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EU migration policy changes in times of crisis

MALMÖ UNIVERSITY
MALMÖ INSTITUTE FOR STUDIES
OF MIGRATION, DIVERSITY AND
WELFARE (MIM)

MIM Working Papers Series No 18: 4

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EU migration policy changes in times of crisis. Discourses surrounding EU migration policies during the 'refugee crisis' – A discursive institutionalist analysis

Abstract

This thesis examines the migration policy changes adopted by the EU during the 'refugee crisis' and problematises discourses that were deployed by EU policy makers. The method and theoretical framework are built around Schmidt's discursive institutionalism and complements it with constructivist conceptual theories around discourses that are identified through the researched empirical material. The thesis concludes that there has been a continuation and normalisation of the securitisation of migration during the 'refugee crisis'. Regarding the communicative and coordinative skills of the EU actors, the former is still problematic, whilst the coordinative discourses have increased the cooperation within the EU institutions.

Biographical notes

Moa Nalepa is a former master student at Malmö University of International Migration and Ethnic Relations (IMER). She received her bachelor from Lund University in Human Rights. Moa is currently working for the Swedish public employment service.

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INTRODUCTION

In 2016, there were more than 65 million people displaced by force, and more than 21 million refugees in the world (UNHCR, 2016), nonetheless this has not commonly been labelled a 'crisis' in the European context.[1] Today the crisis discourse is adopted in situations such as the Eurozone crisis and the environmental crisis, whilst some other situations might never obtain the label. However, the discourse was once more broadly and rapidly embraced after the migration to Europe peaked in 2015 when more than double the number of migrants, 1.3 million, applied for asylum in the European Union compared to the previous year (Eurostat, 2017). One might wonder; why the global refugee situation is a crisis first when it knocks on the external borders of the EU?

With people dying in the Mediterranean Sea and the public concern and interest growing, policy makers accelerated the process of creating a common European migration policy. This united approach was however something that many actors[2] had been lobbying for, for several years. In moments like this, political institutions are under immense pressure and numerous voices have been speculating that the EU had now reached its limits, and that the institution might be falling apart. Contrary to this, Strange and Nalepa (under review) claim that in fact, the EU has been strengthened in many ways through the forced cooperation that the 'refugee crisis' brought with it. However, in its cooperation, as well as its communication, the EU institutions are both affected by as well as themselves using various discourses. The Union is also (re)producing an EU imaginary, including as well as excluding members to this unique club. This narrative can be connected to several discourses, such as the securitisation of migration, various solidarity discourses and the crisis discourse.

This thesis tries to identify and problematise the various discourses deployed by the EU in the context of the increased migration to the European Union during the years 2014-2016, with an actor-oriented approach. Ideas and discourses can be used by policy

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[2] An actor that has been pushing for this is the EESC, which was brought forth in an interview with an EESC official, conducted by the author in November 2016.

makers as a tool to legitimise their agendas, but they can also affect which changes are possible; they are dialectal (Boswell & Hampshire, 2017:133). Through viewing ideas and discourses through the lens of Vivien Schmidt's discursive institutionalism, this thesis will both examine the context in which the main new migratory policies came about, but also study how the various discourses possibly has enabled and/or constrained the emerge of said policies. Interesting to reflect upon is whether there would have been a European Agenda on Migration if the migration situation wouldn't have been perceived as a crisis? Have discourses such as the crisis discourse, been used and enforced by policy actors to serve their agenda to establish a common European policy, and if so how?

AIM AND RESEARCH QUESTIONS

Discourses such as the crisis discourse and the securitisation of migration are valuable to study to understand how various actors communicate their ideas. However, they are dialectal in the sense that they also create the context within which the actors can or cannot make certain changes. A discourse can work both to legitimise and delegitimise policy changes and are important parts in institutional actors' communication to the public and to their knowledge production. This thesis has therefore the aim to problematise and examine which various discourses that have been deployed by policy actors in the context of the migratory situation 2014-2016, a period which has been broadly labelled a 'refugee' or 'migration' 'crisis'. More generally put, the thesis will analyse how the EU policy makers are (re)producing ideas and discourses under times of rapid transformation. To do so, it is important to also study the context and contextual discourses within which these discourses are (re)produced. The research questions are therefore as follows;

- *Which are the main discourses used in the context of the new migration policies that have emerged during the 'refugee crisis' in the EU (2014-2016)?*

- *How are these discourses used in and affecting the coordination as well as the communication of the new EU migration policies?*

The research can contribute to further understanding of how various discourses are used and an awareness of the implications that discourses have for changes at different levels. Discourses are also important for the understanding of power relations and knowledge production. With a broader understanding of how policy makers communicate the EU imaginary, one can also find a deeper understanding of the massive apparatus that the union constitutes. This thesis will also touch upon the coordination of the EU institutions during the time of the 'refugee crisis' as to establish a better understanding of the internal work of policy actors during the 'refugee crisis'. By doing this, the thesis can establish a deeper comprehension of the context in which the communicative discourses have appeared and been (re)produced and how this has served to (de)legitimise the various policy changes made during these years.

Previous research

Many scholars have studied the complex net of institutions that the EU constitutes. This chapter will shortly summarise some of the scholars interested in migration policy in the EU and some that also have been inspired by the discursive institutionalist framework of Vivien Schmidt (further elaborated on in chapter 2.1 Discursive institutionalism). Some scholars have considered the specific crisis discourse, whilst others have been more interested the broader policy narratives.

Laying down the framework for this thesis, Schmidt is one of the main inspirations. Her article *Reinterpreting the rules 'by stealth'*, is especially interesting as it is investigating a different type of 'crisis' than the 'refugee' one, using her own framework; discursive institutionalism she investigates policy changes made during the 'Eurozone crisis'. She argues that to a large extent, the problems occurring during the 'Eurozone crisis' were based on the fact that a few states benefitted more from the Euro collaboration than others (such as Northern Europe and specifically Germany) whilst it rather held some Southern states back (Schmidt, 2016). Her concept of changing the rules 'by stealth' refers to when the EU actors, during the 'Eurozone crisis' reinterpreted the policies without admitting it in their communication to the public. Building on this, Strange and Nalepa (under review) analyses how the EU policy changes, made during the 'refugee crisis'

could actually be seen as a coordinative success ('silver lining') instead of exposing co-operative flaws. By being forced to cooperate, the EU have performed rather well in the sense of coordination; the European Agenda on Migration, for instance, is a proof on that. Strange and Nalepa's research focus more on the coordinative discourse and this thesis is somewhat a complement to this article, by instead turning the focus towards the communicative discourse. It also differs in the sense that it is looking deeper into, iden-tifying and conceptualising the discourses used by the EU policy makers.

Other researchers analysing the internal cooperation of the EU in the migration policy context are Christian Kaunert and Sarah Léonard. In their article from 2012 they argue that, contrary to the venue-shopping theories[3] put forth by Virginie Guiraudon in 2000, the EU migration policies have progressed and become less restrictive, compared to in the national context. Kaunert and Léonard (2012) conclude that the progress mainly derives from the successive changes that have been made to the EU institutions.

In an article from 2003, Guiraudon maps out the EU migration policy arena of the end of the 1900s and early 2000s and provides an excellent historical overview. She demonstrates that there has been, since the 80s, an intensified participation of law and order official in the management of migration to the EU. This can further be connected to the securitisation of migration that is discussed further down in this thesis (see espe-cially chapter 3.1 Securitisation of migration and 5.1 Securitisation of the EU migration policies).

In the pursuit to expand the understanding of policy changes, Christina Boswell, An-drew Geddes and Peter Scholten study the cognitive composition of narratives and the part it plays in policy processes. They underline that *knowledge claims* and *policy nar-ratives* constitutes a large role in framing policy changes. Policy makers' actions must fulfil various cognitive conditions to maintain their legitimacy; 'They need to set out causal relations between actions and events' (Boswell et al, 2011: 2). The study is rather

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[3] Guiraudon refers to venue-shopping as when 'Political actors seek policy venues where the balance of forces is tipped in their favour' (2000: 252)

theoretical but is very relevant to the case study of this thesis and could also be interesting to apply to future research.

Helena Ekelund (2014) merges the three main new institutionalist approaches (which are further expanded on in chapter 2.0 Methodology and Method) and use it to study the establishment of Frontex. By doing so, her research gives attention to a larger spectrum of understandings. Her focus lies on EU border management and the research is conducted with the support of both official documents as well as semi-structured interviews with EU officials. The article however does not cover securitisation, but consider it to be a theory not complex enough to explain the establishment of Frontex.

Leila Hadj Abdou (2016) discusses, in a text in the book 'An Anthology of Migration and Social Transformation', national sovereignty and immigration policies. She states that borders are a vital part of the modern state and goes on to discuss that there has been a movement from a domestic migration policy arena into a post-national. However, even though there has been a shift 'upwards', the nation states are still strong and defined as separate within the EU. Following this, Hadj Abdou discusses the 'Venue-shopping' theory of Guiraudon (however, without labelling as such) and end up stating that even though national policy makers might have tried to do this, they still haven't accomplished to avoid the national liberal actors.

Markus Rheindorf and Ruth Wodak (2017) also performed a study of various discourses in the European 'refugee crisis' context. In their article 'Borders, Fences, and Limits – Protecting Austria From the Refugees: Metadiscursive Negotiation of Meaning in the Current Refugee Crisis', they analyse speeches by Austrian policy makers in the context of the increased border protection in Austria. They start by using an example; when the Austrian Chancellor Faymann stated that the Austrians were not building a wall, they were building a 'small door with side-parts' (Rheindorf & Wodak, 2017: 1). This example clearly shows the power of language, but also how important the various discourses are for how policy changes are perceived; in this case; is it an intimidating wall or a friendly open door? The border management policy changes were pushed forward with the rise of the main right-wing populist party in which climate the government felt forced to act (Rheindorf & Wodak, 2017).

METHOD AND METHODOLOGY

Following a clear and well-structured research plan is important for the research to obtain high validity. With a constructivist view, this thesis does not claim to produce any sort of truth, however the construct validity, or simpler put, to what extent the research is doing what it is set out to do, is ensured by a very structured method and a relevant theoretical and conceptual framework. Even though this might cause the thesis to feel rather theory-heavy, it increases validity and overall credibility. By deploying what 6 and Bellamy calls the 'internal constancy method' (2012: 21) this thesis ensures a high level of reliability as well. This is done by ensuring that all the primary material is processed in the same way and is facilitated by the method table presented below in Chapter 2.1. Discursive institutionalism.

The thesis is mainly deductive and the ontological understanding is broadly influenced by a social constructivist view. Whilst the theoretical framework is built on theories about the relevant, and through the analysis emerging discourses, the method relies on a process broadly falling under the discourse analysis umbrella. Discourse analysis can also be used as a theory, and similar to that, discursive institutionalism should, according to Schmidt (2002), be seen as an overarching analytical framework. Therefore, the method in this thesis is heavily influencing the theoretical framework and the distinction between the two is not as clear as with other methods and theories. This methodology and method chapter is, as will become obvious, thus rather extensive and to some extent also theoretical.

The Critical Discourse Analysis (CDA) defers from other discourse analyses in the way that it focuses on the interconnection between society and language and further more by emphasising the 'relationship between analysis and the practices analysed' (Fairclough & Wodak 1997: 258). Discourse analysis is a research strain that criticises naturalism and modernism and the framework is used to study both linguistic and non-linguistic sources. (Rhodes, 2006). Similar to how some scholars (such as March & Olsen, Schmidt) view ideas as a dialectal phenomenon, CDA understand discourses as something that both effect the frames and is affected by them. With the social influences on discourses, CDA highlights the vitality of exposing power structures and analysing the

relationship between power and language (simply see the title of Norman Fairclough's influential book on the issue; *Language and power*!). Today, the political language used is often extremely polished and the importance of legitimacy and credibility is constantly present (Fairclough & Wodak, 1997). The policy makers of today also have contact with massive audiences and are constantly scrutinised and watched. With the access to speak directly to the people, they have both a larger chance to gain legitimacy and credibility, as well as losing the public's trust and support (Fairclough & Wodak, 1997). This thesis will acknowledge and be aware of the power relations that accompanies the EU institutions and their access to a sometimes rather monopolised knowledge production.

CDA also recognise that all social science is to some extent linked to politics however, the research is also more overt with the political intentions of the studies. The research approach is often linked to anti-racist and feminist perspectives but should not be seen as less objective than other research; it has simply more of a hermeneutic approach to knowledge (Fairclough & Wodak, 1997). Likewise, this thesis is built on a hermeneutic view on knowledge and this of course affects the way the research is performed, especially since it recognises that knowledge is something that is, to a large extent, subjective. To be as objective as possible, it is important to be honest with one's subjective standpoints (6 & Bellamy, 2012). Therefore, it is important to underline that the author of this thesis has a background in human rights, gender studies, sociology as well as the international migration and ethnic relations research field. This entails an awareness of power structures and overall injustces and also an inevitable normative positioning that is somewhat 'activist'.

There are two main views on ideas in political science with either an instrumentalist or an institutionalist approach. The former considers ideas to be a tool for policy actors, used to persuade the public in certain directions and most importantly build public support for or against various policy changes (Boswell & Hampshire, 2017). This is a very rhetorical process and also contains manipulation of policy ideas. The institutionalist approach on the other hand, focuses on the structural role of ideas and how they tie the hands of policy actors. What is considered legitimate, is decided by the framework or ideas that are present in the context. Here ideas are seen as static and almost as invisible norms. However, the risk of ideational determinism and seeing ideas as too static and

unchangeable, is large within the institutionalist approach (Boswell & Hampshire, 2017). Through what Schmidt refers to as discursive institutionalism, or what some call constructivist institutionalism, researchers can combine these two approaches and avoid dangers such as ideational determinism. As Boswell and Hampshire puts it; 'Ideas constrain, but they are also open to reinterpretation and adjustment through discursive interaction.' (2017: 134).

As opposed to a qualitative content analysis, the discourse analysis can provide a deeper understanding of the social ramifications of various linguistic usage. The choice of discursive institutionalism turns the focus to the institutions, its (re)production of, and how they are affected by the discourses that surrounds them. A weakness with the discursive institutionalism, is that it does not explain the source of the ideational systems and interests (Hay, 2006), however this would have been too large to analyse in this thesis anyhow. For instance, it is difficult to conclude if an idea of a crisis arises and policy actors then take advantage of it, or if policy actors create a narrative to fit with planned policy changes. It is the classic case of the chicken or the egg and is not going to be solved in this thesis.

By more specifically using the Discursive Institutionalist view, the research is interested in ideas of many forms and on many levels. In using primary material such as official documents, reports and speeches by key actors and classifying them according to the ideas of Vivian Schmidt and discursive institutionalism, the thesis can receive a clearer idea of how the various discourses have affected and been used during the emergence of new migration policies. The various official documents contain many different levels and forms of ideas as well as different types of arguments. Once the main discourses are identified, the analysis will incorporate more specific conceptual theories to the framework. [4]

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[4] See also Wodak 2018

Discursive institutionalism

This thesis builds upon a new (sometimes also referred to as neo-) institutionalist approach, which broadly concentrates on how institutions affect and interact with society. The new institutionalist approach spread quickly during the 1980s, with the help of James G. March and Johan P. Olsen (Hay, 2006). When Peter A. Hall and Rosemary Taylor joined the discussion, in the mid-1990s, they divided the scholarship into three main types of new institutionalist approaches within political science; Rational Choice, Historical and Sociological Institutionalism (Hall & Taylor, 1996). This change was a form of sociological turn, where institutionalism and ideas regained its role in EU studies (Boswell & Hampshire, 2017; Favell & Guiraudon, 2009). Rational Choice Institutionalism focuses on, as the name reveals, actors' rational choices, whilst Historical Institutionalism work more with historical contexts and path dependency. Sociological Institutionalism, on the other hand, tends to turn more towards cultural and social norms and view actors' choices as based on these (Ekelund, 2014; Schmidt, 2008). All new institutionalist approaches acknowledge the importance of studying the emergence and survival of institutions. Furthermore, these new institutionalist approaches view ideas as moderately static variables and change is regarded as solely motivated by external factors, whilst International Relations researcher Vivien Schmidt and the discursive institutionalism, views ideational variables as interactive (Schmidt, 2008). The discursive institutionalism is sometimes also called constructivist institutionalism, which clearly indicates its ontological understanding (Hay, 2006). Moreover, discursive institutionalism views transformative times and paradigm shifts as indicators of institutional changes (Hay, 2006), which is why it applies well to an analysis of the 'refugee crisis'.

Even though Schmidt acknowledges that historical institutionalism sheds light on the life of institutions and rules, she claims that the approach often lacks explanations for why certain things happen, mainly due to its limited attention to agents (2016). Whilst rational choice institutionalism does acknowledge the roles of agents, the focus ends up being on the rational interests of them. Schmidt underlines that these approaches do serve a purpose, but that they need to be complemented by discursive institutionalism to shift the focus more towards the agents' own ideas which pave the way for institutional change (Schmidt, 2016).

Through the use of a joint approach, looking through the lens of both rational choice and historical institutionalism, researchers have found that consecutive negotiation between governments, and gradual changes, have expanded the European integration during the Eurozone crisis. Schmidt (2016) also brings forth the example of 'failing forward'. This concept is used in the explanation of the neo-functionalist dynamic where negotiations between liberal governments repeatedly lead to unfinished, soon failing treaties which in turn lead to the need for further negotiation. This then results in a greater integration within Europe.

TABLE 1: Understanding discourses		
LEVEL OF IDEAS	TYPES OF IDEAS	FORMS OF IDEAS
Policy		Narratives
	Cognitive	Myths
Programmatic		Frames
	Normative	Collective memories
Philosophical		Stories
		(Based on Schmidt, 2008)

Following discursive institutionalism, the table above shows three categories that are used to understand discourses. The table is simplified and based on a more elaborate table found in Schmidt's work from 2008. First, Schmidt identifies three different levels of ideas; policies, programmes and public philosophies. The last is in a way the broadest; it is the underlying general ideas that might be invisible to many of us, but that still largely affect society, exemplified in Strange and Nalepa (under review) through capitalism or democracy. These public philosophies are hard to identify and study because of their slow-changing nature. Ideas at the level of programmes include ideas that frame and affect policies through building the structure surrounding them and limiting what policy changes are possible. Finally, the ideas at the policy level are more concrete and can be identified as made by specific actors but are also very much affected by the other

levels of ideas (Schmidt, 2008). Schmidt furthermore distinguishes between the ideational cognitive and normative ideas (type of ideas), where the first type helps to identify specific policy problems and its underlying 'objective' reality. The second type of ideas labels things normatively, it entails what is good and what is bad (Schmidt, 2008). Schmidt also distinguishes between different forms of ideas, such as collective memories, narratives and so forth.

Another distinction that is made is the one between the interactive coordinative and communicative discourses. The first refers to the discourses that function to coordinate policies and ideas between actors, whilst the second refers to the legitimisation process that is operated through communication to the public. Both are vital to policy changes even at a small scale; without the support of the public, and with poor coordination within and between the institutions, policy makers struggle to perform. These two categories are not always easy to separate, as discourses easily can serve both a coordinative and communicative function (Schmidt, 2014; Strange, 2014). In 'single-actor' systems the communicative discourse is usually the dominant discourse used by the leader, whilst 'multi-actor' systems such as the EU tend to have to focus more on the coordinative work (Radaelli & Schmidt, 2004; Schmidt, 2002, Wincott, 2006). This means that the 'multi-actor' systems tend to fall behind on the communication to the public and the people they need to legitimise their policy changes to.

Interviews

In November 2016, the author of this thesis conducted three interviews with EU officials from the Council of the European Union (DG Justice and Home Affairs, Strategic Committee on Integration, Frontiers and Asylum (SCIFA)), the European Commission (DG Migration and Home Affairs) and the European Economic and Social Committee (EESC). The individuals chosen were selected based on their office's role in the main analysed policy changes. The interviews were conducted during an internship as a research assistant at Malmö University, at which time the article *Institutional silver linings and stormy clouds: performing the EU during the refugee 'crisis'* (Strange & Nalepa, under review) was written. The interviews were semi-structured, all conducted in Brussels, and were aimed at establishing how the respondents viewed their own and their

office's role in the 'refugee crisis' and the policy processes surrounding it, which actors they mainly worked with, to whom they sought to legitimise their work and which actors that they thought were playing a major role in the migration policy processes during the timeframe (2014-2016). Since the interviews were conducted as part of a qualitative support for other sources, the reliability is not affected by the fact that the interviews were limited to three. Furthermore, the interviews are not used as facts, but are instead used to support and identify the narratives and discourses found in the primary material. The interviews are mainly used to guide the author towards important discourses, actors, institutions and documents, but also for a further understanding of underlying discourses, structures and ideas. The interview guide was based on 18 questions aimed at unveiling the interviewees' own thoughts on their own, and their institution's role in migration policy making.

Delimitations

With a limited timeframe and for the sake of validity, it is vital to make several delimitations to the research area. First and foremost, this paper has excluded certain policy changes, most noticeably the EU-Turkey deal. This policy change is by no means uninteresting, but it is too large to include in this thesis and is a very complex creature with a life of its own.

Furthermore, because of the peak in migration at the time (see graph[5] below for amount of asylum applicants in the EU), this thesis is mainly focused on the years of 2014-2016, which is broadly labelled the 'refugee crisis'. Additionally, the historical context had to be limited to a few more recent and relevant events.

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[5] Asylum applicant means a person having submitted an application for international protection or having been included in such application as a family member during the reference period.', Eurostat, 2017.

DIAGRAM 1: Asylum applicants to the EU

(Based on data from Eurostat, 2017)
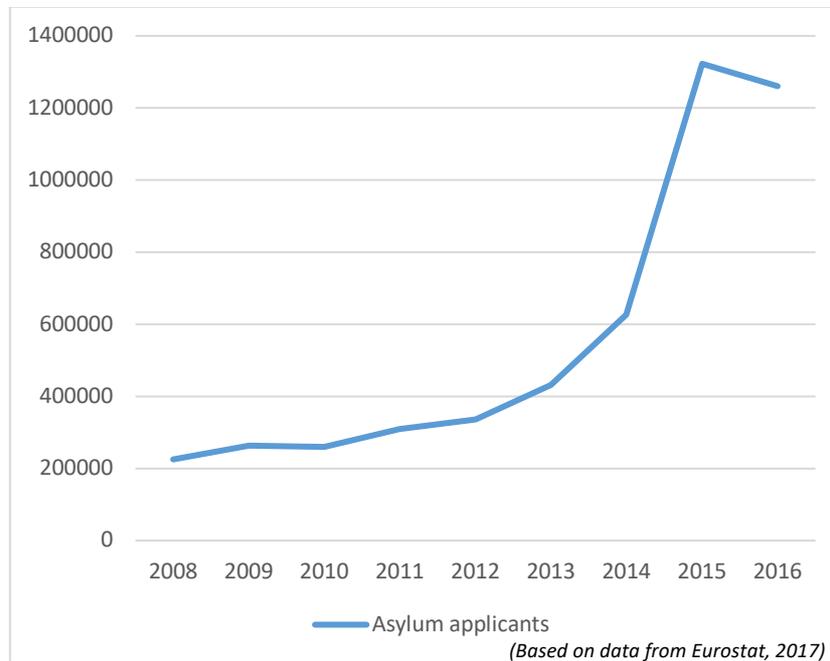
Furthermore, there has been many interesting 'crises' that would be of value to compare with this one, but unfortunately, this has to be left for further studies. The choice to only focus on data up until 2016 is twofold; first of all, it is beneficial to have a certain amount of time between the study and the object studied. Secondly, many voices consider the 'crisis' to be more or less over, both in terms of the institutional and migration side of it. It is however important to mention that there are still over 65 million people displaced by force and over 21 million refugees in the world (UNHCR, 2016), which in itself can be labelled a 'crisis' and this thesis does by no means wish to oversee or diminish that. It is also worth noting that the EU is far from the main recipient of refugees, with most of them residing in the direct vicinity of their country of origin (UNHCR, 2016).

The thesis is analysing the 'refugee crisis' and its policy changes from a macro perspective. With the focus being mainly on policy makers and EU institutions, other actors such as civil society, the general public, media and so forth have to be left out to some extent. These are all very important actors, and should all be considered for further studies. Further micro analyses could also be interesting, especially around the EU imaginary in connection to national identities.

It is always problematic to lump different types of migrants together. In this thesis, no particular definition is made of what type of migrants that are discussed. Though most of the migrants concerned were refugees, this is not relevant to the research question of this thesis, since it is more concerned with the more macro-level discourses and policies. Another conceptual problem is the usage of 'crisis'. By claiming that the 'crisis' is something socially constructed, this thesis does not intend to diminish the suffering of the many refugees and other migrants for whom this is a real crisis. The 'crisis' referred to in this thesis is largely referring to the institutional crisis and the usage of the term in relations to political agendas and should not be interpreted as ignoring the huge humanitarian suffering that is taking place on a global scale.

MATERIAL

Primary material

In choosing the primary material, it is important to consider the roles of the four main bodies of the EU; the European Commission, the European Council, the Council of the European Union and the European Parliament. Through investigating several institutions of the EU and their cooperation, this thesis will show under which context the new migration policies have emerged. This focus follows the discursive institutionalist research framework, which views the context of the emergence of institutions as vital for the understanding of what they do (Ekelund, 2014).

With the European Commission serving a role that includes presenting proposals and implementing legislations (European Union, 2017), the institution has played a large role in the migration policy production during the studied time. The important role of the Commission was also confirmed by all the interviewed officials. Therefore, a large amount of the primary material is connected to the Commission. The European Council's role is mainly to show the political direction of the EU and plays an important role in security issues, however it does not serve a legislative role. Considering this, the European Council is interesting to study as it has a normative responsibility and is involved in deciding what issues the European Commission address. The Council of the European

Union is a legislative body that shares the decision-making with the European Parliament. It consists of ministers from all the member states. The European Parliament's role is legislative, supervisory and budgetary, but serves a smaller role in the policy process (European Union, 2017) and will therefore not constitute a large part of the primary material.

Through using primary material from both various EU institutions and from various channels (i.e. speeches and official documents), the research is triangulated in order to obtain high external and internal validity. Through adding some quantitative sources, to this otherwise qualitative study, the research is further triangulated (6 & Bellamy).

A large part of the primary material used in this thesis consists of official EU documents. The official EU documents were collected on the EU website Eur-Lex, and were identified by going through all documents and correspondence mentioning 'migration' during the years 2014-2016 and then organised in two tables, as a form of meta-matrix (6 & Bellamy). The tables are separated into a communicative and a coordinative table, however, documents are not always one or the other and therefore the tables are generalising aimed at giving a data to further analyse. This research was initiated during an internship at Malmö University, however, the nature of this thesis differences from the article written during this internship and therefore the tables have been expanded during the thesis work. More information on what the article covered can be found under the section 'previous research' (Strange & Nalepa, under review).

The main primary material constitutes documents surrounding The European Agenda on Migration, such as its implementation packages and mainly the new European Border and Coast Guard Agency, which are further described below. By going through the tables created during the previously mentioned internship, the documents relevant for this thesis can be identified. These are then closely studied, with the help of the chosen method and then analysed through further support of the theoretical and conceptual framework. The documents are chosen from within the time frame and because of their high relevance to migration policy.

The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, a

European Agenda on Migration[6] (European Commission, 2015e) is not officially a legal document. It is however a policy document with the thoughts of the Commission (European Judicial Network, 2017) and is therefore highly interesting to analyse. The just over 20 pages long document covers the Commission's opinion on the refugee 'situation' and can be interpreted as both communicative and coordinative discourse. The fact that the document is from the spring of 2015 makes it even more relevant to analyse, with the asylum applications in the EU peaking that very same year (Eurostat, 2017, also see graph in chapter 2.3 Delimitations).

One of the important regulations following the 'refugee crisis' and the European Agenda on Migration, was Regulation (EU) 2016/1624 of the European Parliament and of the Council, establishing the European Border and Coast Guard Agency. This lengthy legislative document upgraded Frontex into the new European Border and Coast Guard Agency and is interesting to analyse as part of the major EU migration policy changes during the years 2014-2016. The document is coordinative; however, it clearly maps out the main standpoints of the European Union on the issue.

Furthermore, Commission president Jean-Claude Juncker's State of the Union speeches will be analysed. These speeches are good representations of the communicative discourse and the analysis can then show which discourses are used in the external communication. Speeches by Donald Tusk, president of the European Council are also studied. Furthermore, speeches by president of the European Parliament, Martin Schulz, are also relevant to investigate to some extent, even though the Parliament has had a limited role in the migration policy making process (European Union, 2017). These three actors are chosen because they are presidents of what constituted the main institutions of the EU. The thesis does not intend to indicate that these individuals solely represent the three main EU institution, however they are important in the production and reproduction of EU migration discourses. It is also important to note that these communicative discourses contain a different linguistic ground to analyse than the coordinative documents. This however supports a more nuanced understanding of the discourses.

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[6] In this thesis referred to as simply 'the European Agenda on Migration'.

The theoretical and conceptual framework has emerged and grown during the research. When new and reoccurring discourses have been identified, new understandings of various concepts have become necessary. This also leads to a sense of analysis in the theoretical chapter (3.0 Theoretical concepts & framework). The secondary data utilised in this thesis is used to build on the historical and contextual background, support the theory and method and to give a short introduction to previous research. This secondary data consists mainly of previous research, but also builds on official EU sources and is used to help support the analysis and create greater reliability by confirming the contextual circumstances. This is important, since policy documents as well as discourses and ideas are very sensitive to the context in which they were (re)produced.

Ethical reflections

The interviews conducted during the autumn of 2016 were done with official EU staff, as mentioned above. The interviewees were asked if they wished to remain anonymous and they all wished to be so. This was helpful in the sense that they all had the possibility to be more open about their own personal views and go beyond their professional facade. The interviewees were contacted through email and/or telephone ahead of the interviews where a document presenting the research was sent out. Before the interviews the research was also shortly presented to make sure that the interviewees were aware of the aim and the possibility to be anonymous. They were also informed that the material could be used for this thesis and not only for the article written during the internship in which the interviews were conducted. Since the research area for the internship and this thesis are similar, even though they have different aims, the usage of the interviews for both should not be considered problematic; the questions asked can be considered relevant for both. Anonymised transcripts are available at request.

THEORETICAL CONCEPTS & FRAMEWORK

The theoretical assumptions affiliated with discursive institutionalism are that actors both act strategically and at the same time are affected by their contextual and social environment (Hay, 2006). In this sense, the discursive institutionalism partially covers

the theory of this thesis. However, to build a stronger theoretical framework, and to further build on the understanding of certain ideas and discourses and how they interact, this chapter covers theories on the concepts securitisation, solidarity, 'crisis' and imaginaries. The three first concepts are all interrelated in the sense that they all are frequently used in the EU migration discourse and in the sense that they are all to some extend supporting the emergence of a EU imaginary. Institutions are based on rules that in turn are linked and reproduced through the sense of belonging (March & Olsen, 2006). Identities and the sense of belonging to the institution, or what is here called a EU imaginary, is therefore vital to the survival of institutions such as the EU. In this thesis, the EU imaginary, is a concept referring to the social construction of this particular community and is further expanded on at the end of this chapter.

Securitisation of migration

This thesis follows the Copenhagen School as it views security as socially constructed and (re)produced through discourses underlining security threats (Karamanidou, 2015). Furthermore, links can be drawn to Foucault's concept of governmentality (Foucault, 2008). The securitisation of migration entails discourses of threat against for instance the state or a community's values (Rheindorf & Wodak, 2017). Regarding the concept, it is important to underline that there is a significant difference between securitisation of the practice and securitisation of the rhetoric (Squire, 2015) even if they often are closely interrelated (Karamanidou, 2015). The differences are further exemplified in the analysis and, as will be shown in that very chapter, the EU has undergone securitisation on both levels. Overarching both types of securitisation, is that they have the repercussion of (re)producing the migrant as a security threat (Karamanidou, 2015).

Protection of the sovereign nation is a large part of the construction of the modern state. Through passports, borders and other control mechanisms, the state defines its territory (Guild, 2004). The EU is a special case, with some nations still protecting their own borders and some that has a more open approach to borders through the Schengen Agreement. The EU also has borders that are important for the whole Union; the external ones. With previous research on migration being mainly interested in differences of various kinds, 9/11 affected the debate to a large extent in the early 2000s. Likewise, policy

makers shifted towards a migration discourse that was heavily influenced by security issues (Lazaridis & Wadia, 2015). Securitisation is closely interlinked with the thought of a threat, which often is used by policy makers to legitimise various policy changes. By communicating a threat, the public is more likely to accept changes. When policy actors are moving the discourse into an emergency discourse through for instance narratives of threat, they are also calling for certain types of actions, and in turn legitimising these actions to the public. This is what happens when securitisation takes place (Lazaridis & Tsagkroni, 2015).

The securitisation of migration is a discourse that is frequently used by right wing forces. Nevertheless, these actors are not the only ones utilising it, instead it is a public discourse that is constructed socially. This discourse can also be hidden in both international and national debates on the (potential) consequences of migration. Once the discourse is accepted by a broader or more empowered public, policy changes are more likely to be accepted (Lazaridis & Tsagkroni, 2015). This is much like the crisis discourse presented below, and they are often intertwined. At the same time as the securitisation of migration has been strong in the EU, there has also been strong voices underlining the humanitarian 'nature' of the Union as something essential for what it represents (Boswell, 2003). In this context, the concept of solidarity is often used to bring forth a sense of unity and moral.

Solidarity discourses

Solidarity is an idea used in many ways and it has gained more attention in the field of EU research lately as in understanding the direction that policy actors wish to take, the concept of solidarity can be very fruitful. There are three approaches to solidarity, depending on the contextual use, brought forth by philosopher and sociologist Józef Niżnik (2012); the descriptive, the instrumental and the normative. The instrumental approach, using solidarity as an idea to strengthen mutual interests, differs from the normative approach, calling on a moral understanding of solidarity, however they are often used together (the latter is commonly used to strengthen the former). Another scholar who theorises solidarity is Sally Scholz (2015), who also understands solidarity as a broad

concept, but widens it to five different definitions. Also Durkheim (1997) discussed solidarity as divided; mechanic (collective representation) and organic (more individualistic).

In connecting the understanding of the solidarity concept with discursive institutionalism, this thesis will acknowledge that the concept is used as two different types of ideas; both normative and cognitive. Further connecting this to discursive institutionalism, the normative type of solidarity can be interpreted as a frame that performs at the level of philosophies, whilst the other is a more cognitive type of idea, performing rather at the policy level. Similar to how ideas interact, the different types of ideas of solidarity interact with each other and with other concepts and solidarity is often used in discourses aimed at strengthening a collective identity. In this sense, the solidarity concept is used discursively to strengthen solidarity towards other members in a group and to show that the interest of the group trumps the interest of the individuals (Niżnik, 2012).

The crisis discourse

> *Only a crisis – actual or perceived – produces real change. When that crisis occurs, the actions that are taken depend on the ideas that are lying around.* (Friedman, 2002, Preface 1982: xi)

Fundamental change, shock therapy and crises are no new discourses within the political arena. From Marx's revolutionary thoughts and Naomi Klein's 'disaster capitalism' (2007) to Milton Friedman's quote above. The crisis discourse is one of the discourses that has been unveiled and that is reoccurring in the primary material. Crisis is a versatile concept that can be used in many different contexts and should in this thesis be understood as both socially constructed and dialectal. As a discursively constructed narrative, crisis and threats fulfils the purpose of 'problems' for the policy actors to deal with (Jessop, 2006).

To analyse the specific 'crisis discourse', this thesis builds a theoretical framework. To understand the 'crisis' concept, the thesis tracks some main arguments present in the debate surrounding it. Crisis can be viewed as a state of play where the arena opens up

for more opinions and changes. The term also conveys an idea that the situation is temporary (Bordoni, 2016). In their book *State of Crisis*, Bauman and Bordoni writes corresponding text on the issue.

Bordoni starts his argument with the comparison to more casual types of crises, such as a marital one. Times of crisis, he argues, are times of change. The transformation of an adolescent into an adult is a great example of the transition that takes place, and he argues that the crisis is vital for this growth and that is a progressive process (Bordoni, 2016). Bordoni's thoughts goes well with the idea that the 'refugee crisis' has had a positive effect on the coordination of the EU (see Strange and Nalepa, forthcoming). Throughout a crisis, people are more susceptible to change and policy actors can relatively easily legitimise and accept changes. Bauman however, underlines the uncertainty that goes hand in hand with a crisis and the desire to interfere after a crisis has occurred. The sense of existing in a reformative time, is followed by the sense that something needs to be done; actions needs to be taken (Bauman, 2016).

This thesis also draws inspiration from *The politics of crisis management*, by Arjen Boin, Paul 't Hart, Eric Stern and Bengt Sundelius (2005). The book shows how the crisis discourse can serve the purpose of policy makers through an example from the context of the Iraqi war. Both President George W. Bush and Prime Minister Tony Blair frequently used a crisis discourse (referring to weapons of mass destruction) in the time before initiating the Iraqi war. As the voices of doubt towards the legitimacy of the war grew stronger, so did their use of discourses around weapons of mass destruction (Boin et al, 2005). This entails how a form of crisis discourse is used to try to legitimise political actions to the public, both premature and retroactively. However, a perceived crisis can also constrain policy makers by putting them under pressure. The media often amplifies the feeling of crisis through an effectual imaginary[7].

The crisis discourse is built upon a powerful narrative, communicated by policy makers to the broader public. Some of these thoughts are similar to the theories used in this thesis by Vivien Schmidt (see for instance her thoughts on the communicative discourse)

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[7] An example of how the media has done this during the EU 'refugee crisis' is for instance the emotional pictures of Alan Kurdis on the beach outside of Bodrum in Turkey.

and complies with the social constructivist assumption that the concept of a crisis is at large socially constructed. There is a constant presence of competition between various actors to gain control over how the crisis is viewed by the public. However, in today's society, with seemingly unlimited variations and frequencies of communication, political leaders are far from the only actors (Boin et al, 2005). According to Boin et al, the communicative context that policy actors perform within is largely connected to both the mass media and the public (citizens).

The mass media plays an important role, and is often the actor that points out a 'crisis' or 'threat' first. At the same time, it is a very vulnerable actor, which often gets the blame. 'The central role of the media in creating and modulating crises is by no means new' (Boin et al, 2005: 73), however there are many new channels for actors to be heard through. This does not mean that the media plays the only role in this communicative game; politicians also have a great possibility to steer the media in the right direction for their particular agenda (Boin et al, 2005). Since this thesis is mainly interested in how the policy actor perform various discourses, the media is not part of the main focus; it is mainly viewed as an amplifier of the politicians' thoughts, ideas and narratives. However, there should be no doubt that the media does play a vital role in the policy processes surrounding the 'refugee crisis' and that is why it constitutes a very interesting area for further research.

The wide range of public opinion during the 'refugee crisis' is by no means unique. People's opinions vary with social class, culture, demographic factors and also with the access to information (Boin et al, 2005). The public can also serve different roles; witnesses, spectators, victims and so forth. In this thesis, the focus on the public is mainly as receivers of information from the policy makers and how they affect politicians as (de)legitimising forces.

According to Boin et al, one of the greatest myths surrounding the public is that they panic when they sense a disaster. According to them, individuals tend to act rather rational in times of crisis (Boin et al, 2005). 'Much of the behaviour that authorities – and journalists, for that matter – describe as panic is better understood as rational improvisation under conditions of very limited or contradictory knowledge about the situation

at hand.' (Boin et al, 2005: 75). The authors underline the importance to realise that the ordinary people are not unwise; they cannot be fooled for too long, or the policy makers will lose their voters. During a crisis, the interest of the public goes up, but their level of information and knowledge tends to remain at a more or less limited level (Boin et al, 2005).

Crises thus unleash short bursts of intense ideational contestation within which agents struggle to provide compelling and convincing diagnoses of the pathologies afflicting the old regime/policy paradigm and to find the reforms appropriate to the resolution of the crisis. (Hay, 2006; Blyth, 2002)

Creating an imaginary

As a constructivist paper, the natural definition of the EU imaginary should simply be understood as the construction of the collective identity of the Union and how it is (re)produced. The discursive framework also entails that institutions are illusions, surviving simply on the belief in their existence (Jessop, 2006). Rooted in Durkheim's social solidarity, a constructive concept of societies' social organisations has evolved. According to this classic sociologist, moral and law make up the glue that binds our societies together. Contrary to other voices, Durkheim sees these ties as limiting our freedom and makes us more interdependent. It is in the society that the human obtains morality, in the construction of solidarity with the group. Moral is therefore not something humans are born with, but instead something we obtain in relation to other humans; it is socially constructed (Durkheim, 1997). Citizenship is an example of social constructions that are heavily connected to national identity, however the citizenship laws still mainly falls under the sovereignty of the national states (Guild, 2004) and will therefore not be further taken into consideration in the analysis.

Through studying the various discourses that are (re)produced by EU policy actors, one can also understand the construction of the EU imaginary and furthermore acquire a broader understanding of the 'refugee crisis' and its implications for the Union.

BACKGROUND

The background consists of two parts; it commences with a short history of some important events affecting migration policies at the institutional level to broaden the reader's understanding of the context in which EU migration policies evolve now. The important events of the historical context of migration policy in the EU can make up a very long list, however only a few more recent and to this thesis relevant events are presented in this chapter. The second part shows the policy changes that have occurred during the time period analysed in this thesis and is mainly to give an overview of the many events that affected the migration policies during the years 2014-2016.
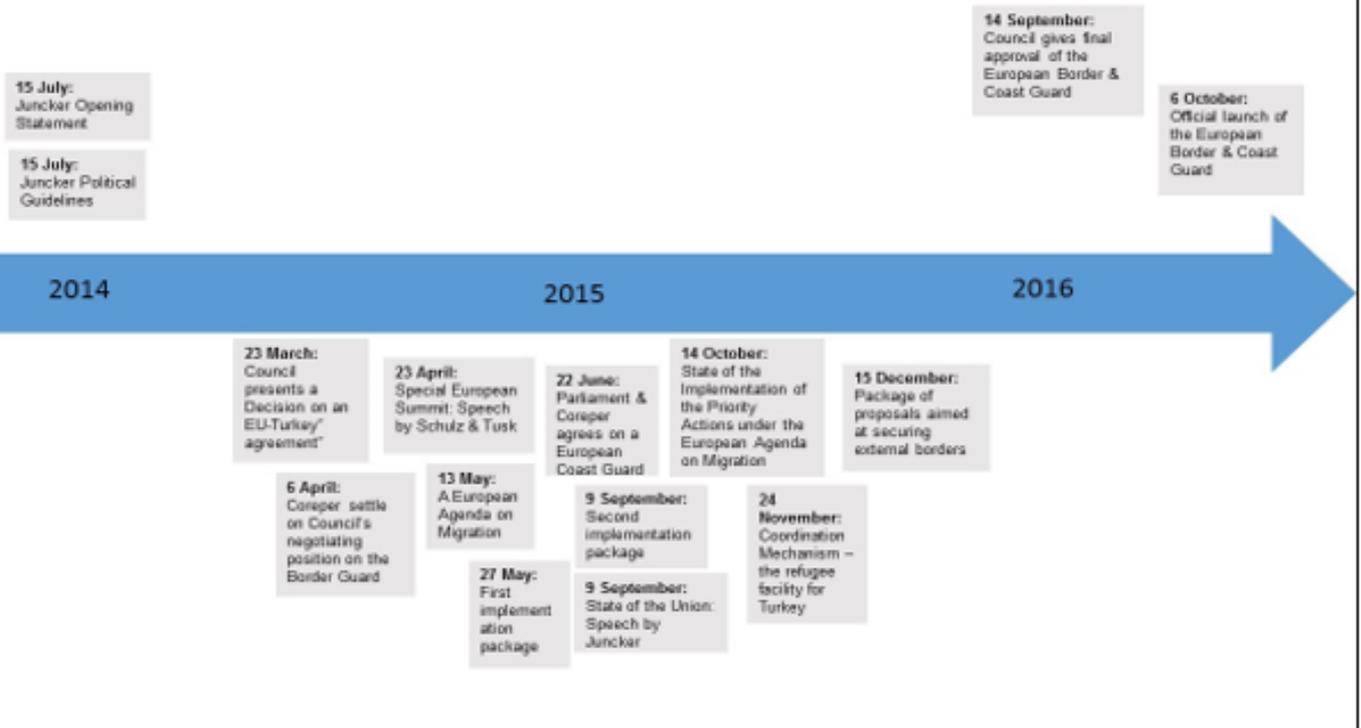
History

The issue of migration was not discussed to any large extent in the EU during its juvenile years, however there has been many policy changes in the area during the last three decades. In 1985 the Commission called for a Community Policy on Migration, however the cooperation did not exceed intergovernmental agreements (Hadj Abdou, 2016). At this time, the Schengen Agreement also contributed to a securitisation of migration; the internal freedom required more external border controls (Karamanidou, 2015). The intergovernmental cooperation on migration policies was largely based on the thought that migration was connected to crime and that it was a negative consequence of globalisation (Guiraudon, 2003). The first group established to work on common immigration issues in the EU was built up by the national governments' immigration ministers and was to a large extent focused on security issues. The Maastricht Treaty, put into force in 1993, increased the cooperative possibilities in the area of migration issues, however it wasn't until the Treaty of Amsterdam came into force in 1997, that the EU received its first common migration policy (Hadj Abdou, 2016; Karamanidou, 2015).

When the EU later were preparing for the expansion to the East, the debates surrounding migration issues increased, especially since the new external borders were considered to be more vulnerable than the previous EU borders. The several expansions of the Union has entailed an ever changing identity and territory (Guild, 2004). In the beginning of the 2000s, both older and newer member states saw an increase in migrants migrating to the EU and this was followed by an increase in public interest in the matter. This

pushed the migration issue further up the agenda at both the 1999 Tampere Council as well as at the 2002 Seville Council. One of the outcomes of the debates on migration was the establishment, in 2004, of the cooperative and operational agency Frontex. The new agency was thought to help give attention to the increased external border management and was mainly working as a cooperative organ between member states' own border management (Ekelund, 2014). After this, several conventions and regulations, such as the Dublin II and Dublin III, set common EU minimum standards for asylum procedures (Karamanidou, 2015).

DIAGRAM 2: Policy developments

15 July:
Juncker Opening Statement

15 July:
Juncker Political Guidelines

14 September:
Council gives final approval of the European Border & Coast Guard

6 October:
Official launch of the European Border & Coast Guard

2014

2015

2016

23 March:
Council presents a Decision on an EU-Turkey' agreement"

6 April:
Coreper settle on Council's negotiating position on the Border Guard

23 April:
Special European Summit: Speech by Schulz & Tusk

13 May:
A European Agenda on Migration

27 May:
First implementation package

22 June:
Parliament & Coreper agrees on a European Coast Guard

9 September:
Second implementation package

9 September:
State of the Union: Speech by Juncker

14 October:
State of the Implementation of the Priority Actions under the European Agenda on Migration

24 November:
Coordination Mechanism – the refugee facility for Turkey

15 December:
Package of proposals aimed at securing external borders

In the above timeline, the policy changes and events that has been identified as most relevant for this thesis are represented.

According to the European Council, their first reactions to the migration 'crisis' was the Special meeting of the European Council on the 23rd of April 2015 where the main focus was appointed; a stronger solidarity and responsibility within the Union, prevention of irregular migration and trafficking, and a more prominent presence in the Mediterranean (European Council, 2015a). The European Agenda on Migration was largely built upon Jean-Claude Juncker's call for a new common asylum policy for the EU, which he put forward in his political guidelines speech in July 2014 (European Commission, 2016). One of the largest issues approached in this speech was the at that time current 'tragedies of the Mediterranean'. His call for a new migration policy was focused on solidarity with the migrants and to adopt legal routes, increased work against irregular migration and to assign more resources to Frontex to manage the external borders (Juncker, 2014). In April of 2015, the president of the Parliament, Martin Schulz, held an emotional speech also calling for a joint EU approach to the migration situation (Schulz, 2015). The 13th of May the same year, the Commission sent a Communication to the EP, the Council, the EESC and the Committee of the Regions titled *A European Agenda on Migration*

(European Commission, 2015a). The call for a common European migration policy was however by no means a new idea; in an interview with an official from the EESC, it became clear that they had been lobbying for the issue for several years (Interview, EESC official, 2016-11-08).

The first step towards implementing the Agenda was taken on the 27th of May 2015, when the Commission presented its first package of proposals. This included actions such as relocation, resettlement, an action plan against migrant smuggling, publication of guidelines on fingerprinting and a public consultation on the Blue Card Directive (European Commission, 2015c). In the beginning of September, the second package of proposals was presented by the Commission. This time the number of people to be relocated from external border countries was raised from the previous 40 000 people to 120 000 and the need for a more permanent device for relocation was proposed. Amongst other, the Commission also proposed a list of safe countries for return and a return policy with higher efficiency (European Commission, 2015d). The implementation packages were later evaluated in a 'State of play' document published in the autumn of 2015 (European Commission, 2015f).

In September of 2015, Juncker held his yearly State of the Union speech, where he underlined the need for a strengthening of Frontex and a better functioning system guarding the external borders of the EU. Two months later, the "Package of proposals by the European Commission aimed at securing Europe's external borders" (European Commission, 2015b) was presented and was then handed over to the European Council. The latter then focused on making quick decisions regarding hotspots, relocation and return implementation, enforced external borders and third country cooperation (European Council, 2015b). The Council worked at a very high speed[8] and in the beginning of April 2016, the Permanent Representatives Committee (Coreper) settled on the Council's negotiating position and left the proposal for a regulation on the European Border and Coast Guard to the Parliament (Council of the European Union, 2016). By this point, NATO has decided to assist Frontex with managing illegal migration (European

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[8] This was confirmed by an official of the Council of the European Union; 'I mean in, I mean for our area I mean to have negotiated a, such a ehm complex lengthy instrument eh quasi from A to C in six months, was, that's what we did, eh is, eh is, is, is incredible. I mean is unprecedented.', (7 November 2016:5).

Council, 2016a). First on the 22nd of June that year, the Parliament and the Coreper agreed on a European Border and Coast Guard (i.e. a stronger, expanded Frontex) (European Council, 2015c). The final endorsement of the agency was made by the Council in September 2016 (European Council, 2016d) and the official launch of the European Border and Coast Guard Agency took place on the 6th of October that year (Frontex, 2016a). The new European Border and Coast Guard Agency gained more resources in several areas, including more staff. A new complaint mechanism was created to enable complaints towards any violations of rights of migrants. The Agency now also have the possibility to act geographically outside the EU and have access to more intelligence from various EU member states (Frontex, 2016b).

ANALYSIS

Discourses surrounding policy making are important to study because policy actors mainly act as a response to the at the time dominant discourses and public pressures. Research has shown that not many policy changes are made based on research or factual evidence, which main use tend to be used for symbolic purposes when it suits the policy makers (Boswell et al, 2011). The coordinative discourse of the EU is mainly directed towards and between various internal institutions within the Union, whilst the communicative discourse is directed at the EU citizens as well as the market and civil society (Schmidt 2014). The EU institutions are, as the EU is a 'multi-actor' system, mainly focused on functioning on a coordinative level (Schmidt, 2002). On the other hand, 'single-actor' systems, such as France, can focus more on communicating and through that legitimising policy changes to its citizens (Radaelli & Schmidt, 2004; Schmidt, 2002; Wincott, 2004). The lack of focus on, and weak communication of the EU institutions is not something new; it has been a struggle for many years and the trust in and credibility of the union is often considered to be rather low.

Even though it is flawed, the communication of the EU is both important and interesting to study as to understand how EU actors try to be perceived, how they relate to the broader public, legitimise their actions and what types of discourses they deploy in this communication. Legitimising discourses tend to be at the level of philosophical ideas and are therefore rather hard to unveil, as they often are part of narratives that are seen

as given and therefore somewhat indistinguishable (Schmidt, 2008). This is why this thesis tries to uncover the discourses in order to create awareness and in order to enable analysis of something that might go unquestioned otherwise.

One further problem with migration policy making, and the analysis of it, is that it cuts across many different political fields (labour, economic etc.) and therefore it needs a higher level of coordination than other issues (Guiraudon, 2003). Before analysing the discourses, it is important to note that there are no clear cuts between them. Discourses often melt together and the migration related discourses are no exception.

The securitisation of the EU migrations policies

It is worth noting that there are two main 'policy goals' of nations, pulling in different directions on the EU migration policy arena. The economic forces that are focused on 'legal' migration (and mainly labour migration) whilst the other mainly are discussing 'illegal' migration and focus on security issues (Hadj Abdou, 2016). When the latter gains more ground, there has been a securitisation of the policy area in question. This rift between the two interests became obvious in interviews with the EU officials. The EESC official had a clear focus on legal migration (Interview, EESC official, 2016-11-08), whilst both the Council of the European Union and Commission officials were focus on border management and the policies surrounding this in their interviews (Interview, Council of the European Union, 2016-11-07, Interview Commission official, 2016-11-08). When Juncker held his Political Guidelines speech in 2014 (when he was running to become president of the European Commission), he clearly stated what was important;

Let us protect our external borders. Let us protect our external borders. (Juncker,
2014: 20)

Repeating the statement is an obvious attempt to highlight the importance of the issue. It is also cementing whose borders should be protected and by who. This quote entails a need for a communal approach to the issue and a discourse enhancing the EU unity.

Since the 1980s, there has been an increase in the participation of 'law and order staff' in the EU and in migration policy making. Parallel to this practical securitisation of migration, the discursive and rhetorical context surrounding migration policies has undergone the same securitising process. The thought of migration as an unfortunate consequence of globalisation has been present since the early migration policy discussions in the EU and has led to steering the debate towards security issues and crime prevention. Migration (especially 'illegal') is also portrayed as a peril, endangering the liberal thought and the freedom of movement within Schengen (Karamanidou, 2015). This was for instance expressed rather clearly by Commission President Juncker, in which only one solution for protection of the liberal freedom seem to be the option;

To protect Schengen, we agreed to strengthen the external EU border. (Juncker,
2015a)

The 9/11 terrorist attacks have further contributed to turning the migration policies towards securitisation, not only in the EU but also on a more global scale (Guiraudon, 2003; Rheindorf & Wodak, 2017). Moreover, the Cologne sexual assaults have pushed the debate towards securitisation, but also a discourse criminalising migrants and especially asylum seekers (De Genova & Tazzioli (eds), 2016). The public discourses after the terrorist attacks in Paris 2015 contained solidarity, but also more migration restrictive voices (Gualda & Rebollo, 2016) and all this has further contributed to the securitised context in which the new EU migration policies has emerged. Furthermore, the use of collectivising discourses such as 'we', 'us' and 'our' is very much present in many of the quotes (see for instance both the previous quote and the quote below). In a State of the Union Speech, Juncker shows clearly which view on migration should be prioritised;

[…] tolerance cannot come at the price of our security (Juncker, 2016)

This quote also contains and exacerbates the fear that EU citizens might not be safe; Juncker is creating a narrative within which our security might be at risk. However, increased border controls and securitisation have not been proven to ease the sense of fear. What they do contribute to, is a discursive context, in which people are more likely

to accept almost any policy changes that can possibly eliminate the perceived threat (Rheindorf & Wodak, 2017).

By producing a normative, communicative narrative in which the migrant is a threat, the EU is moving the migration discourse from the 'normal' into a securitised discourse (Lazaridis & Tsagkroni, 2015). The crisis discourse and the narrative labelling migrants as threats are closely interlinked and are both tools in the securitisation of migration. Actors are interested in the securitisation, because it is communicating an emergency to the masses, within which they are more free to act as they wish (Lazaridis & Tsagkroni, 2015). In (re)producing a EU imaginary, which is discussed further down in this analysis (chapter 5.4 Creating an EU imaginary), this narrative of a threat, is an important part of the communicative discourse in order to maintain the collective identity.

In many of the legislations of the EU and in the European Agenda on Migration (2015), the discourse mainly focuses on two types of migrants, and they are often discussed parallel and can be connected to the liberal paradox; a rift between the economic and the political thoughts on migration (Hadj Abdou, 2016). For instance, in the European Agenda on Migration, the economic interests become apparent in the discussion on how to "reap the benefits" of migration already in the first paragraph. Further down, on the same page the economic migration discourse continues with a promotion to make Europe more attractive for certain types of migrants, i.e. workers, students and researchers. At the same time, the document also proclaims that it is important to make Europe less attractive to other migrants, for instance deter "irregular" migrants by increasing the numbers of return decision and the enforcement of them and to combat migrant smuggling. In this context, one can clearly see the presence of the two parallel discourses; the economic and the more security oriented. This tension has been referred to as the 'liberal paradox' (Hadj Abdou, 2016) which is described by Hollifield (1992) as a 'disjuncture' between the political and economic view of migration. Rheindorf and Wodak (2017) also discusses this dichotomy, referring to it as economisation and securitisation of the discourses. This type of division between migrant 'types' have been criticised by many post-colonial researchers (see for instance De Genova & Tazzioli (eds.), 2016)

Guiraudon also discusses a dichotomy, but focuses instead on the relationship between security and rights discourses. According to her, the security-oriented amendments have been more successful in the EU migration policy nexus than the migrant rights-oriented ones (Guiraudon, 2003). The right to asylum is discussed in documents such as the European Agenda on Migration (European Commission, 2015e), however the discussion about which migrants does *not* have a right to asylum or residing in the EU territory is equally frequent. The usage of 'international protection' in the European Agenda on Migration (European Commission, 2015e) is also rather frequent, however it is excluding more than including and therefore also can contribute to a further securitised discourse. At the same time, it is showing that the migrant rights issues are not completely ignored by the EU institutions and that such ideas are (even if subordinated) still, literally, on the agenda.

In strengthening the idea of an EU as a united but exclusive community, the security discourse is vigorous. By 'upgrading' Frontex into the European Border and Coast Guard Agency, the EU has increased the focus on security and established a stronger border, enhancing both securitisation of the practice and of the rhetoric or, as Schmidt would put it; at the levels of programmes (Schmidt, 2008). This is also strongly linked to the EU imaginary that is discussed further down in this analysis.

Furthermore, the external borders and the discourses surrounding them, contributes to the othering process, which in turn produces a stronger 'us' narrative. 'We' can experience the liberal freedom within the borders, assuming that the external borders are kept solid and intact (Karamanidou, 2015). Through securitisation of migration, and more specifically through the increased border controls, the EU identity is protected. One of the main traits of the EU, and one that is often mentioned in regards to the EU identity, is the freedom of movement and the liberal values this entails. This can be exemplified in the following quote from the Regulation on the European Border and Coast Guard Agency, which also finishes with three keywords, which also enhances the EU imaginary;

The objective of Union policy in the field of external border management is to
develop and implement European integrated border management at national and
Union level, which is necessary corollary to the free movement of persons within the

An increased focus on external measures and policies is also an indicator of a more securitised migration discourse. This can be exemplified in the increased mandates for the European Border and Coast Guard Agency to act geographically external to the EU territory (Frontex, 2016b) and the increased cooperation with third countries (European Council, 2015b). This is reproducing the EU narrative also on a global scale.

The thought that EU and Europeans are humanitarian and share common values are present in many of the studied discourses, such as the ideas of solidarity and an EU imaginary (see for instance the quote from Juncker's State of the Union speech (2016) below). However, this humanitarian discourse can also function as part of an exclusionary narrative. In the European Agenda on Migration, asylum seekers are repeatedly labelled 'persons in *clear* [author's italics] need of international protection' (European Commission, 2015e). The *clear* need for protection indicates that there are individuals who are in an '*unclear*' need of protection. In earlier documents, such as the 1992 Edinburgh European Council conclusions, misuse of the asylum system has been used to securitise the asylum policies and this distinction of a '*clear*' need of protection is an example of how the discourse of 'phoney refugees' is still somewhat in use.

The securitisation of migration is much like the crisis discourse presented further below, and they are often intertwined. At the same time as the securitisation of migration has been strong in the EU, there has also been strong voices underlining the humanitarian 'nature' of the Union as something essential for what it represents (Boswell, 2003). In this context, the concept of solidarity is often used to bring forth a sense of unity and moral.

The solidarity discourse

Traditionally, the use of solidarity has been very prominent in the EU discourse and it has mainly been used to contribute to debates with 'positive moral connotations'

(Niżnik, 2012: 32). This type of 'normative solidarity' is still commonly used in EU migration policy discussions, for instance when Juncker held his State of the Union in September of 2016;

[…] we [Europeans] believe in and respect the value of human life. (Juncker, 2016)

This quote, which is operating at the level of philosophies, is both normative and by reproducing these norms, Juncker is constructing a frame within which he considers the EU should act. Juncker also cements an idea that all Europeans share (positive) beliefs and values solely on the grounds of being Europeans, even at a time when many people are questioning the very existence of the Union (see for instance Brexit). The quote is enhancing the essentialist thought that there are certain traits that naturally come with being (born) European. It is however controversial that he talks about Europeans, as one can assume that he actually is referring to EU citizens.

The understanding of what can be called a form of collective solidarity, is close to theories on collective identity and in this sense solidarity can be a way of enforcing a sense of belonging to the group. On the other hand, there is also a simply normative concept that is used to (re)produce different discourses. Additionally, the normative solidarity used in for instance the quote below creates a narrative in which 'we' can relate and can be compared to the similar discourse that occurs at some natural disasters where people feel like 'it could have been me' (Scholz, 2015).

[W]e saw refugees wading through freezing rivers. We saw them sleeping in the rain and mud. Soon, this will be snow and ice. Winter is approaching and every day counts. (Juncker, 2015a)

Even though the Commission refers to the Agenda as stemming from Juncker's political guidelines of 2014 (Interview, Commission Official, 2016-11-05), there are some inconsistencies between the two. Juncker clearly calls for solidarity with the refugees lost at sea in his political guidelines of 2014, whilst the European Agenda on Migration seem to rather call upon solidarity with other member states and to '[…] assist those countries on the frontline' (European Commission, 2015e: 4). The same discourse can be found in the Tusk quote below and it was also used at the Special meeting of the Council in April

2015 where they highlight a need to '[…] reinforce internal solidarity and responsibility' (European Council, 2015a). These statements are normatively enforcing a thought of a strong EU that on the one hand supports people in need, whilst on the other helps and supports its member states.

These competing solidarities, present in the primary material, are calling upon a solidarity toward other member states (for example in the case of relocation of asylum seekers from Greece and Italy (See for instance; European Council, 2016b)) as well as arguing for solidarity with the situation of the migrants (for instance in Juncker's political guidelines of 2014). However, the main discourses here seem to be communicating solidarity with the other member states, whilst calling upon the aid to asylum seekers in need as a generous act or a duty that lies upon the EU as opposed to individual member states (See for instance European Commission, 2015e).

> *We keep talking about solidarity. About quotas and greater assistance for refugees on our soil, and for those who remain in camps and countries outside the EU. Let's remember, however, that solidarity requires mutual understanding and respect. Without solidarity among Member States, we will not be able to help others. It is our common obligation to assist refugees as well as to protect the EU's external borders. Everyone must take up this obligation and at the same time no-one should be left alone with the burden. That is how I understand solidarity. (Tusk, 2015a)*

In the above quote, Tusk states his thoughts on how the term solidarity is used. He underlines that there is a double meaning, however he also states that the solidarity between EU member states must be functioning before the solidarity to the refugees. In his own usage of the term, however, he tends to instead use it in referring to the interstate relations which indicates a disjunction between the above stated and the discourse he is actually using.[9]

There are also interesting discourses evolving around the two normative dichotomies responsibility and normative solidarity. Within what is here called the responsibility discourse one can find words such as obligation, duty and so forth. Normative solidarity, on the other hand, is articulated in words such as generosity and labelling actions as kind

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[9] See for instance Tusk, 2016a (on solidarity between member states); Tusk, 2017 (on solidarity between the EU and the US)

and open-hearted etc. These discourses are both apparent in the primary material and are important parts in the understanding the context within which the EU is (not) performing certain migration policy changes. As will be shown and further discussed below, especially solidarity is a versatile concept used rather frequent in policy documents and discussions of the EU.

> *The European Union took on the heavy responsibility of trying to save as many*
> *lives as possible. But this is dealing only with the symptoms. (Tusk, 2015b)*

By stating that the EU 'took on the heavy responsibility', Tusk is also stating that it was not a responsibility until the EU took it upon itself, as an act of generosity. This is legitimising a minimum approach since it is not considered an obligation or duty to help and is at the same time stating that the effort of saving life is not enough since it's 'dealing only with the symptoms'. The latter quote indicates an approach that prefers 'helping on the spot'. In communicating aid to migrants as something generous, the EU is also downplaying the responsibility of doing so, paving the way for more restrictive actions in the future.

The level of ideas of this particular discourse is programmatic and philosophical and isn't directly used in policy production. However, its impact on policies is obvious as it can function (de)legitimising, both internally and to the public. The various forms of ideas found in the discourse are many. For instance, it entails a myth of something 'EU-ropean'[10] and the solidarity discourse is often interconnected with ideas touching upon the EU imaginary. Furthermore, an increased cognitive and instrumental solidarity is a common consequence of the need for cooperation (Scholz, 2015), a need that was something that the EU experienced at the time of the so called 'refugee crisis'.

The crisification of migration

Many researchers agree that institutions that have been reproduced for a long period of time only are likely to change at times of critical fundamental transformation. Only at times of crisis can institutions, such as the EU, be restructured or cease to exist. However,

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[10] The 'EU-rope' concept was adopted by the 'New Keywords Collective' in an attempt to make a distinction between Europe and EU, De Genova & Tazzioli (eds), 2016.

as was discussed in the introduction, it is not given whether a situation gets labelled as a 'crisis'. A crisis is existing first when it is socially interpreted as a crisis, not through research and evidence based decisions (Hall & Taylor, 1996).

As March and Olsen puts it; 'Massive failure is an important condition for change.' (2006: 12). This 'massive failure' was something that Tusk expressed his fear of in the autumn of 2015;

> [I]t [the 'refugee crisis'] has the potential to create tectonic changes in the European political landscape. And these are not changes for the better. (Tusk, 2015c)

This shows how the 'crisis' was not only considered to be a 'refugee crisis', but also an institutional crisis, endangering the very existence of the Union. This was expressed, even though institutions tend to stand strong, also in times of massive changes (March & Olsen, 2006). However, policy makers' actions must fulfil various cognitive conditions to maintain their legitimacy; 'They need to set out causal relations between actions and events' (Boswell et al, 2011: 2). This means that even though there might not have been a real threat to the EU institutions, the narrative of such a threat was vital to the policy production.

The use of the crisis discourse in the primary material studied is frequent and rather uncontested in the material itself. By using a normative discourse like this one, the policy actors are telling a story and creating a narrative in which change is possible and amongst some also desirable and prioritised. Schmidt calls these stories 'doomsday scenarios' and claims that these often '[…] generate compelling stories about the causes of current problems […]' (2008: 309). Creating a scapegoat is also beneficial for policy makers to enforce the sense that something needs to be done. In this case, the scapegoat is often embodied in certain migrants, terrorists and smugglers. EUs migration policies has also been a large part in the discussions surrounding Brexit and has been partially blamed by some for the outcome of the referendum (Economist, 2016).

Sometimes, issues are formulated after the solution has been designed (Guiraudon, 2003). This is a form of retroactive legitimisation, where actors want to gain acceptance

for an already designed policy and communicate a suitable issue that this particular policy 'solves'. It is hard (if not impossible) to say if this is true in the case studied here, but it is probably more likely that actors saw their change with the increased migration and communicated it as and reproduced the crisis narrative to make sure that migration policy changes were better received than previously.

In an interview with an official from the European Economic Social Committee (EESC) the interviewee stated that the Eurozone crisis has had a restrictive impact on all types of migration;

> *Because all the people are thinking about themselves, and they don't want to hear*
> *nothing about the foreign people, the economical migrants, even asylum seekers* (Interview, EESC official, 2016-11-08).

This quote entails, that in times of crisis, the more restrictive voices might become louder. This is also reflected in the up-swing of right wing parties in the EU during this time. Additionally, the economic crisis had the effect that the public did not give particular attention to other emerging issues, as Boin et al (2005: 125) puts it; '… policy makers, the media, and mass publics alike are consumed by one single set of issues for some time.'. This might not simply have been the case when the EU was approaching the 'refugee crisis' but might also have been an issue during the crisis; that other problems gets side-lined.

As Schmidt mentions in her research on the 'Eurozone crisis', some of the problems with the structure around the euro was that some states benefitted more of it than others (mainly Northern Europe and specifically Germany) whilst some Southern states instead experienced disadvantages from the new currency (Schmidt, 2016). Germany has, comparable to the case of the 'Eurozone crisis', also had a prominent role in the contemporary 'refugee crisis' and especially the EU-Turkey deal (as mentioned in Interview, EESC, 2016-11-08). This entails an imbalance in the EU that causes tension, but also brings forth the question of how the EU imaginary is built, and whether it is inclusive towards all member states and all its citizens. The EU has during the past decades expanded, and it is worth noting this to avoid essentialising borders; they are not static and physical, but rather socially constructed. Also during the 'refugee crisis' the borders have been

changing in the sense that walls have been built and border controls have expanded. For individuals, such as the one's living in the Öresund area, the dynamic and non-essentialistic border have become obvious when the border controls were taken into force in November 2015 (Regeringen.se, 2015-11-19). The small strait separating Sweden and Denmark, suddenly became an ocean. This also entails how imaginaries and identities are more fluid than sometimes thought of.

Creating an EU imaginary

Individuals belonging to an organisation are prone to be showered with discourses explaining both which various identities are found in the organisation as well as what identity they belong to (March & Olsen, 2006). The EU has a complex identity, especially following several expansions, and the fact that there now are at least 28 national identities.

A reoccurring form of ideas used in the many documents analysed throughout this thesis are collective memories and frames. In the documents reviewed, Europe is often implicitly understood as the EU, even though Europe generally is considered a geographic area rather than the political institution that the EU constitutes. In the Communication on the European Agenda on Migration (European Commission, 2015a:8) it is stated that there is a high number of people migrating from Eastern Europe to Europe, which further fills a communicate role to establish both the EU as Europe, but also the EU as Western Europe. In the introduction to the aforementioned Communication, the need for a '[…] new, more European approach' (2015a: 2) is mentioned. What a 'European approach' entails is not further specified, perhaps it's assumed to be given, as it is referring to ideas and narratives operating at the level of philosophies.

> *Without solidarity among Member States, we will not be able to help others.* (Tusk, 2015a)

As seen in the quote above, the 'we' is considered to be important for the way the EU can handle the 'refugee crisis'. The European identity is defined through the reproduction of a collectivising discourse labelling 'us' as generous and in this context, it is constructing a myth of this being a trait that 'we' carry within 'us' as Europeans/EU-ropeans.

Furthermore, in strengthening the society, the borders are essential to exclude 'others', and this has become obvious during this analysis, especially in chapter 5.1 on the securitisation of migration. The external image has also been a reoccurring issue;

A common foreign policy also needs a common external image. (Juncker, 2014: 20)

In the above quote, from Juncker's Political Guidelines of 2014, he underlines the importance of the European Union's external image. By enforcing the external border controls, the EU is also strengthening and creating a frame around the European identity. Building walls is part of creating ideas that both exclude and include people (Rheindorf & Wodak, 2017).

In the communication on European Agenda on Migration (European Commission, 2015e), the European Commission is making clear distinctions between which migrants are desirable (labour for instance, which in turn leads to economisation of migration). In doing this, they are not simply including the desirable migrants in the EU imaginary, but also excluding the migrants falling outside of this narrative. The studied documents are making clear distinctions between the two groups, however, following the securitisation of migration that has increased (see Chapter 5.1 Securitisation of the EU migration policies) the focus has been on illegal migration;

[…] to face challenges at the external borders resulting from illegal immigration or cross-border crime. (European Union, 2016)

The emphasis on 'illegal' or 'irregular' migration is also a way to securitise migration through turning migrants into criminals and threats (Karamanidou, 2015). Furthermore, military linguistic usage of the word 'combat' is common in the studied texts, which according to Karamanidou (2015) is another indicator for securitisation of the migration discourse.

[…] in particular with the objectives of preventing and combating irregular immigration and cross-border crime including the facilitation of irregular immigration, trafficking in human being and terrorism. (European Commission, 2015g: 54)

In her article *Reinterpreting the rules 'by stealth',* Vivien Schmidt studies the Eurozone crisis and how the reaction of the EU was very slow. At this time, there was also a large political polarisation amongst the EU actors, which meant that the "the EU ended up 'governing by the rules and ruling by the numbers' in the Eurozone" (Schmidt, 2016: 1032). When Schmidt refers to the rules 'by stealth' she is in fact referring to when EU actors are reconstructing these rules without acknowledging it to the greater public. This also entails that these actors did not have to admit that the rules weren't working and gave them more time to wait for a climate where these changes could be made officially and still gain public legitimacy. The difficulties to make changes at this time was not simply bureaucratic; they also derived from the previously mentioned political and economic polarisations and the problems of finding support and legitimacy in such a climate (Schmidt, 2016: 1033). Also during the time of the 'refugee crisis' the political and economic climate has been polarised which has further complicated the possibilities for policy changes. In the primary material studied in this thesis, this huge polarisation, especially between the different member states, with some wanting to accept more refugees, whilst others are closing their border has become prevalent. The polarisation has been problematic in the migration policy process; however, the EU has still been able to produce new legislations and policies at unprecedented speed. This is further discussed in the next chapter (5.5 A stronger EU?), where the coordinative work of the EU is evaluated and further problematised.

In communicating to the public, EU policy makers are very aware of the importance of legitimisation of their actions. In the European Agenda on Migration, one can see a clear intent to communicate discourses that legitimise policy changes in the eyes of the public;

> *[…] send a clear message to citizens that migration can be better managed collectively by all EU actors. (European Commission, 2015a)*

This statement shows how this coordinative document, also functions at the communicative level. Furthermore, an example of the Commission calling upon collective memories in the production of a EU imaginary can be found in Juncker's State of the Union of 2015;

We Europeans should remember well that Europe is a continent where nearly everyone has at one time been a refugee. Our common history is marked by millions of Europeans fleeing from religious or political persecution, from war, dictatorship, or oppression. (Juncker, 2015b)

There are many examples of the usage of a collective memory discourse in the huge database of official documents and statements of the EU. By calling upon a shared history, the EU strengthens the idea of a united political continent and deemphasizes the differences. In another State of the Union speech, one year later, Juncker concludes that '… many seem to have forgotten what being European means' (Juncker, 2016). This indicates that (a) there is a correct way of 'being European', and (b) it is given what this entails. This can be linked to what March and Olsen (2006) describes as one of the main functions of institutions; to ensure that certain things are presupposed and through this facilitate the political life of political actors. It can also be connected to ideas that operate at the level of philosophies and that are so embedded in 'our' consciousness that people do not react to the inconsistency in statements such as the previous.

When a system consists of many smaller institutions, roles etc., the identification with the smaller components can destabilise the overarching system. When individuals feel more connected to the smaller group, the larger group's stability can be threatened (March & Olsen, 2006). Applying this to the case of this thesis, the national identity can become too strong and compete with the overarching European identity. The varying national identities are relatively strong, and this might be the reason why the discourses trying to enforce the European (or more specifically the EU) identity are so frequent. If these identities are competing, is a post-national society even possible?

For the policy actors to legitimise change, they must prove that the changes as well are following the collective identity and culture (March & Olsen, 2006). Discourses underling collective identity have mainly been found in the speeches by Tusk, Schulz and Juncker. This is not surprising, since these discourses are communicative and directed at the general public and therefore are intended to work legitimising.

A stronger EU?

The constructivist thought does not only involve the thought that things around us are socially constructed. It also entails the thought that institutions are dependent on social acceptance. Institutions are sustained through the continued belief and acceptance that they exist (6 & Bellamy). In the primary material studied in this thesis, many EU legitimisation discourses have been identified, but the idea that the EU is facing an institutional crisis has also been frequently expressed. Following discursive institutionalism, transformative periods are seen as indicators of institutional change (Hay, 2006). In this chapter, the current state and the future of the EU institutions is discussed.

At the Special European Summit in April of 2015, the president of the European Parliament, Martin Schulz expressed the lack of a migration policy regime;

> *Many people blame the deaths of these people on "the EU". But there is no such thing as an EU migration policy. We have a patchwork of 28 different national systems […] who decide whether a specific country takes in refugees […]. Because in the past twenty years the home affairs ministers of your countries have not been able or were unwilling to develop a European system. The lack of truly European asylum and migration policy is now turning the Mediterranean into a graveyard. (Schulz, 2015)*

The discourses deployed in his speech are powerful and contain many interesting elements. His usage of quotation marks around the EU further underlines the then non-existent common migration policy of the Union. However, after this speech, the European Agenda on migration came into force, which is a proof that the EU does have some coordinative competence. These types of discourses later paved the way for the policy changes made (see chapter 4.2 Policy development). The quote also indicates that the EU is not to blame, because they did not have common migration policies, which would entail that the obligations are greater now that there are some policies.

Both the communication to its citizens and the internal coordination of the institutions remains a problematic area for the European Union, as stated by the Heads of State or Government after the recent Bratislava Summit;

We need to improve the communication with each other – among member states
with EU institutions, but most importantly with our citizens. (European Council,
2016c).

An institutional crisis was also indicated by Juncker in September of 2016; 'Our European Union is, at least in part, in an existential crisis' (Juncker, 2016). With the securitisation of migration, and the crisis discourse producing the narrative of migrants as threats, the EU has been portrayed as an institution at risk. Stating that the EU is '…in an existential crisis' (Juncker, 2016) exacerbates the feeling of an EU under threat.

However, a month later Tusk stated that 'For the first time for more than a year, the European Council was not a crisis meeting.' (Tusk, 2016b), which can be explained as part of a retroactive legitimising discourse. In late October of 2016, Tusk further underlined that the crisis was over;

[…] just imagine what the situation on the Greek islands would look like without
the decrease in the number of irregular migrants by 98% - not 9%, not 8% but 98%
- which we managed to achieve. (Tusk, 2016b)

This statement is retroactively legitimising the actions taken by the EU policy actors. It contains a very positive image of the policy changes made, especially the securitised ones. The normative story President Tusk is creating, is part of both a coordinative discourse (trying to enhance EU integration) and communicative (as a retroactive legitimisation). The fact that Juncker seems to indicate the presence of an existential crisis wouldn't delegitimise the previous policy changes, but it could at least be viewed as a critique of the coordinative work of the Union during the 'crisis', and perhaps this 'crisis' is the only one left when the 'refugee crisis' is said to be over. However, the future of the Union might not be as bleak as it's sometimes portrayed to be. As Nalepa and Strange concluded in their article (under review) there is a silver lining to the institutional 'crisis' that has been said to take place the last few years. There have been many policy changes in the migration field that has been implemented at unprecedented speed and for the first time there is an actual European Agenda on Migration (whether this is a functioning or effective policy is not discussed here) and this is a sign of improved institutional coordination.

Policy makers tend to recognise a situation as a problem based on the underlying cognitive ideas they have and they also tend to only acknowledge something as a problem if it serves their agenda (Strange & Nalepa, under review). According to Andrew Geddes and Virginie Guiraudon (2004) migration policy is performed in a very distinct way in the EU context, both compared to other geopolitical areas and to other political issues. Policy actors 'venue-shop' in this certain matter and often turn to the overarching EU level to avoid the public and political situation that might constrain them at the domestic arena.

Through the communication of a perceived 'crisis' the road towards a stronger Frontex and a European Border and Coast Guard has been paved. By pushing for the urgent need for further control at the external borders, the communitarisation of, at least this part of the migration regime, has been made possible. The Border security policies are the 'lowest common denominator' that the EU has managed to successfully agree upon in this area and it might not have been possible without the 'crisis' discourse and the sense of emergency. Furthermore, but perhaps not as successful, the EU has managed to agree upon an Agenda on Migration. There have been problems with the implementation of parts of the Agenda, for example has Victor Orban, president of Hungary said that he will contest every migration quota decision of the EU (euobserver, 2016). These problems, however, has stemmed mainly from cooperation complication between member states, not between EU institutions.

Overall, the EU institutions have managed to strengthen its coordinative qualities through forced cooperation, necessary during this time of 'crisis'. On the other hand, the communicative qualities of the Union remain low, and the image of the EU amongst Europeans remains neutral, as its been for the past few years (Eurobarometer, 2012; 2013; 2014; 2015; 2016). This indicates that the discourses that was possibly aimed at strengthening the EU imaginary did not reach or affect the citizens of the Union. Furthermore, the majority (56 %) of the citizens of the EU was in 2014 positive to the future of the EU, which dropped to 50 % in the spring of 2016, and the pessimistic percentage rose from 38 % to 44 % (Eurobarometer, 2014; 2016). This change in the attitude towards the EU is however not very large and some scepticism is expected in times of crisis when the major policy actors are scrutinised. The question that remains is whether the

citizens would have been even more sceptical if the EU would not have (a) performed migration policy changes, and (b) (re)produced normative discourses. Following Durkheims (1997) thoughts, the EU has done relatively well in the construction of the social community in as far as they have both produced moral and judicial frames to bind the society together and increases the interdependence between the member states. Looking at the 'Eurozone crisis' the optimism towards the EU was staying around 65 % with a decrease starting in 2010 and reaching the lowest point during the past decade of 48 % in the autumn of 2011. This might indicate a delay in the negative reactions after a perceived crisis, and might mean that there will be a decrease in the optimism towards the EU.

It is possible that the EU imaginary that was produced and reproduced during the time of the 'refugee crisis' had more effect on the cooperation within the EU than on the intended receivers of the communicative discourse. With the EU having a history of bad communicative skills, as a multi-actor system (Radaelli & Schmidt, 2004; Schmidt, 2002, Wincott, 2006), it is not surprising that the discourses deployed haven't reached the masses. For the citizens of the Union, simply the sense that something was being done (such as the increased external border control) was enough. As Bauman claims, this sense of something needing to be done, is something that accompanies and follows the sense of a crisis (Bauman, 2016).

Another effect of the EU being a multi-national system is that it does not seem to be effected by single events at the same level as single actors are. In their article Rheindorf and Wodak (2017) reviews the discourses in the Austrian context of the 'refugee crisis'. Throughout the article it is obvious that the political parties are very much influenced by public opinions, that in turn are affected by (tragic) events such as when Alan Kurdis was found on a Turkish beach. In the case of the EU, the actors do not seem concerned about receiving legitimisation from the public to the same extent as national-level actors who can see instant results on their polls if they do not please the masses. Contrary to the EU, nation states' legitimisation discourse is dependent on representative democracy. The EU is instead built up by several democracies and a mosaic of bureaucracy (Guild, 2004). This complex institutions and bureaucracy is obscuring the accountability of the actors (Ekelund, 2014) and makes it harder for the EU citizens to comprehend.

Many EU actors now consider the 'refugee crisis' to be over (even though there are still huge amounts of displaced humans in the world). As seen in the last chapter, Tusk indicated an end to the crisis in October 2016, during which month he also stated that;

> *[…] just imagine what the situation on the Greek islands would look like without the decrease in the number of irregular migrants by 98% - not 9%, not 8% but 98% - which we managed to achieve. (Tusk, 2016b)*

This statement is retroactively legitimising the actions taken by the EU policy actors, whilst ignoring the question of what will happen to the 'irregular' migrants that now can't reach the EU. It does however contain a very positive image of the policy changes made, especially the securitised ones. The normative story President Tusk is creating, is part of both a coordinative discourse (trying to enhance EU integration) and communicative (as a retroactive legitimisation).

CONCLUSION

This thesis begun with presenting the main objectives of this thesis and summarised them in two research questions; the first research question was aimed at distinguishing some of the main discourses deployed by EU migration policy actors during the 'refugee crisis' of 2014-2016. Secondly, the thesis was to problematise these discourses and how they have affected and been used both coordinatively and communicatively. The method and theory were built on Vivien Schmidt's discursive institutionalism, however, the thesis also used a conceptual framework that built on the identified discourses. This also required a discussion on how these have affected both the migration policy changes and how it has affected the legitimacy and credibility of the Union.

Following this research, it would be interesting to compare how the 'Eurozone crisis' affected the publics' opinion on the EU compared to how it was effected during the 'refugee crisis' studied in this thesis. It would furthermore be interesting to compare the deployed discourses and perhaps see if the discourses are the same in the EU-Turkey agreement. A more quantitative linguistic study would also be desirable, as to statistically see how the here identified concepts and discourses are used in various documents and statements.

The main discourses that has been found are, what this thesis has labelled as, discourses surrounding crisis, solidarity, securitisation and the construction of an EU imaginary. To some extent, they are all interconnected and are ideas that both affect policy actors and are used by them, which is shown in the image below. The analysis therefore also contributed with a suggestion for a conceptual development on how discourses surrounding migration policies are studied and interpreted; perhaps there is a need to develop an intra-conceptual frame for studying this field. Discourses are not simply dialectal in the sense that they both effect and are affected by ideas; they are also dialectal in the sense that they effect and are affected by other discourses.
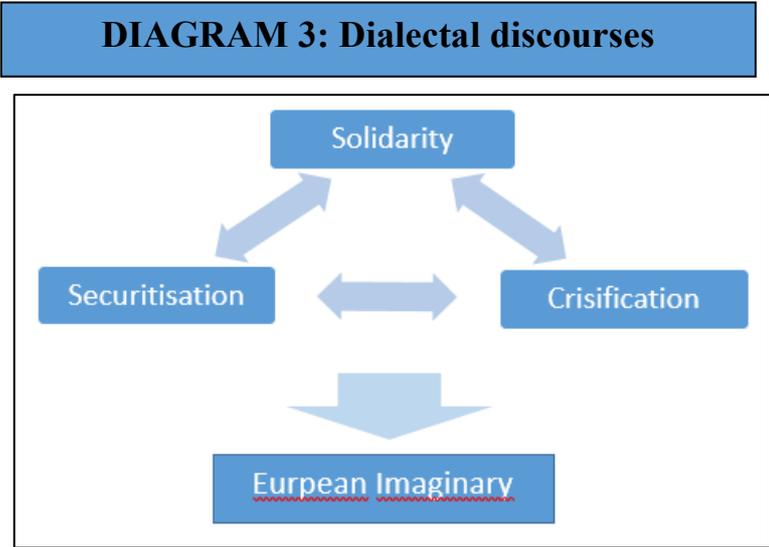
Author's own diagram

The security and crisis discourse are used together to produce a sense of threat that functions as (a) a 'self-reproduction' of both discourses and (b) to legitimise policy change. The effect then is that security measurements trumps the rights of migrants which in itself is problematic. Furthermore, it is problematic that the securitisation of migration is being increasingly normalised and might not be contested as a socially constructed discourse but instead seen as a necessity. Considering the fact that security issues might trump human rights issues in the migration discourse is overall problematic, especially for a community that wants to be portrayed as a normative superpower.

Through strengthening the EU imaginary, the policy actors both include and exclude individuals. The European Agenda on Migration has a clear narrative that shows which migrant is desirable, and perhaps more importantly, which migrant is not wanted. These narratives entail a discourse telling 'us' who 'we' are, and who 'we' are not and functions to strengthen the EU community. Another conclusion that can be drawn from the analysis is that the EU is reproducing narratives that entails EU as Europe, and more specifically as Western Europe. This can also be connected to the imbalance of power between the member states in policy processes.

Whilst Junkers (2014) solidarity was with refugees that died in the Mediterranean, the later Agenda on Migration rather underlined a solidarity with other member states. Even though the Agenda on Migration was published around ten months later, one can wonder how the solidarity discourse changed its connotation. Most likely, the large increase in migration and asylum applications changed what was conceived as a crisis, from the many migrants and their suffering, to the institutions of the EU as well as some member states inability to handle the situation.

One thing that has become clear throughout this research is that the EU has a strong influence on knowledge production and that they have a lot of power in regards to steering the discourses used during this so called 'refugee crisis'. However, the power structures are not simply moving top-down, as always, there's many grassroots organisations and the like trying to steer the discourses according to their agenda. Even though the interview with both the Commission official, the EESC official and the Council of EU official all entailed a very isolated discourse and policy frame around the migration issues, it would be interesting to do future research to broaden the understanding of the bottom-up processes and further consider the role of social movements and various bottom-up political pressure.

As to the legitimacy of the EU, from the citizen perspective, there has not been any major changes. The most part of the citizens of the EU are neutral to the Union, and the majority of the EU citizens are still positive to the future of the EU. The negative individuals amount, after the 'refugee crisis', to 44 % which is a rather large number and indicates that the communicative discourse still is a critical area for the policy actors of

the EU (Eurobarometer, 2016). There could however be a delay in the reaction to the 'refugee crisis'; perhaps the optimism will dip even further, though this is something that only time and future research can tell.

Perhaps the EU imaginary that was (re)produced during the 'refugee crisis' was more effective and productive for the coordinative discourses of the EU than for the communicative. This coordinative success of what was labelled not only a 'refugee crisis' but also an 'institutional crisis', was what Strange and Nalepa (under review) referred in to their article as a silver lining. The coordinating skills are especially vital in the migration context, because migration issues cut across so many different political fields (Guiraudon, 2003). Perhaps the coordinative discourse has been more successful simply because it has been the most urgent measure to attend.

With EU's communicative skills being low, and since the public normally adopt rather quick to a crisis (Boin et al, 2005) there might not have been a great need to even legitimise the new migration policies. One possibility is also that the public settles with a discourse saying that 'they are at least doing something'. As discussed previously, the public's interest of politics tends to increase in times of 'crisis', meanwhile their level of knowledge tends to remain at a relatively low level. This might entail that the sense of something being done could be enough in the eye of the citizens, especially the formation and increased mandate for the European Border and Coast Guard Agency (former Frontex) as security issues have been pushed up on the public agenda through events such as the 2015 Paris attacks and the sexual assaults in Cologne. The securitisation of migration has become normalised, entailing an upswing in the importance of borders for (trans-)national identity.

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Interviews

Anonymised transcripts in English are available upon request.

Interview, EESC official, (2016-11-08), 37 minutes & 13 seconds, Brussels

Interview, EU Commission official, (2016-11-08), 42 minutes & 42 seconds, Brussels

Interview, Council of the European Union official, (2016-11-07), 49 minutes & 41 seconds, Brussels