Immigration Attention in the European Council

An Analysis using the Punctuated Equilibrium Theory

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Chapter 1: Introduction

Immigration policy, dealing with both regular and irregular immigration, is a key objective of the European Union (European Parliament, 2020a, p. 1). The European Commission in its glossary on the EU Immigration Portal defines immigration as: "In EU context, the action by which a person from a non-EU country establishes his or her usual residence in the territory of an EU country for a period that is, or is expected to be, at least twelve months".

In the European Economic Community (EEC or Community), the Community had control over the free movement of EEC citizens and their family members, even when those family members were not citizens of the EEC, but not over third country nationals (O'Keeffe, 1995-1996, p. 266). Aside from some exceptions born through case law from the Council of Justice, migration policy was recognised as an exclusive responsibility of the Member States (O'Keeffe, 1995-1996, p. 266). In the 1980s, the EU Member States started cooperating on immigration-related issues (Brinkmann, 2004, p. 182-183; O'Keeffe, 1995-1996, p. 265). In the Maastricht Treaty of 1993, or the Treaty on the European Union (TEU), the objective to control illegal immigration and create a common asylum policy was put in the "Third Pillar", dealing with Justice and Home Affairs in Title VI. This was a big step towards more cooperation, while still largely maintaining Member State sovereignty (Brinkmann, 2004, pp. 182-183; O'Keeffe, 1995-1996; pp 266, 270-272). The Lisbon Treaty stated that the EU shares competence in the field of migration with the Member States. It also gave the Court of Justice complete jurisdiction in the area of immigration and asylum (European Parliament, 2020b).

Migration is currently part of the Area of Freedom, Security and Justice, which includes management of the EU's external borders, and asylum and immigration policies. It has its legal basis in Title V of the Treaty of the Functioning of the European Union (TFEU). Article 67(2) says: "[The Union] shall frame a common policy on asylum, immigration and external border control". Chapter 2 of Title V specifically deals with policies on border checks, asylum and immigration and lays down what the EU's competences and obligations are. While recently asylum issues have been the focus of attention, legal migration can be an asset for the economy (EPSC, 2015). This is why in this article, the focus is on immigration as a broad issue, encompassing both legal and illegal migration.

This research focuses on the attention that the European Council has given the topic of immigration in the period between 1980 and 2010 and what pattern the attention follows. The

research question will be: "What pattern has attention given by the European Council to the topic of immigration followed in the period between 1980 and 2010?".

The European Council can be seen as the most important EU institution, even though it has limited formal competences and it has only relatively recently become a formal European body (Alexandrova et al., 2014, p. 154; Lelieveldt and Princen, 2015, p. 51). Its meetings are always closely watched events and they get considerable press coverage all over Europe (Lelieveldt and Princen, 2015, p. 51). The European Council defines the outlines of the main agenda of the European Union, which is its main impact on EU politics. The fact that it has a lot of power in reality, in spite of its limited formal competences, stems from the substantial influence that its members have in their governments (Alexandrova et al., 2012, p. 71; Lelieveldt and Princen, 2015, p. 52). Previous research has focused on the role that different European institutions play in regard to European Union agenda-setting, however, the European Council has gotten relatively little attention in comparison to the European Commission and European Parliament. The literature that does focus on the European Councils role as agenda-setter has mostly dealt with the central role of the presidency and the factors limiting its abilities to steer the agenda. The limited literature focusing on the substantive agenda, focuses on single meetings, presidencies or years of particular historical significance, instead of focusing on longer time periods (Alexandrova et al., 2012, p. 71; Alexandrova, Carammia, Princen & Timmermans, 2014, p. 154).

The Punctuated Equilibrium Theory developed by Baumgartner and Jones in 1993, suggests that policy change is mostly characterized by stability and incrementalism, also called equilibria, but there are instances where radical attentions shifts take place, also called punctuations. Previous articles have already applied PET to the EU, but to form a comprehensive image more research needs to be done, since whether PET is or is not applicable to the EU in a certain policy area, will not prove whether PET is applicable to the EU in total. The research done before has not covered the entire policy domain.

As mentioned above, immigration starts becoming an EU issue in the 1980s (Brinkmann, 2004, p. 182-183; O'Keeffe, 1995-1996, p. 265). This is why 1980 is used as the starting point for this research. It is necessary to conduct the research over a longer period of time to possibly detect policy change. When observing issues for a short period of time, most issues see little or no policy change. However, when observing them in a longer timeframe, many issues show longer periods of stability ("equilibria") punctuated with points of considerable policy activity combined with radical shifts in policy ("punctuations")

(Baumgartner & Jones, 2009, p. xxiv). Doing a longer-term analysis of the European Council agenda will add to the existing research, since there has been very little long-term research done in regard to this institution (Alexandrova et al. 2012, p. 71). The research will go up to and including 2010, thus covering just over three decades of European Council Conclusions. Because of this longer time frame, the likelihood that punctuations are shown is higher, provided that PET does indeed apply to this policy area within the European Council.

By conducting a longer-term analysis on the agenda-setting abilities of the European Council on a specific issue, in this case immigration, this article will thus be adding to the existing literature on the European Council in general, as well as on the application of PET to the EU more specifically. The topic of immigration has so far not been researched in relation to PET, so it will be interesting to see whether attention for this issue matches the pattern predicted by the Punctuated Equilibrium Theory. The hypothesis is that the attention given to the topic of immigration will indeed follow the pattern predicted by PET.

Including the introduction, this paper consists of seven chapters. The second chapter deals with background information regarding the European Council and the policy area of immigration. The third chapter focuses on relevant previous research. Then, the theoretical framework is discussed, handling the theoretical notions of the Punctuate Equilibrium Theory (PET), focusing events, European Council agenda-setting and finally the hypothesis of this research. Next, the methodology is reviewed, followed by an analysis and discussion of the findings. The paper ends with the conclusion and reflection on both the research itself as well as possible future research opportunities.

Chapter 2: Background Information

2.1 European Council

The European Council was founded in 1974 as an informal gathering in the European Community. This makes it one of the younger institutions of the EU. The Lisbon Treaty that went into force in 2009, made the European Council a formal European body through Article 13 TEU (Alexandrova et al., 2014, p. 154, Anghel & Drachenberg, 2019, p. 1). It is an intergovernmental institution, where the Member States are represented by bringing together their heads of State and Government (Lelieveldt and Princen, 2015, pp. 49-50). By gathering them, the European Council is capable of committing the member states at the highest level (Alexandrova et al., 2012, p. 71; Lelieveldt and Princen, 2015, p. 51). The European Council gathers in Brussels at least four times a year and if necessary, it can meet for additional extraordinary or informal sessions. Its meetings are always closely watched events, taking place behind closed doors and with limited attendance to only the Heads of State and Government, the President of the European Council, the High Representative of the Union for Foreign Affairs and Security Policy and the President of the Commission. The last three attendees are not allowed to vote. Decisions are made by consensus, except when stated differently by the Treaty (Lelieveldt and Princen, 2015, pp. 51-54).

The European Council provides political direction to the long-term strategic agenda of the EU with respect to the international policies and the Common Foreign and Security Policy (Lelieveldt and Princen, 2015, p. 52). In Article 15 of the TEU it is stated: 'It shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof'. The ability to define the main agenda of the EU, or most of the time the outlines thereof, is the main impact of the European Council on EU politics (Alexandrova et al., 2012, p. 71; Alexandrova et al., 2014, p. 154; Princen & Rhinard, 2006, p. 1121). It does not usually produce detailed policy decisions, but it delegates this to the Commission and the Council of Ministers or other bodies (Alexandrova et al., 2012, p. 71; Princen & Rhinard, 2006, pp. 1121-1122). Furthermore, the European Council functions as a problem solver, has a formal role in treaty revision and enlargement, and is involved in a range of appointments for European top positions (Alexandrova et al., 2012, p. 71; Lelieveldt and Princen, 2015, pp. 52-53).

Even though the European Council has limited formal competences and only recently became a formal institution, it can still be seen as the most important EU institution. This is

because of the important political status and considerable the influence its members have in their governments (Alexandrova et al., 2014, p. 154; Lelieveldt and Princen, 2015, pp. 51-52).

2.2 Immigration as a Policy Area

Migration is a very broad issue. Illegal migration can bring discord and problems, while legal migration can be an asset for the economy as well as being accepted for humanitarian reasons (COM(2015), p. 2; EPSC, 2015). The European Commission stated that Europe should be a safe haven for those fleeing persecution and it should also be an attractive destination for the talent and entrepreneurship of students, researchers and workers (COM(2015), p. 2). Migrants can be part of the solution to the current problem of higher dependency ratios because of the ageing and shrinking European population and the labour shortages (EPSC, 2015). Migratory flows have never been bigger than they currently are and Europe is expected to stay a magnet for migrants (EPSC, 2015). The crisis in the Mediterranean revealed structural limits of EU migration policy and a need for better cooperation and management, addressing the root causes of irregular migration and forced displacement and focusing on integration of migration in society (COM(2015), pp. 7-8, 12-14, 16; European Parliament, 2020a). The EU response to the migration crisis draws from practices starting more than 25 years ago (Geddes, 2018, p. 120). It is clear that European cooperation on this issue is necessary, because the individual Member States are unable to effectively address migration alone (COM(2015), p. 2, 6). All these different aspects combined, makes immigration a very broad and relevant policy area in the European Union.

2.3 Immigration in the European Union

Back in the European Economic Community, the EEC had control over the free movement of Community citizens and their family members, but not over third country nationals (O'Keeffe, 1995-1996, p. 265). In the 1950s and 1960s, part of the European countries relied on immigrant labour to fill labour shortages. Economic recession impacted Europe in the 1970s, decreasing the need for immigrant labour which led to a reduction of possibilities for legal immigration. Countries that had before been emigration countries, with a lot of emigrants moving to the United States, became immigration countries (O'Keeffe, 1995-1996, p. 266; Muus, 2001, p. 31). This brought immigration related issues, which led to more cooperation between the Member States in the policy area of immigration in the 1980s. Immigration became a topic on the EU agenda. The Maastricht Treaty of 1992 stated the objective to cooperate in

the field of controlling illegal immigration and to create a common asylum policy (Brinkmann, 2004, pp. 182-183; O'Keeffe, 1995-1996, pp. 266, 270-272). The Lisbon Treaty declared that the EU shares competence in the field of migration with the Member States as well as giving the Court of Justice full jurisdiction in the field of immigration and asylum (European Parliament, 2020b).

Since 2015, Europe has experienced the largest number of arrivals of refugees and migrants since the end of the Second World War. The post-2015 migration and refugee crisis was a humanitarian catastrophe (EPSC, 2015). The situation in the Mediterranean was compounded by images of death, chaos and disorder, which has put a spotlight on the issue of immigration (COM(2015), p. 6; Geddes, 2018, p. 121). The EU was shocked by the situation at its southern borders (COM(2015), p. 2). The crisis had a great impact on the EU as a whole, on the Member States, and in particular on the Common European Asylum System and the Schengen Area (COM(2017), p. 2). The European Political Strategy Centre (EPSC) – the European Commission's in-house think tank, which produces Strategic Notes on topics chosen by the President of the European Commission – noted in their Strategic Note on 30 April 2015 that "the age of migration is here to stay". (EPSC, 2015). This makes immigration a very relevant issue and it is expected to stay this way in the foreseeable future.

Chapter 3: Previous Research

3.1 Punctuated Equilibrium Theory and the European Union

PET was originally developed to study the policy and agenda-setting dynamics in the United States. Later it was found to also be applicable to other countries and institutions, such as the European Union (Elias and Timmermans, 2014; Princen, 2013, p. 857; True et al., 2007, p. 155, 158; and others). PET has been applied in various European domains by different authors. Princen (2010) argued that PET best explained the dynamics of the EU's fisheries policy and Princen (2009) applied PET to the domain of health and environment. The research of Citi (2013) studied EU budget and showed that it evolved following the Punctuated Equilibrium Theory. Benson and Russel (2015) found that policy development can neither be described as overtly incremental nor punctuated and thus argued that neither the model of incrementalism nor PET satisfactorily explains the pattern.

The Punctuated Equilibrium Theory has also been applied to the European Council. Alexandrova, Carammia and Timmermans (2012) analysed the policy agenda of the European Council and found that the Punctuated Equilibrium Theory was applicable. Elias and Timmermans (2014) and Alexandrova and Timmermans (2015) analysed the dynamics of attention of respectively organised crime and energy on the European Council agenda and found that PET explained the pattern shown. Alexandrova et al. (2014) developed a database and codebook processing the European Council Conclusions since the very first meeting of the European Council in 1975. The key concept in PET is 'attention' and the challenge that comes with it, is to measure the amount of attention an issue receives. Since the European Council always meets behind closed doors, its Conclusions are the only written evidence of the issues discussed at meetings, making them the most reliable source of data. They are especially suitable for long-term analysis, because they have been issued since the very first meeting of the European Council in 1975 and they are still being issued (Alexandrova et al., 2012, pp. 71-72; Alexandrova et al., 2014, pp. 156-157).

3.2 Other relevant literature

Alexandrova (2015) applied the concept of focusing events – developed earlier by, among others, Birkland (1997, 1998) and Kingdon (1995) – to the European Council. Princen and Rhinard (2006) study the agenda-setting process in the European Union and the different ways in which issues reach the political agenda in different European institutions.

Chapter 4: Theoretical Framework

4.1 The Punctuated Equilibrium Theory from Baumgartner and Jones

The Punctuated Equilibrium Theory originated as a long-term analysis of policymaking in the United States of America and it was further developed into a theory explaining the pattern public policy in the United States follows. After the original work of Baumgartner and Jones was published in 1993, it was discovered that PET is not confined to the American system, but it can also be applied to other countries and systems (Baumgartner & Jones, 2009, pp. xxi; xxvi).

Policymaking was long thought to be characterized by incrementalism. Incrementalism is the idea that policy makers make small, reversible changes, based on past decisions (Baumgartner & Jones, 2009, p. 9; Jones & Baumgartner, 2004, p. 5). This view implies that big, sudden changes from the status quo are unlikely. In reality, however, public attention to social problems is not incremental. It is very possible that issues that were barely given any attention before, suddenly dominate the news and the political agenda. Even though policy action does not always follow the pattern of attention, when it does, the flow is anything but incremental (Baumgartner & Jones, 2009, p. 10). This does not mean that incrementalism was entirely wrong. On the contrary, it works very well when incorporated into a broader theory, such as PET (Jones & Baumgartner, 2004, pp. 5-6).

Most of the time, political processes are characterized by stability and the incremental process described above. Occasionally there are moments of crisis punctuating the process, causing radical change. Afterwards, stability will return (Baumgartner & Jones, 2009, p. 3; Jones & Baumgartner, 2004, p. 6; Princen, 2013, p. 854). PET seeks to explain both the periods of stability, equilibria, and the points of radical change, punctuations. Most theories explain either the stasis or the crisis, instead of the whole pattern. Baumgartner and Jones believe both are inherent parts of the pattern and they developed PET to explain the entire process (Baumgartner & Jones, 2009, p. 4; Jones & Baumgartner, 2004, pp. 5-6; Princen, 2013, p. 854).

<u>Attention</u>

The key concept in the Punctuated Equilibrium Theory is 'attention'. An issue is considered to be on the agenda, if it receives attention. If it receives relatively more attention, it is higher on the agenda than other issues. The challenge with applying PET is to find a way to measure the amount of attention an issue receives (Alexandrova et al., 2014, p. 155; Princen, 2013, pp. 854-855, True, Jones & Baumgartner, 2007, pp. 155-156).

Bounded Rationality

Jones & Baumgartner (2004, p. 20): "Bounded rationality assumes that humans are strategic and goal-oriented, but are equipped with cognitive architectures that constrain and channel their abilities to maximize". Selective attention is the most important limitation, meaning that people can only deal with a limited set of issues at the same time (Jones & Baumgartner, 2004, p. 20). As Herbert Simon said: "Only one or a very few things can be attended to simultaneously" (1985, p. 302; as cited in Jones & Baumgartner 2004). This also applies to governments and institutions, because policymaking organizations are composed of human beings and the decisionmakers are cognitively limited and thus unable to deal with all the issues going on in a society at the same time (Baumgartner & Jones, 2009, p. xxiv; Jones & Baumgartner, 2004, pp. 18-20; True et al., 2007, p. 156). They deal with a limited set of issues at a time, while paying no attention to others, which makes bounded rationality a cause of stability (Jones & Baumgartner, 2004, pp. 7, 23).

Bounded rationality can also be the cause of change (Baumgartner & Jones, 2009, p. xxiv). The cognitive limitations mentioned above lead to a situation of alternation between periods of underreactions to information and overreaction to it (Jones and Baumgartner 2004, p. 9). Breaking through the pattern of underreaction can be the result of an accumulation of problems over time, or a reaction to current events, a focusing event for example. Either way, the problem reaches a certain point where it can no longer be ignored. Because the problems were previously ignored, the reaction tends to make up for lost time. (Alexandrova et al., 2012, p. 72; Princen, 2013, p. 855). This is because with the public "discovering" the serious problem – communities of experts were most likely already dealing with the issue – comes a sense of urgency. This leads to political mobilization, which can lead to major policy change. (Baumgartner & Jones, 2009, p. xxiv; Jones & Baumgartner, 2004, p. 7; True et al., 2007, p. 158). The longer an issue or a problem is ignored, the higher the chance that the change will be more radical (Princen, 2013, pp. 854-855; True et al., 2007, p. 158).

Serial and Parallel Processing

Herbert Simon distinguished different ways to process information: serial and parallel capacities. People process information one issue at a time. This is serial processing. Parallel processing deals with many issues at the same time by separating tasks in different parts and assigning these parts to specialized issues (Jones & Baumgartner, 2004, p. 45; True et al., 2007, p. 158). The capacity of humans to do as such is very limited but organisations are more capable, through division of labour. Both organisations and governments are able to process numerous

policy issues in a parallel capacity (Jones & Baumgartner, 2004, pp. 7, 45). Some organisations are capable of processing thousands of issues at the same time, but its leadership will still have a limited capacity (Jones & Baumgartner, 2004, pp. 45-46). Jones & Baumgartner (2004, p. 46): "[A]gendasetting is simply the process by which that scarce attention gets allocated".

The process of determining what issues deserve the attention of the highest decision-makers, is not perfect and leads to punctuations (Jones & Baumgartner, 2004, pp. 7-8). Most issues most of the time are far from the national political agenda and the interest of the press. If and when these issues catch the attention of the highest policymaking institutions, mistakes have been made and piled up. This leads to punctuations because the system needs to "catch up" with reality (Jones & Baumgartner, 2004, p. 7). This relates to the cognitive limitation of bounded rationality mentioned above.

Issue Definition and Policy Images

Issues can be defined in different ways and changing definitions lead to ups and downs in levels of attention. Baumgartner & Jones (2009, p. 12): "Issue definition and agenda-setting are related, because changes in issue definition often lead to the appearance of an issue on the public agenda". Issue definitions can lead to both stability and instability, because existing policies can be either reinforced or questioned. They have the potential for mobilizing the previously disinterested, or they can keep the status quo in place (Baumgartner & Jones, 2009, p. 16; True et al, 2007, p. 156).

Baumgartner & Jones (2009, p. 25): "How a policy is understood and discussed is its *policy image*". Policy images are critical in mobilising those who were previously disinterested (Baumgartner & Jones, 2009, p. 25). In periods of stability, there is consensus on a certain image and on which institution should deal with it. If an image is under attack, a new image can be created. This new policy image can cause the issue to appear on the agenda of a different institution then before, as well as causing the issue to disappear from the agenda of the original institution. The discussion around the image could also lead to more attention in general. The attention for issues is often related to the current policy image and the discussion around it (True et al., 2007, pp. 161-163).

Venue Changes

One group of people or a certain institution may accept a specific policy image more readily than other groups of institutions (Baumgartner & Jones, 2009, p. 31). A policy venue, according to Baumgartner & Jones (2009, p. 32) is an institutional location where authoritative

decisions are made concerning a given issue. Policy images may change over time, and so do policy venues. An issue may fall in the jurisdiction of several venues (Baumgartner & Jones, 2009, p. 32). Images and venues are closely connected. Those hoping to have a given image accepted might find that one venue is very receptive of their arguments, but they might be unsuccessful in another venue (Baumgartner & Jones, 2009, p. 35). When a policy image changes, venue change becomes more likely. Whenever venues change, a new image attracts increased attention, leading to further venue changes as more and more groups within the political system become aware of the issue. Thus, a slight change can cause major change in policy outcomes when amplified over time (Baumgartner & Jones, 2009, p. 37).

4.2 Focusing Events

Birkland (1998, p. 54) refers to Birkland (1997) and Kingdon (1995) when giving a definition of focusing events:

A focusing event is an event that is sudden; relatively uncommon; can be reasonable defined as harmful or revealing the possibility of potentially greater future harms; has harms that are concentrated in a particular geographical area or community of interest; and that is known to policy makers and the public simultaneously (Birkland, 1998, p. 54).

Alexandrova (2015, p. 505) defines focusing events as "sudden, striking large-scale occurrences that attract the attention of various political and societal actors, often on a global scale". They can be either natural or manmade (Birkland, 1998, p. 67). Political leaders immediately comment on these events and these comments can later transform into policy responses (Alexandrova, 2015, p. 505). A focusing event can be the cause of breaking the pattern of stability (Birkland, 1998, p. 54). The events draw attention to an issue that was being ignored before and it symbolises what is wrong in the current situation, giving the issue a high sense of urgency (Alexandrova et al., 2012, p. 72).

In the EU, the European Council is the political institution that is the voice of the Union to the rest of the world both in response to domestic and external focusing events. In the current international worlds external focusing events are just as important as domestic ones. Political actors and institutions that want to function as global powers need to pay attention to crises happening beyond their borders and respond appropriately (Alexandrova, 2015, pp. 506-510). Alexandrova (2015, p. 509) refers to other literature when saying that is largely recognized that

high-profile current events are a key factor in influencing the European Council agenda and can thus function as external focusing events. A European Treaty can be seen as a domestic focusing event, drawing attention to an issue and putting it higher on the agenda. Not all potential focusing events influence the agenda and for those that do, the actual levels of attention they receive and thus their impact vary. Focusing events event can present the necessary conditions for redefining an issue, allowing it to appear on the EU agenda (Alexandrova, 2015, pp. 506, 512).

4.3 European Council agenda-setting

Princen (2009, p. 19), referring to other literature, defines the agenda as "the seet of issues that receives serious consideration in a political system". Agenda-setting is important in all political systems and the European Union is no exception from this statement. The way issues are defined and by whom are crucial in gathering and sustaining support for an issue: for putting and keeping it on the agenda (Princen & Rhinard, 2006, p. 1119).

Princen and Rhinard (2006, p. 1121) describe how issues can arrive on the European agenda in two ways: "either they are placed on the agenda 'from above' by the political leaders in the European Council (the 'high politics' route) or they are placed on the agenda by experts working together in Commission Expert Groups or Council Working Parties (the 'low politics' route)". Issues on the European Council agenda primarily from above, even though the two forms are often somewhat mixed (Princen and Rhinard, 2006, pp. 1121-1122). In the high politics route a shared political problem is put on the agenda by political leaders, often due to a high-profile focusing event (Princen and Rhinard, 2006, pp. 1121-1122).

4.4 Hypothesis

The European Council agenda on migration is expected to follow the pattern predicted by the Punctuated Equilibrium Theory, because the majority of previous research has shown that the agenda fits the pattern when applied to other policy areas. The hypothesis is therefore that the pattern of attention for immigration within the European Council will follow the pattern predicted by the PET.

PET, in short, predicts a pattern of stability punctuated with points of radical change (Baumgartner & Jones, 2009; Jones & Baumgartner 2004; True et al., 2007). The level of attention for immigration is thus expected to have periods of stability, with radical attention shifts at some moments.

Chapter 5: Methodology

5.1 European Council Conclusions Dataset

Petya Alexandrova, Marcella Carammia, Sebastiaan Princen and Arco Timmermans created a dataset covering all meetings of the European Council between 1975 and 2012, and later data covering 2013 and 2014 was added. It is a collection of empirical data of the most visible output of the European Council: its Conclusions. The data have been coded since March 1975, which was the first time the European Council produced a substantive Conclusion. This dataset will be used in this research to measure the levels of attention for immigration within the European Council. The number of times an issue is referenced in texts and documents is used to see whether an issue receives attention and thus as an indicator of where it stands on the agenda (Alexandrova et al., 2014).

The dataset discerns 23 major topics, all consisting of multiple subtopics, coded at the (quasi)-sentence level. Coding at the quasi-sentence level means that part of a sentence is coded separately if that part of the sentences can be seen as a meaningful autonomous statement. The codes only show the policy field discussed and they don't make reference to for example tone (Alexandrova et al., 2014). The dataset contains over 40.000 coded statements. The topic this research focuses on, is immigration. In the dataset immigration is topic number 9. As mentioned in the introduction, immigration is a broad subject, which is why all the subtopics are included: General (900), Immigrant workers (929), Refugees and Asylum Issues (931), Acquisition of Nationality (932), Illegal Immigration and Repatriation (933), Entry of Immigrants (940), Integration of Immigrants (941), Border Control (950) and Other (999). By using all subtopics, the research will show how much attention the entire subject of immigration has been given, as well as preventing any bias towards certain subtopics. A large-scale quantitative dataset is used with a focus on a specific issue, to add to the Punctuated Equilibrium Theory as Princen (2013, p. 859) suggested would be useful, since this has not been done comprehensively. This is also because the European Council Conclusions Dataset has been developed quite recently (Alexandrova et al., 2014).

5.2 Using the Dataset

The quantitative part of this research counts the number of times the topic of immigration has been mentioned each year. These numbers will be used to create a graph, showing the number of times immigration is mentioned and the years, from 1980 to 2010. The qualitative part of this research will use the statements from the European Council to provide a

deeper understanding of the way the European Council spoke about the topic of immigration. By reading the statements in years of high attention and comparing them, changes or consistencies in dealing with immigration will be shown.

Chapter 6: Analysis
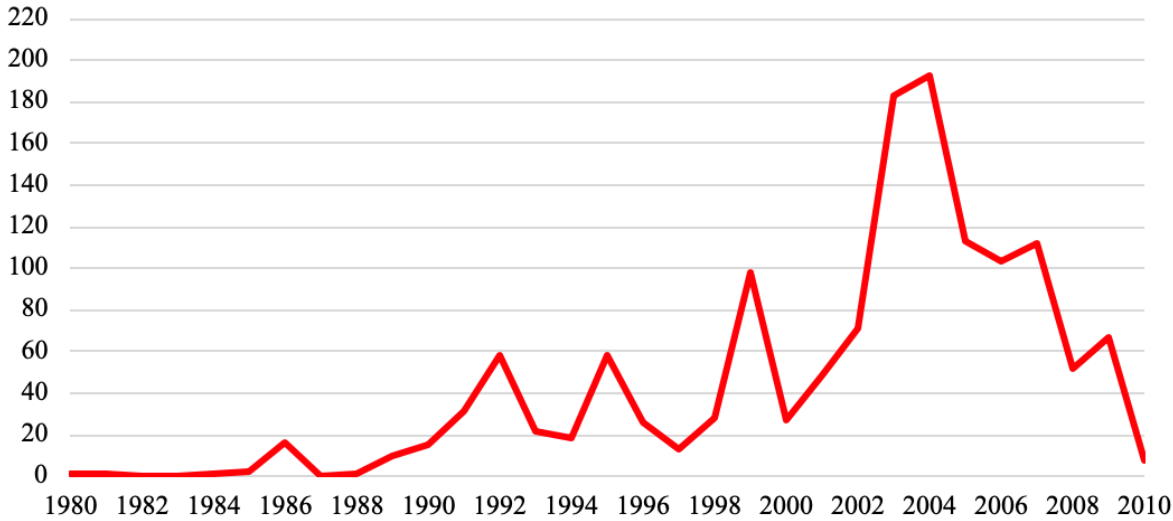
6.1 Pattern of Attention

Figure 1. Development of the European Council's attention for immigration

In Figure 1, the pattern of the European Council's attention for immigration is shown. On the y-axis, there is the number of times immigration is mentioned in the European Council Conclusions. On the x-axis, the timeframe of the research is shown in years. The numbers are in absolute terms.

6.2 Peaks in Attention

In Figure 1, peaks of attention are seen in 1986, 1992, 1995, 1999, 2003-2004, 2007 and 2009. The European Council Conclusions where immigration was mentioned in these years will now be described and discussed, as well as the changing issue definition and policy image of immigration between these periods that become apparent from the produced Conclusions. No attention will be given to Conclusions that did not mention immigration-related issues.

1986

In this year, two relevant European Council Conclusions are produced. In the first meeting in June, immigration is mentioned twice. In the second meeting in December, immigration-related topics are discussed fourteen times. The leaders start discussing the problem of illegal immigration, controlling and fortifying the external borders and coordination and possible harmonization of visa regimes. They talk about asylum as a Member State

competence, but they do agree that "asylum should not be granted for economic and financial reasons".

The issue definition of immigration is starting to change from a useful influx of labour (O'Keeffe, 1995-1996, p. 266) to a problem that needs collective, or more specifically European, attention, thus mobilizing groups outside of those who are looking for employees. The competence still lays specifically with the Member States: "The Heads of State or Government underlined their continued willingness to give asylum according to their national legislation and treaty commitments" (June 1968 Conclusion).

1992

In 1992, there are two European Council meetings that handle immigration, the first in June with immigration-related topic being mentioned thirteen times. Most are related to the Dublin Convention and its ratification. The Dublin Convention was a way to end 'asylum shopping': migrants applying to different European countries for asylum. The solution was to have asylum dealt with by one state only, the state of first entry (Hatton et al., 2004, pp. 20-21; Muus, 2001, p. 41). Furthermore, setting up a European Information System is discussed, as well as implementing a work programme on asylum and immigration.

The other forty-five times mentioned take place in the December meeting. Some attention is paid to the ratification of the Dublin Convention and the action necessary to continue with the European Information System and External Frontiers Convention, as well as to the conflict in Yugoslavia and the integration of legal immigrants. It talks the most about the fight against illegal immigration, the pressure on Member States caused by migratory movements from third country nationals and working together and coordinating action on the fields of immigration and asylum.

As opposed to 1986, immigration is seen as a more European problem. The European Council says in the December Conclusion: "Coordination of action in the fields of foreign policy, economic cooperation and immigration and asylum policy by the Community and its Member States could also contribute substantially to addressing the question of migratory movements". In the period of 1991-1993 there was a sharp increase in the number of asylum applications because of the disintegration of Yugoslavia and the Soviet Union (Hatton et al., 2004, 10). This could be a reason for the peak in attention, because it made immigration and asylum more pressing matters. The Conclusions also acknowledges that the migratory movements are a long-term issue: "one which is likely to continue into the next decade" (December 1992 Conclusion). In 1992, the Maastricht Treaty was signed. This Treaty

considerably eased movements within the European Union and with it, came restricted access into the EU for third country nationals (Van Mol & de Valk, 2016, p. 38). As mentioned before, a European Treaty can function as a focusing event, so this could possibly hold true for the Maastricht Treaty.

<u>1995</u>

In this year there again are two European Council meetings that mention immigration. The first one in June accounts for twenty-seven of the fifty-eight times immigration is mentioned. In this meeting, most attention goes to the external borders, combating illegal immigration and reducing migratory pressures. The other thirty-one mentions of immigration are in the meeting of December. Again, most attention goes to the external borders, fortifying and controlling them, and illegal immigration.

The European Council again places priority on cooperation: "Cooperation in the following fields: asylum and immigration" (June 1995 Conclusion). In the second meeting, it says: "cooperation should be encouraged to fight illegal immigration networks". Immigration has a policy image as being a European issue that the countries cannot fight alone, however, competence still has to be shared with the Member States themselves.

<u>1999</u>

In 1999, there are four European Council meetings that deal with immigration-related issues. The higher number of relevant meetings compared to previous examined years, creates more agenda space, which can possible account for part of the peak. The first meeting in March only accounts for two of the ninety-eight times mentioned. The second meeting in June accounts for a slightly bigger part: ten mentions. These are mostly regarding illegal immigration and immigrant smuggling, and working together with Russia.

The third meeting takes place in October and accounts for the biggest part of the times mentioned in this year: immigration-related issues are mentioned seventy times. This meeting, held in Tampere, Finland was regarding the creation of an area of Freedom, Security and Justice in the European Union, where a lot of attention was given to the topic of immigration (Hatton et al., 2004, p. 21). In this meeting, the outlines for a common EU asylum and migration policy are laid out, regarding different aspects of immigration: both legal and illegal immigration, crimes related to illegal immigration, cooperation with third countries and with EU countries, as well as solidarity between Member States, integration policy, management of migration flows and the control of the external borders.

The final meeting in December mentions immigration-related issues sixteen times. The most attention is devoted to working together with Ukraine, in combating illegal immigration, cooperating in the area of border security and adjusting the Ukraine's visa policy with the EU. In July, the third EU-Ukraine summit was held, which could have been the reason (European Commission, 1999).

Overall, the policy image of immigration around this time is mostly related to controlling who enter the EU, creating a common asylum policy in admitting those who are allowed to enter and keeping out those who immigrate illegally. Even though not much attention is given to refugees, it is stressed that there is room for those who do so legally: "supporting a full application of the Geneva Convention, including the right to seek asylum and respect for the principles of non-refoulement" (December 1999 Conclusion).

2003-2004

In both 2003 and 2004 the attention for immigration is high, the highest in this research. Because the increase from 2003 to 2004, from 183 to 193, is not sizeable, the years are seen as a combined peak. In 2003, there are five meetings where immigration-related topics are discussed. In 2004, there are four.

The meeting in March 2003 accounts for twelve of the times immigration is mentioned. The focus is mostly on legal migration and integration, not on illegal immigration. In the second meeting in April, immigration-related issues are only mentioned two times. The meeting in June accounts for by far the biggest part in this year: the topic of immigration is mentioned 112 times. A lot of attention is devoted to integration and the positive influence migration could have: "An EU Integration Policy should contribute as effectively as possible to the new demographic and economic challenges which the EU is now facing". The common asylum policy approved in Tampere in 1999 is mentioned again, as well as the need to work on that and implement it further. Contact with third countries both regarding protection in the region of origin and the return of both legal and illegal immigrants, also gets a big part of the attention, as well as management of the external borders and the Visa Information System (VIS). In the meeting in October, immigration is mentioned thirty-eight times. The biggest issue is the common borders: "The European Council stresses that with the forthcoming enlargement, the Union's borders are expanding, and recalls the common interest of all Member States in establishing a more effective management of borders". The last meeting in December mentions immigration-related issues nineteen times. The biggest issue is again the common external

borders. Easing control procedures within the EU is also mentioned, in light of Union enlargement.

In 2004, the first meeting in March accounts for twenty-four times mentioned. These are mostly in regard to the European Information Systems: SIS, VIS and EURODAC and using information systems for effective border control and border security. In the second meeting in June, immigration-related issues are mentioned thirteen times. The focus during this meeting is again on the European borders. The discussions about other immigration-related issues during this meeting are not substantive but inviting others to take a look at proposals. The meeting in November is the one where most mentions come from: the issue of immigration is mentioned 146 times. There are three issues that are discussed the most. First, asylum related issues, also regarding the Common European Asylum System. Second, border management issues and third, cooperation and dialogue with third countries, regarding return policies and also helping them manage the situation in their area or as a transit country. In December, immigration is mentioned ten more times. Almost all of these are regarding immigrant integration.

Immigration has risen to the top of the political agenda in this period. The Conclusion in June 2003 says: "Given the top political priority ascribed to migration, there is a marked need for a more structured EU policy". There is a shift in the policy image from it being a mostly negative, because of illegal immigration, and something necessary, because of refugees, issue to a more positive image: migration helping solve current challenges. This is also seen in the Conclusion of November 2004: "Legal migration will play an important role in enhancing the knowledge based economy in Europe, in advancing economic development […]". There is also a lot more attention to the integration of migrants, which could possibly be related to this more positive image. Border control, both within the Union as well as at the external borders, gets attention that is at least partly related to the enlargement of the Union.

Even though the cooperation in the area of migration keeps growing, the European Council took the time to mention that not everything falls under EU competence now: "The European Council emphasizes that the determination of volumes of admission of labour migrants is a competence of the Member States" (November 2004 Conclusion). The increasing cooperation reaches across the European borders to third countries. The EU sees that it needs to cooperate with countries of origin and transit in order to manage migration and migratory flows: "The European Council calls upon the Council and the Commission to continue the process of fully integrating migration into the EU's existing and future relations with third countries" (November 2004 Conclusion).

<u>2007</u>

In 2007, the issue of immigration is mentioned 112 times, spread over two meetings. In June, immigration-related issues are mentioned fifty-seven times. The biggest topics are cooperation with third countries, the external borders and the Visa Information System. In December, immigration is mentioned fifty-five times. Dialogue and partnerships with third countries are the biggest issue, mainly regarding the Mediterranean and African countries. Illegal immigration and integration, with a focus on what legal migration can positively do if managed properly, are also given sizeable attention.

The Conclusion in June says: "Recent events have demonstrated once again the need to make rapid progress in developing a comprehensive European migration policy". This shows the way the European Council reacts to current events. The image from 2003-2004, focusing on the need to work together with third countries in finding a solution for immigration-related problems, is still relevant in 2007, as well as the more positive image of migration.

<u>2009</u>

In 2009, there are four meetings where immigration is mentioned, sixty-seven times in total. In the March meeting, it is only mentioned four times. In June, immigration-related issues are mentioned twenty times. These are mostly regarding action taken in response to "the dramatic situation in the Mediterranean", which possibly functioned as a focusing event. The European Council stresses the need for European cooperation with each other and with third countries, as well as effective border management. During the meeting in October, immigration is mentioned twenty-five times. Again, attention is devoted to the situation in the Mediterranean, calling for more cooperation and the enhancement of FRONTEX. Finally, the meeting in December mentions immigration eighteen times. Most attention goes to border management and to the positive side of migration. Overall in 2009, immigration suddenly became very urgent because of the "recurrence of tragedies at sea" (October 2009 Conclusion) in the Mediterranean area, making border control and cooperation the top priority.

Chapter 7: Conclusion and Reflection

7.1 Conclusion

The European Council attention for immigration in the period 1980-2010 followed the pattern predicted by the Punctuated Equilibrium Theory, with spikes and drops in attention. This supports our hypothesis. It fits the theory, how certain issues come back on the agenda for numerous years and seem to be more pressing every year. This is the case with immigrant integration: at first, it is mentioned only marginally and later it becomes a substantial issue. It seems that this follows the notion of PET that real, substantial policy changes are made after a period of cumulating problems.

The European Council attention reacts to certain events that could possibly be characterized as focusing events, as was expected by the theory and other authors. An event takes place, followed by a response and attention, seen in the response to the situation in the Mediterranean which generated attention for border management. The pattern also shows changes in issue definition and policy images throughout the years, which often led to venue changes. This is shown when immigration enters the agenda, because it changed from a national issue to a problem that needed European attention and cooperation, thus moving to the European venue. Later, it moved to a more global venue, when cooperation between the European Union and third countries was initiated by the European Council. It was defined as a global issue which could not be solved within the European borders. These are all elements that fit the Punctuated Equilibrium Theory.

7.2 Reflection

This research focuses on one topic only, immigration, thus giving it a limited reach. However, combined with other articles doing similar research, it can give a comprehensive image of the pattern European Council attention follows. Furthermore, the research is limited since it only focuses on the European Council. It is recommended that future research takes place analysing other policy areas and European institutions to give a more comprehensive image. Another option for future research would be to do a comparison between this research and others regarding either the same policy area, or the same institution.

The period of research was 1980-2010. Further research could expand on this, adding on years after 2010. This might perhaps be a very interesting period, because of the way the situation in the Mediterranean evolved. It would also be interesting to see if the drop in 2010

was temporary, or that it indicates a new trend in attention from the European Council in regard to the issue of immigration.

Finally, this article was mostly descriptive. It highlighted some situations and events that could be the reason for spikes in attention, but these were not investigated further. It would be interesting to see further research look into the mechanisms behind the spikes in order to form a more comprehensive image of the reasons behind the pattern.

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[1] The original version of this work is the one published in 2005. Unfortunately, the original work was loaned out at the University. Whereas under normal circumstances thesis students would be able to read it in the library, this was not possible because of the COVID-19 situation. Online, using Google Books, I could see the 2005 version only partially. I did, however, find a version dated from 2004. This was the version submitted for copy-editing.

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