led to the gradual empowerment of Frontex (Léonard, 2010). Ideas such as agreeing on a common list of safe third countries or enhancing the practice of returns were also aligned with either past proposals (Ripoll Servent and Trauner, 2014) or practices (Slominski and Trauner, 2018). Indeed, in an area where finding common European solutions has proved fraught with problems, shifting solutions to an external venue or advancing in very small steps has become routine (Lavenex, 2006; Trauner and Ripoll Servent, 2016).

This framing strategy had also the advantage of raising few issues in a majority of member states – since enhancing border control has become a valence issue (Ripoll Servent, 2017). This agreement was actively used by Tusk, who
persistently framed the crisis as a problem related to borders and prioritised measures dealing with border management as the most appropriate solution.

From the very outset of this crisis, I have underlined the importance of protecting our external borders. We do not yet have an agreement on how to do it in operational terms but at least leaders share the view that our priority must be to protect the EU’s external borders (Tusk in European Council, 2015g).

Tusk’s position reflected his awareness of the deep divisions that the issue of quotas raised in the European Council; he was, therefore, reluctant to be put in the position of honest broker as its President (Kroll, 2017). At the same time, some perceived his preferences as an expression of his nationality – especially since Poland was part of the Visegrád 4 (Politico, 2017). His position was, however, reinforced by the clear ideological support provided by most of the centre-right (EPP) and conservative groups (ECR and ENF) in the European Parliament, which emphatically agreed with a solution that led to strengthening the borders and shifting the debate outside of the EU (European Parliament, 2014c; 2015b; 2015c; 2015d; 2015e; 2015f). The radical right even proposed to adopt the ‘Australian’ solution of off-shore reception centres for asylum-seekers – an idea that was not so far from the later proposed ‘reception centres’ in North-Africa (see members of the ENF [as NI], EFDD and some of the most extreme ECR [Halla-aho] in European Parliament, 2014c; 2015b; 2015c; 2015d; 2015e; 2015f).

**Discussion and conclusion**

Examining the origins of the ‘migration’ crisis has allowed us to appreciate how key policy-makers made sense of their environment and how their framing of the problem led to the success or failure of various policy solutions. Therefore, the article has underlined the importance of identifying the links between problem-definition and policy change. To this effect, it demonstrates that combining the Multiple Streams Framework with strategic framing can help us understand better the success and failure of certain policies in situations of ambiguity and time constraints. However, under which conditions can we expect a stream to become the dominant logic and how does this influence the success of frame entrepreneurs?

First, there has to be a consensus around the (policy) norms underpinning the origin and consequences of a crisis (i.e. the common bad) for the politics
stream to be successful. As we have seen, the politics stream has the potential of inducing non-incremental policy change in the advent of a crisis, but this can only be effective if the definition of the common bad is uncontested. This is a major difference between the Eurozone and the refugee crises: while in the former, there was an agreement that the failure of the Euro would lead to the breakdown of the EU (cf. Biermann et al., 2019), in the case of the refugee crisis, it became quickly apparent that some were willing to sacrifice the Schengen area rather than accept a policy shift towards a ‘capability’ system. Indeed, the Commission spearheaded a framing strategy that aimed to use the crisis as an opportunity to achieve a major reform of the EU’s asylum system. It endogeneised the origins of the crisis by pointing fingers to a broken-down Dublin system and the unfair burden put on frontline member states. The aim of these frame entrepreneurs was to appeal to solidarity in order to legitimise the need for far-reaching reforms in the shape of relocation quotas. However, the strategy failed to succeed because their use of these norms revealed a lack of agreement on the ‘common bad’. In the absence of a common understanding, using ‘naming-and-shaming’ strategies helped to undermine the frame, since it gave political weapons to those wishing to keep the status quo. This is, indeed, what happened with those (especially the Visegrád 4) that saw a departure from Dublin as a cost – they copied the rhetoric of those supporting an endogeneising frame to blame ‘Brussels’ and the Northern member states for forcing them to adopt unwanted policies.

The second condition shows that a legitimising frame has better chances to succeed when it does not raise geographical concerns. Similar to the Eurozone crisis, the failure of the Dublin system underlined a core-periphery cleavage (cf. Laffan, 2014); however, in contrast to the previous crisis, the issue of redistribution was presented as a zero-sum game and, therefore, made the winners and losers of a shift to a quota system more visible (Zaun, 2019). Indeed, the Commission underestimated the reluctance of many member states and domestic populations to integrate further in an area of ‘core state powers’. While the Eurozone crisis became mostly an ideological battle of the wills (Matthijs and McNamara, 2015), the refugee crisis was structured along geographical concerns rather than ideological ones. It would, therefore, be interesting to investigate further whether the Commission’s use of a frame based on solidarity and ‘Europeanness’ backfired and actually contributed to the populist and Eurosceptic messages of many governments and national parties back home.
The third condition shows that the policy stream has better chances to succeed when it can appeal to ‘technical’ or ‘neutral’ solutions. This is particularly the case in a field that has been built on strong intergovernmental and technocratic bases (cf. Bigo, 2000; Boswell, 2008; Guiraudon, 2000). Therefore, those frame entrepreneurs that blamed the crisis on external factors were more successful because they could then adopt an outcome-oriented approach to solving it. They managed to present solutions (like improving border management and cooperating with third countries) as non-controversial and beneficial for all involved. The appeal to practical expertise and technical knowledge made it difficult for those opposing this frame to contest it. In addition, their frame reinforced the path-dependent narrative – constructed by governmental actors, such as interior ministers and law enforcement authorities – that linked asylum to security since the 1980s/1990s (Ripoll Servent and Trauner, 2015). Hence, these policy solutions resonated with a long-standing frame picturing irregular migration as a threat to the culture and economy of Europe, one particularly appealing to domestic parties immersed in increasingly politicised debates.

Finally, these two last conditions also show that the success of frame entrepreneurs is conditioned by their positionality and authoritativeness. There was a mutual reinforcement between the type of frames used and who was seen as a more legitimate frame entrepreneur. That explains why the importance of geographical concerns and the use of ‘technical’ solutions gave the European Council a stronger voice in finding a solution. Indeed, Donald Tusk played a crucial role in presenting a counter-frame to that of the Commission – to the point that the framing contest became a contest for institutional power. As a result, member states’ governments were seen as the most legitimate actors to respond to the crisis – at the expense of the Commission and the European Parliament (Ripoll Servent, 2019), but also of other alternative voices coming from civil society or non-governmental organisations.

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