

# THE INFLUENCE OF EXPERTS IN POLITICALLY SALIENT POLICY AREAS

The Case of the Dutch Advisory Council on Migration

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## Contents

<b>Chapter 1: Introduction .....</b>	<b>3</b>
1.1 Justification .....	5
1.2 Structure of the Thesis .....	6
<b>Chapter 2: Literature Review .....</b>	<b>7</b>
2.1 Expertise in policy-making .....	7
2.2 Political salience and expert influence .....	9
2.3 The politics of asylum policy .....	11
2.4 Expertise in the asylum policy-making field .....	13
<b>Chapter 3: Research design and methods.....</b>	<b>15</b>
3.1 Case selection .....	15
3.2 Methodological approach.....	17
3.3 Data and data collection .....	18
3.4 Concepts and operationalization.....	20
<b>Chapter 4: Case Analysis.....</b>	<b>24</b>
4.1 Asylum policy and political polarization in the Netherlands .....	24
4.2 The Dutch policy-science nexus .....	25
4.3 An analysis of the Distribution Act.....	26
4.3.1 <i>Rising political salience</i> .....	27
4.3.2 <i>The original policy preferences</i> .....	29
4.3.3 <i>Significant access to policymakers</i> .....	30
4.3.4 <i>Consistent efforts to promote preferences</i> .....	31
4.3.5 <i>Policy makers’ response</i> .....	33
4.3.6 <i>Final policy decision</i> .....	34
4.4 The ‘Pushbacks’ policy process .....	35
4.4.1 <i>The relatively low political salience of ‘Pushbacks’</i> .....	36
4.4.2 <i>Original Policy Preferences</i> .....	38
4.4.3 <i>Access to Policymakers</i> .....	39
4.4.4 <i>Efforts to Promote Preferences</i> .....	40
4.4.5 <i>Policy Makers’ Responses</i> .....	41
4.4.6 <i>Final Policy Decision</i> .....	43
4.5 Comparative Analysis .....	44
4.6 Theoretical expectations.....	47
<i>Expectation 1</i> .....	47
<i>Expectation 2</i> .....	48
<i>Expectation 3</i> .....	50
<b>Chapter 5: Conclusion.....</b>	<b>51</b>

## EXPERT INFLUENCE

5.1 Limitations of this thesis .....	52
5.2 Future research and practical implications .....	53
<b>Reference list .....</b>	<b>54</b>

## Chapter 1: Introduction

Globally, governments face complex challenges, increasing the reliance on expert knowledge in public policy-making to shape effective policy responses. The extent of influence of these experts has been the subject of public debate and research alike. Central to this discussion is the question of why the extent of expert influence varies across policy domains and issues. One explanation worthwhile exploring is the degree to which an issue is politically salient. This refers to the prominence of an issue at the macro level, propelled by the attention of the media or political actors (Moniz & Wlezien, 2021, p. 2). Scharpf (1997, p. 22) argues that such salient issues are dependent on democratic legitimacy to be resolved authoritatively, limiting the de facto influence of experts. Electoral pressures could also be an explanation for politicians to ignore expert input, driven by the motivation to choose electorally beneficial policies (Boswell, 2009). Olsen (2010, p. 76), instead, argues that when an issue is so highly contested that political institutions cannot resolve it, decisions may become more reliant on expertise.

This delicate balance between political salience and knowledge usage is evident in the Dutch asylum policy process. One recent example of the political salience of this process was the collapse of the Dutch government in 2023, sparked by disagreements within the coalition about migration policy, specifically family reunification regulations and the creation of a two-tier asylum system (Euronews, 2023). Then, in November of the same year, the anti-immigration political party 'Partij voor de Vrijheid' (PVV) landed a historic victory in the parliamentary elections. The topic of migration played a major role during these elections, with many political parties campaigning that they aim to get 'a grip on migration'.

In terms of knowledge usage in this domain, the Dutch government can rely on its advisory council for migration – named the Advisory Council on Migration – which the government has permanently appointed to formulate advice on migration issues (Christensen et al., 2022). More specifically, the Dutch government has designed and funded this council to advise parliament and the government on migration policy and legislation. It generates advice upon request of a minister or the First or Second Chamber, or it provides advice on its own initiative – as long as it informs the chambers of this intent. The council consists of one chair and nine members selected for their expertise in migration and integration, including academics, lawyers, judges, a mayor, and an army commander. There is also a secretariat with eleven members which supports the advisory council in its duties. After publishing an advisory report, the government is legally obliged to respond to its contents within three months and share this response with the parliament (Adviesraad Migratie, 2024b).

Noteworthy, this policy field struggles with knowledge deficits, as policymakers often lack the know-how to effectively address migration issues (Boswell, 2009, p. 17). Thus, policymakers are incentivized to commission and outsource expertise to properly address the malfunctions in the Dutch asylum system. Yet, this instrumentalist explanation of outsourcing expertise fails to explain the gap between the prescriptive advice of experts and the implemented policies, which especially becomes apparent when examining the highly contested policy area of migration (Boswell, 2009). This research wants to gain insights into how political salience can affect the influence of government-appointed advisory bodies in migration policy. The research question is: How does the political salience of asylum policy condition the influence of The Advisory Council on Migration in shaping Dutch asylum policy?

To answer this question, this thesis will examine the extent of influence the council had on a highly salient policy issue compared to a low salient policy issue. In doing so, this research employs a comparative case study design, specifically the ‘Most Similar Systems Design’, where two cases will be analyzed that share many characteristics but differ in the level of political salience. It will employ a mixed-methods approach, combining qualitative and quantitative research methods. The qualitative method of process tracing will be used to trace the influence of the Advisory Council throughout both policy processes. This method will be supplemented with the quantitative method of text reuse analysis, which will be used to gather evidence on the extent to which expert advice is used in policy decisions. Data collection will involve semi-structured interviews with experts and policymakers and content analysis of advisory and policy documents. By triangulating evidence from interviews, document analysis, and text reuse analysis, this research aims to isolate the effect of political salience on expert influence in policy-making.

The period that would be most interesting to examine the influence of the Advisory Council on Migration would be since its modern installment in 2001. However, due to scope, this research will concern itself with the past decade of asylum policy. More specifically, it will cover the period between May 2017 and May 2024, during which the policy processes of the *Spreadingswet* (Distribution Act) and the Dutch response to the pushbacks at the EU's external borders unfolded.<sup>1</sup> Within this timeframe, the Advisory Council published advice on both topics, and they were both discussed by the Houses of Representatives and the cabinet itself. The detailed contexts of these cases will be further elaborated in Chapters 3 and 4.

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<sup>1</sup> All translations from Dutch to English are my own.

### 1.1 Justification

The central aim of this thesis is to contribute to the broader research that sets out to find explanations for the variation in expert influence. The research question has been formulated in accordance with Christensen & Hesstvedt (2023), who pointed out that the causal mechanisms behind the reluctance of governments to adhere to expert advice in some areas, as opposed to others, remain an underdeveloped area of research. This is peculiar, as the influence of states, interest groups, bureaucrats, and individuals on varying issues has been researched extensively (Christensen, 2022). Christensen (2022, p. 601) specifically calls for more systematic empirical knowledge about how the influence of experts varies across policy areas.

Some authors have made insightful contributions, such as Hesstvedt and Christensen (2021), who highlight the regulatory role of elected governments and bureaucrats on expert groups, emphasizing that variations across policy areas are partially based on political salience. Issues with high political salience may increase or decrease the extent of expert influence, depending on factors such as legitimacy concerns as raised by Scharpf (1997) and the symbolic use of knowledge to support contested policy preferences, as discussed by Boswell (2008). Boswell distinguished between three different types of knowledge utilization in British and German immigration policy processes. Similarly, most of the current academic literature focuses on this passive view of knowledge ‘utilization’, or how knowledge is used by policymakers (Christensen, 2022). This overlooks the dimension that experts, as actors with influence, have policy preferences they seek to attain based on their expertise (Christensen et al., 2022). In turn, policymakers decide how much influence they grant experts in the policy process. This significantly differs from the ‘knowledge utilization’ literature, as it takes a new perspective on the relationship between experts and policy-making. To better understand this relationship and how it is affected by political salience, the existing theory needs to be supplemented. This thesis aims to make a distinctive contribution by providing systematic empirical knowledge on the relationship between political salience and expert influence, specifically within the context of Dutch asylum policy.

Besides the academic relevance of this thesis, the societal relevance of this thesis is abundant. Discovering under what conditions experts have more influence can help our understanding of modern policy-making and the balance between democracy and expertise. There are rising tensions in the public debate between democratic values and the growing reliance on expertise (Lindvall, 2009). Relying heavily on experts poses questions of democratic legitimacy, as these experts are not always democratically accountable (Scharpf, 1997). Scharpf (1997) argues that to be truly democratic, a political system must properly

represent the preferences of the public, and its decisions must be held accountable by the public (e.g. through voting). Experts therefore stand at a certain distance from the public, raising these legitimacy concerns. This reasoning is often used when discussing issues that are highly politically contested, arguing that more polarizing matters should be decided on by elected representatives instead of an ‘elite’ group of experts. Identifying how much de facto influence experts wield over a politically salient topic such as asylum policy is a crucial baseline to have a fruitful debate on this matter.<sup>2</sup> Importantly, these debates assume that experts influence public policy, without much systematic empirical evidence to determine how much influence they wield in practice (Holst et al., 2023). This thesis responds to these debates by contributing evidence on the de facto extent of the influence of experts on public policy.

### 1.2 Structure of the Thesis

To establish theoretically sound expectations on how political salience conditions the influence of the Advisory Council on Migration on Dutch migration policy, existing literature on expert influence and political salience must be reviewed. Chapter 2 of this thesis will offer an overview of the current body of work on the influence of experts in public policy-making, the effect of political salience, and how these apply in the field of asylum policy. This chapter will provide the theoretical basis for the expected mechanisms of this research. Chapter 3 will continue by explaining the research design and methods, and highlighting the limitations of the research. Chapter 4 will provide the empirical context and analysis of the cases including the found results, and will assess whether these align with the theoretical expectations of this thesis. This chapter will also attempt to illustrate the value of integrating quantitative and qualitative methods in research on expert influence (Hesstvedt & Christensen, 2021). In Chapter 5, this thesis will attempt to develop an answer to the research question and discuss the generalizability and implications of the results.

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<sup>2</sup> In the Netherlands, asylum policy plays a huge role in politics, illustrated by the fall of the cabinet in July and the landslide win of the anti-immigration populist party PVV in November of 2023 (Kirby & Holligan, 2023).

## Chapter 2: Literature Review

This chapter will first provide a definition of an ‘expert’ before it delves into the existing literature on the influence of experts in policy-making. Then the chapter defines political salience and explores its implications for expert influence: how it can potentially both enhance and inhibit the influence of experts on policy-making. The political dynamics of asylum policy are then discussed to provide the context of a highly politically salient policy area. Finally, the insights from this framework are developed into expectations about the conditions under which political salience affects expert influence in Dutch asylum policy, laying the groundwork for the empirical analysis that follows.

### 2.1 Expertise in policy-making

When discussing the role of experts in public policy, it is helpful to consider what constitutes an ‘expert’. An expert can be generally defined as an actor who holds, comprehends, and has internalized accurate, meaningful, and relevant information (Christensen et al., 2022, p. 16). Importantly, such information needs to be requested by another person, as experts are called upon for specific knowledge or advice (Christensen et al., 2022, p. 16). This definition encompasses a wide range of professionals such as scientists, academics, consultants, and bureaucratic experts, but they also exist in the form of groups, such as think tanks or consultancies.

In many modern democracies, the link between the knowledge of experts and policy-making is institutionalized to some degree (Christensen et al., 2022). Internally, bureaucracies often consist of different departments with specific tasks that are executed by bureaucrats with substantive expert knowledge (Christensen et al., 2022, p. 26). Externally, expert knowledge can be outsourced by involving experts who work in non-governmental knowledge institutions, such as consultancies or think tanks (Hesstvedt & Christensen, 2021, p. 399). However, there are also expert arrangements that are neither fully internal nor external. Namely, governments can appoint, design, and fund advisory bodies, to provide analysis and advice (Hesstvedt & Christensen, 2021, p. 339). Though their advice is commissioned by the government, it is supposed to be independent of government policy preferences. Moreover, the membership of such an advisory body often includes external experts who are not directly affiliated with the government (Hesstvedt & Christensen, 2021).

The role of experts and government-appointed advisory bodies in public policy-making has been examined from different theoretical lenses. A cornerstone article was put forward by



Weiss (1979), who distilled several meanings of research utilization in public policy. These models, in turn, can be distilled into three main perspectives on the contemporary dynamic between expertise and public policy (Schrefler, 2010). The first lens is an instrumental one, which views experts as performing an informative role, providing governments with technical knowledge to best steer the public domain (Boswell, 2009; Weber, 1991). Their expertise can improve the effectiveness of policies, especially due to the increasing complexity of contemporary societal issues (Haas, 1992). This would explain the broad influence of expertise in modern policy-making, especially in uncontroversial issues (Olsen, 2010, p. 76).

The second and third theoretical perspectives on experts in policy-making assume that expertise can have more symbolic functions besides its substantive instrumentalist purpose (Boswell, 2009). These symbolic functions of knowledge depict knowledge as a way to demonstrate the legitimacy of an organization or its decisions (Boswell, 2008, p. 471). There is a distinction to be made here between the more general legitimizing function knowledge utilization has for organizations and the substantiating function knowledge utilization can have for specific policy positions. The former argues that governments can use expertise to legitimize their authority, as it can instill a feeling of confidence that their decisions are well-informed (Boswell, 2009, p. 7). The latter argues that the use of expertise can "... lend authority to particular policy positions ..." (Boswell, 2008, p. 472). In such cases, expertise can be used to substantiate the policy preferences of an actor.

However, as Oh (1997, p. 5) rightly points out, the use of knowledge itself by policymakers does not automatically lead to changes in policy outcomes. The extent to which different forms of knowledge utilization translate into tangible expert influence on policies remains opaque, as using expertise for its legitimizing properties may or may not lead to the de facto influence of experts (Christensen, 2022, p. 604). On top of this, the current body of literature focused on knowledge utilization in public policy does not sufficiently take into account that experts are also actors with influence (Christensen et al., 2022). Expert influence can be defined as "... the ability of an expert actor to shape a policy decision in line with its knowledge-based preferences" (Christensen, 2022, p. 603). This also differs from the instrumentalist idea that experts solely perform an informative role in policy-making, as it suggests that experts have policy preferences they want to attain based on their expert knowledge (Christensen et al., 2022; Haas, 1992).

Expert influence can take place in several stages of the policy process, which can be envisioned as consisting of several stages, "... (1) problem emergence, (2) agenda setting, (3) consideration of policy options, (3) decision-making, (5) implementation, and (6) evaluation"

(Benson & Jordan, 2015, p. 782).<sup>3</sup> The extent of expert influence may vary throughout these stages (Weiss, 1980). For instance, Lindvall (2009) argues that expert ideas have substantial influence over the choice of policy instruments (the *how*), yet weaker influence over the formulation of policy aims (the *why*). Experts can influence the aforementioned stages directly by providing knowledge-based advice to policymakers (e.g. through advisory reports), which is then integrated into policy decisions (Holst et al., 2023). Indirect influence occurs when pieces of expert knowledge gradually integrate into political or public discussions, which can develop when experts provide a foundation of evidence-based generalizations and ideas on a policy issue (Weiss, 1980, p. 381). By providing this information, experts indirectly influence policy as they shape the discourse surrounding a policy issue and set the agenda (Holst et al., 2023).

Interestingly, the reach of experts seems to be significant in some instances, while their advice is disregarded by policymakers in other cases (Christensen & Hesstvedt, 2023). Their influence on policy decisions seems to vary depending on the policy domain or even policy issue. The following chapters will set out to discover what could explain these variations in expert influence.

### 2.2 Political salience and expert influence

Variations in expert influence in public policy can be explained by multiple factors. Scholars have identified many organizational, environmental, attitudinal, and substantive factors that can inhibit or encourage knowledge utilization (Oh, 1997, p. 6). For example, the relationship between the technical complexity of an issue and expert influence, where a more technically complex subject within highly uncertain conditions – such as a pandemic – sets the stage for more expert involvement (Haas, 1992). As Schiffino and Krieger (2019) pointed out, it is noteworthy that the established factors in the literature mostly concern the (inter-)organizational level, instead of looking into the broader political context in which experts give their expertise. An important contribution was put forward by Head (2015), who emphasized that the variation in knowledge usage across policy areas is also shaped by how politically controversial they are. He argues that policy processes dealing with more controversial topics – such as immigration or abortion – can get sidetracked, as research is often used as ‘ammunition’ within these debates instead of using it to acquire a balanced view on the subject at hand. Christensen and Hesstvedt (2021) analyzed this topic by investigating how norms and

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<sup>3</sup> In practice, these stages are often not as clear-cut and obvious (Benson & Jordan, 2015).

practices differ regarding evidence usage across ministries, showing that the use of knowledge can also vary greatly within government. The differences observed were partly attributed to the varying levels of political contestation in the policy areas that the ministry operates in, where higher levels of contestation resulted in less evidence use compared to the evidence usage in policy fields with lower levels of contestation. This supports the argument that political salience can affect the extent of expert influence in public policy.

Building on these findings, this thesis aims to inspect the extent to which political salience conditions the ability of experts to influence policy. Political salience is a central concept within political science, but its exact meaning has often been confused with ‘importance’ (Wlezien, 2005). The political importance of an issue is closely related to its salience but does not entirely encapsulate the meaning of the concept. An issue or policy can be perceived as important by the public without receiving much attention from the media or politics, and other issues may get much traction even though they belong to less impactful portfolios (Hesstvedt & Christensen, 2021, p. 354). Political salience can be defined as “... the prominence or visibility of issues at more macro levels due to the attention of media outlets or other political actors ...” (Moniz & Wlezien, 2021, p. 2). Importantly, in this definition, the salience of a political issue is not directly dependent on the concerns of the public (Moniz & Wlezien, 2021, p. 2). There is also a temporal element to this concept, as the salience of an issue can vary over time, either because it receives less attention over time, or the attention is intensified. A related term is politicization, which refers to the process of transforming an issue to become political (Palonen, 2003). Traditionally, this occurs when politics is infused into areas that were previously seen as non-political (Palonen, 2003). In this thesis, however, the definition of politicization will be stretched to include issues that were already considered to be political but have become even more deeply infused with politics. While the main focus of this research will be on the concept of political salience, as it directly relates to the prominence of issues, the concept of politicization will also be used when discussing how certain aspects of policy issues have become politically intensified.

When linking political salience with expert influence in public policy-making, two arguments can be made. On the one hand, political salience might increase the influence of experts. A high degree of political salience may cause actors to seek to depoliticize a complex issue to find effective solutions (Timmermans & Scholten, 2006). Experts here fulfill a problem-solving role, which can be employed to preserve a policy equilibrium (Timmermans & Scholten, 2006). Olsen (2010) builds on this argument by asserting that when issues become contested to such a degree that political actors struggle to address them, they may rely more on

expertise (see also: Metz, 2013). This dynamic is evident in central banks, which have been tasked with overseeing monetary policy to prevent politicians from using interest rates as a tool for electoral gain (Ehrmann & Fratzscher, 2011). According to this point of view, experts can help overcome political stalemates and public indecisiveness (Vilkins & Grant, 2017).

On the other hand, political salience might decrease the influence of experts in two ways. Firstly, high degrees of political salience can introduce questions of democratic legitimacy, limiting the de facto influence of experts (Scharpf, 1997). This can motivate politicians to disregard expert advice and pursue electorally advantageous policies (Boswell, 2009). In this sense, greater political salience is expected to inhibit expert influence.

Secondly, if an issue is politically salient, expert knowledge can ‘lend authority’ and substantiate specific policy preferences of political actors, which is particularly useful when these preferences are politically contested (Boswell, 2008). This type of knowledge usage is substantiating rather than instrumental, which implies less de facto expert influence. This is because in such a case, politicians use expert knowledge as ‘political ammunition’ to support their beliefs (Weiss, 1979, p. 429). To illustrate, if a politician has predetermined their course of action and only uses expert knowledge to support her position, the de facto influence of experts is limited (Weiss, 1979). The politician might pick out expert advice that supports her own beliefs; thus the expert did not influence the opinion of the politician (Boswell, 2009; Christensen et al., 2022). This is referred to as the political use of expert knowledge, and it can lead to less optimal policy choices as this is a form of bias in which not all relevant knowledge is used – also known as cherry-picking (Parkhurst, 2017). Additionally, organizations operating in a policy field that is highly politically salient make easy targets for substantial criticism, which can be evaded through the inclusion of expertise (Van Ballaert, 2015). This leads to the symbolic inclusion of experts, in which their expertise is not necessarily used for its contents but for its legitimizing properties. While this symbolic use of expertise can superficially increase the role of experts by enhancing organizational legitimacy, it does not guarantee that experts have real influence on policy decisions. In some contexts, however, this symbolic function could lead to more expert influence when experts are given more agency to help legitimize an organization.

### 2.3 The politics of asylum policy

The following section explores the existing academic literature on the politics of asylum policy. The regulation of asylum migration, or asylum policy, concerns the rules and regulations surrounding the admission, housing, and rights of asylum seekers in host

countries (Boswell, 2009, p. 14). Asylum seekers can be defined as “... people who submit a formal request for asylum in another country because they no longer feel safe in their own country” (Europees Parlement, 2023). The distinction is made between asylum seekers and refugees to include people in the asylum system who might be rejected for asylum as they do not qualify for refugee status.

What characterizes the asylum policy area in liberal democracies, is that it has become a major topic in the political arena (Gibney, 2004). Western European liberal democracies such as the Netherlands are no exception, as the topic of asylum is highly politically contested (Boswell, 2009, p. 15). Restrictive immigration policies are popular among anti-immigration populist parties – which are gaining traction – yet governments are obliged to adhere to international legal agreements on human rights. Because of these tensions, governments want to justify and substantiate their decisions, inviting the political use of knowledge (Boswell, 2009). In such a highly politicized issue, policy decisions are thus expected to be primarily influenced by politics rather than scientific knowledge (Holst et al., 2023). An example of this kind of dynamic can be found in a closely related field, namely the integration of immigrants in the Netherlands. Timmermans & Scholten (2006, p. 1111) argue that scientific knowledge is used as political ammunition in this policy field, specifically when evaluating the early 2000s when the government engaged in “selective venue shopping” between scientific sources such as the WRR (The Netherlands Scientific Council for Government Policy) to bolster their policy choices on integration. They depict this policy field as using scientific knowledge in an ‘adversarial’ manner, which means that the field is:

“... characterised by an open forum in which different actors compete for social and political influence [...]. These actors use and need scientific evidence to support their position. Policy-makers put specific attention on formal proofs of evidence because their decisions can be challenged by social groups on the basis of insufficient use of, or negligence of, scientific knowledge” (Renn, 1995, p. 147).

This arguably lays the groundwork for the symbolic use of knowledge, where decision-makers are more likely to use evidence to support their claims under increased political pressure. Asylum policy is an example of such a salient policy domain in which policymakers are incentivized to use expertise symbolically or politically, potentially decreasing the de facto influence of experts.

#### 2.4 Expertise in the asylum policy-making field

From reviewing this literature, several expectations can be made regarding how political salience conditions the influence of experts in the asylum policy-making field. The literature mainly suggests that when policy issues reach high degrees of political salience, the influence of experts will decrease. This is because of two expected mechanisms. Firstly, high political salience raises democratic legitimacy concerns, incentivizing politicians to opt for electorally advantageous policies rather than following expert advice. In this scenario, politicians want to avoid the risk of being perceived as adhering to the ‘elite’ rather than representing the public. This leads to the expectation that when policymakers are faced with a highly politically salient issue – as is the case for asylum policy in Western Liberal Democracies – they will disregard expert advice.

Secondly, highly politically salient policy areas can invite the symbolic inclusion of experts to legitimize organizations or specific policy decisions, limiting the impact of experts. Symbolically including experts in policy-making can signal that the ‘best and brightest’ are working on effective solutions for complex issues. However, including experts in this way does not automatically translate into de facto influence. This will depend on whether experts can shape policy decisions, or whether they are only included for their legitimizing value in politically contested debates. Moreover, the symbolic inclusion of experts can lead to the political use of knowledge, where expert advice is selectively used to support pre-existing policy preferences. In such cases, while expert ideas are selectively used, their real impact on asylum policy is limited.

Oppositely, some authors suggest that when an issue is highly politically salient, expert influence may increase. Governments may delegate responsibility by granting experts more agency and influence, depoliticizing policy-making as the process becomes insulated from political debate (Christensen et al., 2022, p. 88). This delegation allows experts to play an instrumental role in policy-making, providing their expertise to help solve complex issues. Moreover, it helps governments to navigate through politically sensitive debates surrounding asylum policy. Thus, in a politically salient issue, the need for expertise and the desire to reduce political risks could lead to more expert influence.

Taking this theoretical framework in mind, this thesis expects that political salience will condition the ability of the Advisory Council on Migration to influence Dutch asylum policy. The contested nature of this policy field can either diminish expert influence due to democratic legitimacy concerns and the symbolic inclusion of experts, or increase it when experts are included to solve and depoliticize complex issues. How political salience conditions the

## EXPERT INFLUENCE

influence of experts will be tested within the context of Dutch asylum policy, along the lines of the following competing expectations:

- E1: Higher political salience leads decision-makers to favor electorally advantageous policies over expert advice, decreasing the influence of experts
- E2: Higher political salience leads to the substantiating or symbolic use of knowledge, decreasing the influence of experts
- E3: Higher political salience leads to depoliticization, increasing the influence of experts

### Chapter 3: Research design and methods

This chapter outlines the research design and methods used in this thesis, which investigates how the varying political salience of asylum policy issues conditions the influence of the Advisory Council on Migration on Dutch asylum policy. This research is explanatory, as it aims to explain the underlying causal mechanisms of the effect of political salience on expert influence. It adopts a deductive research approach, as the theoretical expectations will be tested against the collected data. Using a mixture of qualitative and quantitative research methods, the council's impact is compared across two case studies: one involving a high-salience policy issue and the other a low-salience issue. After examining how experts may have influenced each policy issue, the outcomes can be compared to explore whether the degree of political salience affects the nature and extent of expert influence in shaping asylum policy.

#### 3.1 Case selection

The central aim of this research is to find out how political salience conditions the influence of experts. To answer this question, the case of the Dutch Advisory Council on Migration has been selected. This is a representative case of an expert body that produces advice on a highly politically salient area in Western liberal democracies: asylum policy. However, as Hesstvedt & Christensen (2021) argue, political attention is determined more by the salience of a policy issue, rather than the salience of a policy area. This rings true for the topic of migration, in which there are varying degrees of political salience per policy issue. To find out the effect of political salience on expert influence in this policy domain, two policy issues with different political salience will be compared. This comparison will highlight how the degree of political salience may condition the influence of expert advice in shaping public policy.

On the one hand, a highly politically salient issue should be selected that has been at the forefront of political debate and has received significant media attention. The *Spreadingswet* (Distribution Act) is an example of such a highly contested policy issue within this salient topic. This law has been front page news in several major Dutch newspapers several times throughout its lengthy formation. On the other hand, a less politically salient issue should be selected that is important for asylum policy but has not been as prominent in the media or political discourse. An example of this is the policy brief ‘EU borders are common borders’, which addresses the responsibility of the Netherlands for human rights violations – in the form of ‘pushbacks’ – at EU external borders. Despite its importance, this policy proposal has flown relatively under the radar, attracting much less intense political attention and media coverage compared to more prominent issues like the Distribution Act.



According to LexisNexis, a database that holds extensive archives of national and regional newspaper articles, the term ‘Spreidingswet’ appeared 7806 times in Dutch Newspapers between May 2017 and May 2024. In contrast, the term ‘Pushbacks’ appeared only 797 times during the same period. This depicts a significant difference in political salience, as the term ‘Spreidingswet’ is mentioned nearly ten times more frequently than the term ‘Pushbacks’.

This comparative design is based on the ‘Most Similar Systems’ design, as the selected cases share key characteristics – except for the explanatory variable of political salience (Toshkov, 2016, p. 263). The similarity between the cases is based on their similar features, as they both concern asylum policy, are written by the Advisory Council on Migration during the same cabinet period, and exist within the same institutional framework. It is key to cover the entire period of both policy processes. The policy process surrounding the Dutch response to the pushbacks at the EU's external borders arguably started in 2020, when investigative journalists published an article about Frontex’s active involvement in pushbacks at the Greek-Turkish maritime border (Waters et al., 2020). However, most developments of this policy process only unfolded in 2022. The period of the Distribution Act is considerably longer, roughly starting in 2017. This year, the Advisory Council published the proposal that laid the foundation for this act, which was eventually passed in January of 2024.

During this time, three different cabinets were in power, each made up of varying representatives from different political parties. It is worth noting that the uptake of advice can differ depending on the government’s attitude towards science (Hesstvedt, 2023). Different cabinets can have different political preferences, potentially altering the course of action regarding several policy issues and the relationship between politics and science (Hesstvedt, 2023). This means that one cabinet might have been more open to expert input than the next, potentially impacting the degree of expert influence on public policy. As a result, completely isolating the variable of political salience presents challenges. To do justice to this complexity, some context regarding the different cabinets’ attitudes toward science will be included in the analysis of the two policy processes. This approach helps control for these other explanatory factors, providing a foundation for comparing the effect of political salience on the dependent variable – expert influence (Christensen, 2017, p. 23). Based on the theoretical expectations, the outcome of the dependent variable is expected to vary between the two cases due to the difference in political salience.

### 3.2 Methodological approach

To answer the research question, first, the extent of expert influence in both policy issues needs to be determined. The influence of the Advisory Council on Migration on these policy proposals will be thoroughly examined in a comparative case study, through process tracing. This research method aims to trace back the development of a policy by conducting interviews with experts and decision-makers who were involved in the policy process (Christensen, 2020). Conducting numerous interviews could have provided valuable insights into the policy processes and the influence of experts. However, the sensitive nature of this research – focusing on politically charged topics and involving major political figures – made securing interviews difficult. Despite reaching out to several politicians involved in both policies, many declined due to their limited availability and the sensitive context of the study. Still, four interviews were conducted: one with the chair of the Advisory Council and three with policymakers involved in the policy-making processes. Moreover, with the growing availability of online resources, such as political debates and roundtable discussions, the reliance on interviews can be complemented by a thorough analysis of these recorded events. Therefore this thesis also incorporates the analysis of political debates and roundtable discussions of the standing committees of the House of Representatives, which provided insights into the responses of politicians to the council's advice.

Furthermore, advisory and policy documents will be analyzed qualitatively to view the development and finalization of the policies. This approach allows us to investigate the extent to which the experts' initial preferences were absorbed into the final policy decision, as well as to identify the connections between these two phases (Christensen, 2020). In short, this method allows us to map out how the advisory council's advice has impacted the policy-making process in both cases, making it possible to note the differences between the two processes in each phase. When studying expert influence, several phases of the policy-making process should be reconstructed according to Christensen (2020), including:

- 1) The original preferences of the expert;
- 2) The access the expert has to policymakers;
- 3) Efforts by the expert to promote their preferences to policymakers;
- 4) The responses of policymakers to these efforts;
- 5) The extent to which experts' preferences are incorporated into the final policy decision.

The initial preferences of the expert can be traced back by analyzing the advice reports published by the Advisory Council. Access and efforts by the experts to promote their

preferences can be examined through roundtable discussions and official interactions with policymakers. The reactions of policymakers and the extent to which expert recommendations are incorporated can be determined by comparing the initial advice documents with the cabinet's responses and final policy decisions. Interviews can corroborate these findings by providing additional insights from those directly involved in the policy process.

As documents like advisory reports have become increasingly accessible, novel research methods can be applied to research expert influence that provides more systematic empirical evidence than traditional approaches such as process tracing and surveys of attributed interviews (Christensen, 2022). This is why, alongside its qualitative research, this thesis will also provide a text reuse analysis of key policy documents and expert advice reports to trace the influence of the advisory council in both policy issues. This methodological approach aims to trace the development of policies by seeking similarities between texts, such as advisory and policy documents (Wilkerson et al., 2015). When such similarities are found, they can be used to determine how much expert advice is discussed, plagiarized, or used in policy decisions (Christensen, 2022, p. 608). Often, government white papers incorporate previously released texts and advice (Christensen, 2022; Wilkerson et al., 2015). If expert advice is reused in these policy explanations, it suggests that the ideas and preferences of experts have been incorporated into the decision-making process, potentially influencing the opinion of decision-makers (Collins et al., 2015). This method provides a more objective way of measuring the impact of experts on public policy (Christensen, 2022, p. 609).

However, it is important to note that text reuse alone does not inherently showcase influence (Christensen, 2022, p. 609). For instance, the text of an advisory document might be reused to critique advice or to provide counterarguments (Collins et al., 2015, p. 928). Additionally, this method may not capture all signs of influence, as expert input could be paraphrased rather than directly quoted (Collins et al., 2015). To address these limitations, qualitative document analysis is needed to verify that reused text concerns an affirmative statement and to identify more subtle instances of text reuse.

### 3.3 Data and data collection

This thesis will triangulate evidence by conducting semi-structured interviews, performing a document analysis, and executing a text reuse analysis to map out the policy process of the two selected policy issues. The interview questions were based on the steps provided by Christensen (2020) on tracing expert influence in the different phases of the policy process. Therefore, these questions covered the initial policy preferences of experts, the formal and

## EXPERT INFLUENCE

informal access of experts to policymakers, the efforts by experts to advocate their preferences, and the responses of policymakers to these efforts. These interviews were aimed at finding out the causal mechanisms behind the extent of expert influence in Dutch asylum policy, and function as an additional source of information. Participants were selected by identifying relevant actors in the Advisory Council and the Ministry of Justice and Security who were involved in the policy process. Two of the interviews were held in person, while two others were conducted online. All were conducted with the written consent of the participants and recorded via mobile phone. Table 1 shows a list of selected respondents and their specific relevance to the research.

**Table 1** Interview respondents

<i>Number</i>	<i>Interview date</i>	<i>Respondents</i>	<i>Relevance</i>
Interview 1	June 4, 2024	Ms. Kremer	Chair, expert, and spokeswoman of the Advisory Council on Migration.
Interview 2	June 27, 2024	Anonymous	Policymaker in asylum policy for the Ministry of Justice and Security, specifically in the management of EU's external borders.
Interview 3	June 28, 2024	Anonymous	Policymaker in asylum policy for the Ministry of Justice and Security, specifically on the Distribution Act.
Interview 4	July 11, 2024	Anonymous	Policymaker in asylum policy for the Ministry of Justice and Security.

For the document analysis, this thesis relied on the qualitative analysis of relevant advisory reports, policy briefs, policy documents, and records of parliamentary debates. The documents were gathered through the websites of the Advisory Council and the First and Second Chamber, and selected on the direct relevance of their content. The recorded debates were either plenary or in a smaller format as with roundtable discussions. In such a smaller debate, members of parliament (MPs) engage in discussion with several relevant stakeholders on a predetermined subject. Beforehand, relevant stakeholders publish their position papers on the subject matter. MPs then use these discussions as input for their policy proposals. For both

the selected policy processes of the Distribution Act and ‘Pushbacks’, a roundtable discussion took place. These discussion groups are where experts get direct access to policymakers in the Netherlands, and they are readily available to inspect online.

For the text reuse analysis, advisory reports from the Advisory Council on Migration and corresponding policy documents for both policy issues will be analyzed to assess the extent to which experts' preferences are integrated into the final policy decision (Christensen, 2022). In practice, text reuse analysis can trace influence by using plagiarism detection software to compare the degree to which documents share text (Collins et al., 2015, p. 928). The relevant documents were identified by searching keywords in the web databases of the government and the Advisory Council, in the specific date range between May 2017 and May 2024. From here, government white papers, letters to parliament, explanatory memoranda, legal notices, and cabinet responses to the advice of the Advisory Council were picked, as well as the relevant advice documents provided by the council. The dozens of documents were then run through the free plagiarism software ‘WCopyfind 4.1.5’ to detect potential matches. This software is able to compare different inputs and find matches in words between them (The Plagiarism Resource Site, 2011). The program was employed in its recommended setting, with a minimum of six words in a row bearing similarity between documents to be reported as a match (Collins et al., 2015, p. 928). To allow for small language differences, the minimum percentage of matching words between phrases to qualify as a ‘match’ was set at 80, the most allowed nonmatching words in the sentence were set at two, and the program was set to ignore punctuation, letter case, numbers and non-words (Collins et al., 2015, p. 928). This allows phrases that have been slightly altered, but are high in resemblance, to be included in the analysis. Each match is then manually reviewed to ensure that the copied text is a reflection of text reuse (Collins et al., 2015). Moreover, potential matches are only included when the advice predates the policy documents.

### 3.4 Concepts and operationalization

The independent variable of this thesis is ‘political salience’, defined as “... the prominence or visibility of issues at more macro levels due to the attention of media outlets or other political actors ...” (Moniz & Wlezien, 2021, p. 2). This thesis analyzed media coverage and political debates to determine whether a policy issue was politically salient. For media mentions, LexisNexis was used, and the parliamentary records of the Second Chamber were analyzed for debate frequency. If a topic is frequently discussed in the media and during political debates, it qualifies as being politically salient. There are varying degrees to this, where a more politically

salient issue is expected to condition the ability of experts to influence public policy. This is especially relevant for this thesis, as most asylum policy issues in the Netherlands can be regarded as ‘politically salient’. However, political salience varies greatly even within this topic, as shown in chapter four.

The dependent variable of this thesis is ‘expert influence’, defined as “... the ability of an expert actor to shape a policy decision in line with its knowledge-based preferences” (Christensen, 2022, p. 603). Within the context of this thesis, ‘shaping’ a policy decision includes the ability of experts to impact decision-making. It is important to note that agenda-setting and problem emergence can also play an essential role in shaping a policy, but it is not the focus of this research, as the ability to influence the parameters of a discussion and set the agenda does not necessarily ensure influence on the final policy decision. Moreover, the available methods are better suited to determine how expert influence can shape the final policy decision.

To measure expert influence, first, evidence was gathered on the initial policy preference of experts. Advice documents were analyzed to pinpoint the original policy preferences of the Advisory Council. Second, the expert's access to policymakers was measured through qualitative analysis of roundtable discussions and interviews. Though the formal channels of access are accessible, the informal channels are not. To gain some transparency on this opaque part of the policy process, interviews with several policymakers and an expert of the Advisory Council held an informative – yet limited – role. Third, the efforts of experts to promote their preferences to policymakers were observed by inspecting publications of the Advisory Council and appearances such as in media outlets and roundtable discussions. Fourth, the responses of policymakers to these promotional efforts were measured by analyzing cabinet responses to the recommendations made by the Advisory Council. Fifth, evidence was acquired on the extent to which the advice of the advisory council has shaped the policy decision according to their preferences. The interviews here serve as a tool to measure the perceived impact of expert advice in the several stages of the policy process, while the text reuse analysis functioned as an instrument to trace copied texts from advisory documents into key policy or legislative documents. The influence of experts was detected if there was significant text overlap between documents, in the form of similar words and phrases. On top of this, a qualitative analysis of the initial recommendations compared to the endresult of the policy was executed through qualitative document analysis.

The relationship between the independent and dependent variables will be examined to determine whether or not political salience conditions the extent of expert influence. To make

causal inferences on this, empirical evidence is needed that shows that the expected mechanisms outlined in the theoretical framework operate in a specified manner (Christensen, 2017, p. 27). The first mechanism expects higher levels of political salience to lead decision-makers to favor electorally favorable policies over expert advice, decreasing the influence of experts. The second mechanism expects higher levels of political salience to lead to the substantiating or symbolic use of knowledge, decreasing the influence of experts. The third mechanism expects higher levels of political salience to lead to the depoliticization of policy issues, increasing the influence of experts. To observe these mechanisms, the comparative analysis is paired with process tracing and text reuse analysis to identify causal processes (Christensen, 2017, p. 25). These causal processes have been outlined in Table 2.

**Table 2**      **Expected Causal Mechanisms.**

<i>E1: In highly politically salient policy issues</i>	<i>E2: In highly politically salient policy issues</i>	<i>E3: In highly politically salient policy issues</i>
Questions of democratic legitimacy emerge about the inclusion of experts in decision-making	Decision-makers are pressured to use evidence to support their decisions	Decision-makers want to depoliticize the process of policy-making
Decision-makers opt for electorally advantageous policies over expert advice	Decision-makers want to signal that experts are involved in policy-making	Decision-makers shift responsibility by actively including experts in policy-making
Expert advice is ignored	Experts serve a legitimizing role/expert advice is selectively used to support pre-existing policy preferences	Experts play an instrumental role
<i>Experts had no to little influence over shaping the policy decision</i>	<i>Experts had little influence over shaping the policy decision</i>	<i>Experts have substantial influence over shaping the policy decision</i>

### 3.5 Limitations

Concerning the external validity of this research design, it is difficult to generalize the findings to other contexts, organizations, or policy areas. This is due to the importance of context in this small-N case study and the similarity between the cases. The applied research methods also have their limitations. For example, measuring the access of experts to policymakers through qualitative analysis of recorded events like roundtable discussions can illuminate the formal channels of access and influence, yet informal channels remain opaque. Interviews with policymakers and an expert from the Advisory Council do offer some more insight into this. However, interviews can only measure the perceived influence of the Advisory Council rather than objectively measuring expert influence (Christensen, 2022, p. 607). This way of measurement introduces a risk of bias, as expert involvement may be over- or understated because of the social desirability or dissatisfaction of expert influence in policy-making (Christensen, 2022, p. 607).

Be that as it may, text reuse analysis offers a more objective view of the de facto influence of experts. This method also has its limits. Textual overlap does not inherently signify influence, as the text might merely be used as background information or even to argue against the advice. Opposingly, a lack of textual congruence does not necessarily mean that there was no influence, as the wording of the policy could differ significantly from advice reports. This is why a qualitative content analysis of documents is necessary to interpret the similarities between the documents. The triangulation of these three methods – interviews, text reuse analysis, and qualitative content analysis – strengthens the internal validity of this research (Toshkov, 2016). Additionally, the collection of data in a consistent manner together with the mixed-methods approach checks the consistency of findings across various data sources, enhancing the reliability of the conclusions (Long & Johnson, 2000).

Moreover, the relationship between political salience and expert influence is complex and dependent on various factors, making it difficult to neatly isolate the effect of political salience. The specific context of each policy issue might affect the extent of influence of experts. Therefore, these contexts need to be explored in detail and are included in the analysis chapter.



## Chapter 4: Case Analysis

This chapter aims to analyze the influence of the Advisory Council on Migration on two different asylum policy issues: the Distribution Act and the management of the EU's external borders. In subchapter 4.1, some historical context will be provided. Instead of detailing the entire chronology of asylum policy development, it will highlight a few significant policy changes and historical events that shaped the current asylum policy framework and political climate (Lindvall, 2009, p. 711). Subchapter 4.2 will continue by briefly examining the Dutch government's attitude towards science from May 2017 to May 2024. In subchapters 4.3 and 4.4 both policy issues will be dissected, exploring their political salience and reconstructing the policy-making process and the role of the Advisory Council. Subchapter 4.5 will outline a comparison between the two cases, identifying their similarities and differences. Finally, subchapter 4.6 will assess how the empirical findings support or challenge the theoretical expectations of this thesis.

### 4.1 Asylum policy and political polarization in the Netherlands

This subchapter will briefly highlight the background of the asylum policy area, the political discourse surrounding it, and how this has changed over time. Asylum policy became a major topic on the political agenda around the early 2000s, coinciding with the rise of populist and anti-immigrant political parties in the Netherlands. A key figure during this period was the late Pim Fortuyn, who was well-known for his strict stance on immigration and his controversial position about the rising Islamic influences in Dutch culture (Geddes, 2016, p. 119). Fortuyn's political party gained considerable influence and became part of the government coalition after securing second place in the 2002 elections, which took place just nine days after his assassination (Van Holsteyn & Irwin, 2003). Later on, Geert Wilders of the Freedom Party (PVV) would become a prominent anti-immigration and anti-Islamic political voice, with the PVV gaining 24 seats out of 150 in 2010 (Geddes, 2016). This period introduced a higher level of political contestation and polarization surrounding migration policy (Geddes, 2016).

The situation further intensified after 2011, when increasing numbers of refugees fled from the Syrian civil war, with many people fleeing towards Europe, especially in 2015 and 2016. This further polarized the political discourse surrounding Dutch asylum policy, with national media coverage sparking public debate about the influx of asylum seekers. In the following elections in 2017, the PVV achieved significant electoral success, securing 20 seats. Although there was a temporary decline in asylum requests following this period, numbers surged again in 2021, marking the beginning of the current asylum crisis. According to the

Central Agency for the Reception of Asylum Seekers (COA), this crisis was not necessarily due to a higher inflow of asylum seekers, but rather the result of systematic shortages in capacity to accommodate them (COA, 2022). By 2023, internal tensions within the Dutch cabinet about asylum regulation had come to a boiling point, leading to the collapse of the government (NOS, 2023a). In the following re-elections, the PVV secured a historic win, doubling its seats to become the largest party in the Second Chamber (Kieskamp, 2023).

Thus, the political discourse surrounding asylum policy in the Netherlands has intensified in the past two decades. Before we move on to the case analyses, the relationship between the government and science in the Netherlands is examined in the context of asylum policy, specifically under Prime Minister Mark Rutte.

### 4.2 The Dutch policy-science nexus

As mentioned in the research design, the extent of expert influence may also be affected by the attitude of the government toward science (Hesstvedt, 2023). This is why this subchapter aims to provide some context on the policy-science nexus in the Netherlands. However, this is only meant as an illustrative account of the relationship between science and policy in the Netherlands throughout the years, as a complete empirical analysis on this matter could stand as an entire research project on its own. Furthermore, this research focuses on how political salience explains variations in expert influence rather than the specific attitudes of governments toward science.

In 2001, the Dutch government passed the ‘Foreigner Act 2000’, which aimed at better regulating asylum migration. This law introduced the legal basis for the Advisory Council on Migration, which from then on would offer expert advice to the government and parliament on Dutch migration legislation, policy, and strategy (Adviesraad Migratie, 2024). Between May 2017 and May 2024, three cabinets were in power: Cabinet-Rutte-Asscher (2012-2017), Cabinet-Rutte III (2017-2022), and Cabinet-Rutte IV (2022-2024). Though these cabinets were composed of varying political parties, there was one constant in all three: the VVD was the largest party, with Mark Rutte serving as the prime minister. This continuity offered political stability throughout these shifting cabinets and helped shape the relationship between policy and science, which has been described as “very well institutionalized” (Prettner et al., 2023, p. 142). Rutte’s approach to governance has even been characterized by some as technocratic, especially in times of crisis, such as during the COVID-19 pandemic (Prettner et al., 2023). Critics argue that this reliance on experts to guide policy-making reflects a perceived lack of political vision – an accusation Rutte has faced repeatedly (Dietvorst, 2024; Scholten, 2009).

While Rutte’s government has generally maintained an open attitude towards science, this relationship has been increasingly threatened by politicization. The policy-science nexus has become more contested in the Netherlands as the use of expert knowledge increasingly becomes a target of political debate (Bekkers, 2014, p. 241). This trend is evident in the related field of immigrant integration, where the politicization of this topic has led to a decline in the role of research in policy-making (Entzinger & Scholten, 2015). In the context of asylum policy and the Advisory Council, an inspection of the Second Chamber’s database reveals that the authority of the council is rarely discussed in political debates. When the council is mentioned, it is usually to cite their advice to support political positions. However, it is important to note that radical right populist parties, such as the Forum for Democracy (FVD), have been critical of the Advisory Council. This is illustrated by a tweet from the party: “Cut the nonsense. Status holders don't deserve priority for housing. Homes should go to our own people, the Dutch. The 'Advisory Council on Migration' should be dissolved as soon as possible” (Forum voor Democratie [@fvdemocratie], 2022). Despite such criticism, Cabinet-Rutte IV welcomed the input of experts and signaled their inclusion, as shown in this excerpt from the letter to Parliament concerning the ‘Design of the reorientation of asylum policy and the asylum system’:

“The approach to the reorientation is one from the outside in. This means that, in addition to the chain partners, other government bodies and stakeholders from civil society and the scientific field are also involved in its further design and development” (Van der Burg, 2022c, p. 3).

Another example of this inclusion can be found in the coalition agreement of Cabinet-Rutte IV, where they explicitly stated that the advice of the Advisory Council on Migration “... will weigh heavily in policy development” when referencing the idea of a policy guideline figure for migration (Rijksoverheid, 2021, p. 42). The following sections will explore the specific dynamic between asylum policy-making and the Advisory Council in the cases of the Distribution Act and ‘Pushbacks’, and how this is conditioned by political salience.

#### 4.3 An analysis of the Distribution Act

This subchapter begins by providing some background information on the Distribution Act, as a baseline for the in-depth case analysis. This law was designed to regulate the distribution of asylum seekers across Dutch municipalities. Before this act was passed, the government relied on the voluntary contribution of municipalities to offer asylum. This resulted in too few reception facilities for asylum seekers, as not all municipalities were contributing locations.

Because of this persistent shortage, facilities got overcrowded – especially at the registration center in Ter Apel. At some point, hundreds of asylum seekers had to sleep outside of the registration center under poor conditions. According to the report of the Inspection Justice and Security, the most basic reception requirements were not met, such as having a bed and a place to wash (NOS, 2023b). This exemplifies the strained situation of the asylum system at the time. Later on, the Distribution Act was installed to achieve sufficient reception facilities and a more balanced distribution of asylum seekers across municipalities (Rijksoverheid, 2024). The following subchapters will delve into how this policy process unfolded, starting with its political salience.

### *4.3.1 Rising political salience*

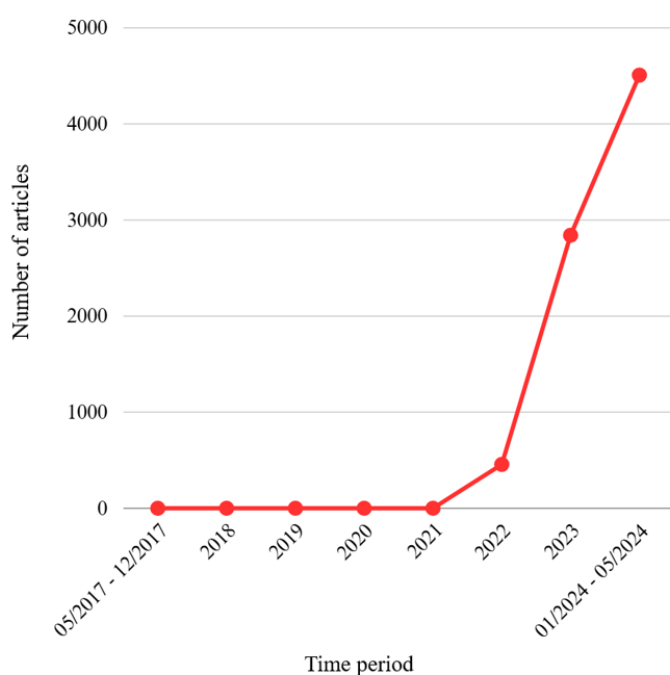
This subchapter will illustrate the political salience of the Distribution Act. During the policy process of the Distribution Act, the level of political salience grew significantly. The first time the Advisory Council published the recommendation of an equal distribution of asylum seekers among municipalities was in 2017 when they published their advisory report ‘Peaks and Valleys’. At the time, this specific piece of advice did not attract notable media or political attention and was not considered a salient issue. Interestingly, a similar plan called the ‘Distribution Plan’ had already been proposed in Belgium in November 2015, aiming to evenly distribute asylum seekers across Belgian municipalities, with possible sanctions for non-compliance (Vluchtelingenwerk Vlaanderen, 2021). Even though this plan was never officially enacted in Belgium and is not mentioned in any of the advice reports of the Advisory Council, it could have been a reference point in shaping their recommendations.

The underlying idea for the Distribution Act gained traction in December of 2021 when the chair of the Advisory Council advocated in an NOS article that the government should be able to compel municipalities to receive asylum seekers following the dire situation of systematic reception shortages (Start, 2021). Political actors started to pay attention to this proposal after the State Secretary of Justice and Security, Eric van den Burg, announced in May 2022 that Cabinet-Rutte IV would be looking into the possibilities of a legal instrument to enforce the equal distribution of asylum seekers (Van der Burg & De Jonge, 2022). An example of this political attention early on was a contribution made by Joost Eerdmans from the radical right political party JA21, who stated in a plenary debate in September 2022: “There will be a coercive law that obliges municipalities to receive asylum seekers and accommodate status holders” (Tweede Kamer, 2022). The political salience significantly increased after November 8, 2022, when State Secretary of Justice and Security, Eric van den Burg, officially submitted

the legislative proposal for the Distribution Act. Following this submission, the act accumulated extensive media attention, as illustrated in Figure 2. Between November 8, 2022, and May 31, 2024, the Distribution Act made front-page news in major Dutch newspapers like *Trouw* and *NRC*. It also became a major topic in political debate between October 2022 and May 2024, with 51 plenary debates and 28 commission debates in the Second Chamber mentioning the Distribution Act, according to the database of the Second Chamber.

**Figure 2**

*Dutch Newspaper articles mentioning ‘Spreidingswet’*



*Note.* The data this graph is based on was retrieved via LexisNexis.

It is worth considering why this act was so widely discussed. One key reason is that the proposal had significant implications for Dutch municipalities, as it transferred more power to the central government on a topic that has played a major role in Dutch elections: asylum. This sparked debates about the autonomy of municipalities versus the power of the central government (Volkskrant, 2024). Pre-existing problems in the Netherlands also made this proposal unattractive for some municipalities. There had been an ongoing housing crisis, high living and energy costs, and more poverty and inequality (Rotmans, 2024). Most anti-immigration parties turned to chauvinistic arguments to explain these issues, shifting the blame toward immigrants – and more specifically, asylum seekers (controversially referred to as

‘fortune seekers’ by some Dutch politicians). The leader of the PVV, Geert Wilders, showcases this by making statements like:

“Madness. We have a shortage of hundreds of thousands of homes, but there will be shelter for 96,000 fortune seekers. They will then also be given priority for social housing. The PVV wants an asylum stop and housing with priority for our own people! Dutch people first!” (PVV, 2023).

In conclusion, the Distribution Act became highly politically salient due to politicization and critical shortages in the Dutch asylum system. On this topic, the chair of the Advisory Council stated that asylum reception is inherently a political subject, but that the proportional distribution of asylum seekers has been politicized due to “what is happening here in The Hague” (Interview 1, 2024). One of the policymakers also categorized this policy process as having been: “hugely political”, highlighting the tumultuous political climate surrounding the Distribution Act (Interview 3, 2024). Having examined the political salience of the Distribution Act, we now turn to the original policy preferences of the Advisory Council, which will allow us to map out the ensuing policy process.

### 4.3.2 The original policy preferences

The following section aims to examine the original policy preferences of the Advisory Council on the Distribution Act. This can be traced back to 2017, in the report ‘Peaks and Valleys’, which was published following the relatively large influx of refugees to Europe in 2015 during the Syrian civil war. During this period, many people searched for refuge by crossing the Mediterranean Sea (Spindler, 2015). Upon arrival, the EU was legally obligated to provide them asylum under the principle of non-refoulement, which applies to all asylum seekers. In the Netherlands, the Ministry of Justice and Security is responsible for this task, which the COA carries out (Eerste Kamer, 2023).

In 2016, the State Secretary of Security and Justice of that time, Klaas Dijkhoff, requested the Advisory Council to provide some recommendations on the asylum system (Dijkhoff, 2016).<sup>4</sup> They responded with the Peaks and Valleys report which reflected on the asylum system from 2014 to 2016 and discussed how it was unprepared for a high influx of asylum seekers (Adviesraad Migratie, 2017). The main point of improvement was the flexibility of the system to account for the peaks and valleys of the asylum influx, as it was

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<sup>4</sup> Before 2019, it was called the Ministry of Security and Justice, but Cabinet-Rutte III decided to change the words around to signify the importance of Justice.

unable to house asylum seekers in regular asylum locations. The system was under so much pressure that many asylum seekers needed to be housed in emergency reception locations that were only available for short amounts of time and mostly had minimal facilities (Adviesraad Migratie, 2017). The shortage in reception locations, as well as other malfunctions of the system – shortage of staff, shortage of housing for status holders, backlogs in the asylum process – resulted in the blockage of the asylum flow according to the Advisory Council (Adviesraad Migratie, 2017, p. 15). This pressure, together with the high pace at which decisions were being made and changes were implemented, damaged the local political support for the reception of asylum seekers (Adviesraad Migratie, 2017, p. 15).

The Advisory Council made several recommendations to improve the system, including an equal distribution of asylum seekers among municipalities enforced by law. This policy preference was based on the logic that the introduction of such a mechanism would reduce the ‘political burden’ for municipalities, as it standardizes the reception of asylum seekers, similar to the system in place for housing status holders (Adviesraad Migratie, 2017, p. 57). In this system, municipalities have a legal obligation to house status holders in proportion to the number of inhabitants of the municipality (Adviesraad Migratie, 2022b). This comparison forms the basis of the council’s argumentation in favor of the Distribution Act, referencing the potential benefits of applying the status-holder system to asylum reception throughout the entire policy process. As the council’s original policy preferences have been outlined, the next step is to evaluate how much access the council had to policymakers. This access is an essential factor in understanding the council’s ability to influence the policy process.

#### 4.3.3 Significant access to policymakers

This section will examine the access the council had to policymakers during this policy process. What is interesting about the access of the Advisory Council to policymakers, is that it is a government-appointed advisory body, meaning that it is neither fully internally nor externally institutionalized. This balance is highlighted by the relocation of the Advisory Council in July 2023 from the Ministry of Justice and Security building to a different location in the Hague (Interview 2, 2024). This move underscores the independence and agency of the council, despite being government-funded. However, during most of the policy processes covered in this thesis, the Advisory Council resided within the same building as the Ministry.

Furthermore, the direct access of the council is institutionalized through agreements with the government, as it is legally obliged to respond to the contents of Advisory reports within three months and share this response with the parliament. The cabinet’s responses

directly interact with the expert advice, illustrating the ongoing dialogue between experts and policymakers. This continuous discussion was also confirmed in the interviews, with the chair stating that the Advisory Council and the migration policy department of the Ministry of Justice and Security have contact every six weeks (Interview 1, 2024). According to this respondent, the council tries to have intensive contact in an informal sense with both policymakers and politicians on a regular basis (Interview 1, 2024). For example, the council invites MPs every year to have an introductory meeting (Interview 1, 2024). Moreover, the Ministry of Justice and Security gets access to the advice the Advisory Council is working on before its publication. This allows the Ministry to read the advice, run fact checks, and give input (Interview 3, 2024).

At the same time, the procedural approach during the Distribution Act policy process was distinct. This was because the Advisory Council released the advice report ‘Getting Asylum Shelter Out of Crisis’, without an advice request preceding the advice. According to a policymaker involved, the timing of this publication coincided with the initial stages of their policy development, which meant that discussions with the Advisory Council mostly took place after the advice was published (Interview 3, 2024). Then, on the 8th of November 2022, there was an official advice request to the Advisory Council by the State Secretary specifically regarding the formulation of the Distribution Act. The Advisory Council delivered by writing legislative advice on the act, reflecting and providing feedback on the proposal. Another direct and formal channel of access was the roundtable discussion on June 1, 2023, when the chair of the Advisory Council advocated their policy preferences and voiced their concerns to the Permanent Committee for Justice and Security of the Dutch House of Representatives. All of these contact points show how experts had significant access to policymakers in multiple formal and informal ways. This sets the stage to examine the strategies the Advisory Council employed to promote its policy preferences through these channels of access.

#### 4.3.4 Consistent efforts to promote preferences

The following section will analyze the council's efforts to promote their policy preferences and the impact this had on the policy process. The council's consistent publication of documents repeating the same message shows its dedication to promoting its policy preferences. Four years after the report Peaks and Valleys came out, on the 15<sup>th</sup> of December in 2021, the Advisory Council decided to publish a hand-out version of Peaks and Valleys, in response to the ongoing asylum reception shortage. This shorter version highlighted again the need for a compulsory task for municipalities in asylum reception. The advice report ‘Getting Asylum



Shelter Out of Crisis’, published June 2022, reiterated this and added the idea that the proposed legal obligation of municipalities to host a share of asylum seekers in proportion to the number of inhabitants of the municipality should apply to ‘promising’ asylum requests (Adviesraad Migratie, 2022b). In such a system, municipalities would become responsible for the asylum reception of ‘promising’ requests, while the remaining asylum requests would still be considered at a national level by the COA. This advice was also picked up by many media outlets, with 33 news articles and broadcasts being attributed to this advice (Adviesraad Migratie, 2022e). The chair of the Advisory Council also contributed to this attention by promoting the Distribution Act through an interview in the national newspaper Trouw and an online article on the news site NOS, as well as appearing on national TV during a news broadcast of NOS and NOS Radio 1 (Adviesraad Migratie, 2022e; Van Heerde, 2022).<sup>5</sup>

Then on the 23rd of May 2023, the council published a ‘conversation note’ for the Roundtable discussion on the Distribution Act, in which the same message is repeated: a legal obligation for all municipalities to receive asylum seekers in proportion to their population size (Adviesraad Migratie, 2023). This can be seen as a ‘flyer’ version of the advice report ‘Getting Asylum Shelter Out of Crisis’, as it summarized their main points to be read before the roundtable discussion. During this discussion, the Advisory Council not only stressed the urgency and need for the Distribution Act, but also critiqued the proposed legislative bill put forth by the State Secretary (Debat Direct, 2023). Specifically, they argued that the proposal was too complicated and that it would put pressure on mutual solidarity between municipalities, as there would be financial bonuses for the number of additional places a municipality would arrange on top of the ordered amount (Debat Direct, 2023). These critiques were formalized in an advise report ‘Decree and Regulation for the Distribution Act’ which was published on the 17<sup>th</sup> of July in 2023. Cabinet-Rutte IV had resigned shortly before this advice, but this did not halt the dedication of the Advisory Council to spread their message. In August, they released a document for the parliamentary elections with their recommendations on several topics including the Distribution Act – specifically targeted to political parties. Finally, in September, they published a letter together with another Advisory Council – the Council for Public Administration (ROB) – advocating one last time for their policy preferences for the Distribution Act via the formal route. With the council's extensive promotional efforts now outlined, the next section will look at how policymakers responded to these efforts.

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<sup>5</sup> NOS is the largest news organization in the Netherlands, funded by the government.

#### 4.3.5 Policy makers' response

This section will analyze how the council's recommendations were received. The initial responses of policymakers to the recommendations of the Advisory Council were dismissive. The response of Cabinet-Rutte III to the first report, Peaks and Valleys, stated that:

“The introduction of a legal task and quotas for the reception of asylum seekers by municipalities, in my opinion, does not sufficiently reflect the spirit of inter-administrative cooperation as it has developed since 2015 and is therefore not my preference” (Harbers, 2018).

The chair of the Advisory Council acknowledged this by stating that this first advice regarding a distributive system was not adopted, “not in any way” (Interview 1, 2024). At the time of its release, the political salience of this advice was low. However, the crisis surrounding asylum reception only worsened during the following years, creating a new environment for this advice. This is visible when inspecting the Letter to Parliament of the 25<sup>th</sup> of May 2022, in which Cabinet-Rutte IV informed the Second Chamber that it would be exploring the possibility of creating a legal obligation for municipalities regarding asylum reception (Van den Burg & De Jonge, 2022). The Advisory Council made use of this momentum by releasing ‘Getting Asylum Shelter Out of Crisis’ in June 2022. According to one of the interviewed policymakers, the timing of this report was at the start of the policy process for the Ministry. At that point, they concluded that the status-holders system was not appropriate for the task at hand and that the specific mechanisms recommended by the Advisory Council for the Distribution Act were “infeasible” (Interview 3, 2024). On the 8<sup>th</sup> of July 2022, the cabinet officially responded to this report by stating that it is undesirable to differentiate in the reception of asylum seekers based on the likelihood of success of their request. This differentiation would lead to additional assessments and legal procedures, further burdening an already overloaded system and the further erosion of support for COA (Van der Burg et al., 2022). In the House of Representatives, the advice to differentiate between asylum seekers was cited in a motion and mentioned during a plenary debate by Jasper van Dijk from the Socialist Party (SP) (Tweede Kamer, 2023). Nevertheless, the following discussions between policymakers and the Advisory Council did not lead to a different outcome in this policy decision (Interview 3, 2024).

Overall, the cabinet first responded dismissively to the council's advice, while eventually responding more in-depth to their proposals and even requesting specific legal advice on the Distribution Act. The next section outlines which recommendations were ultimately adopted.

#### 4.3.6 Final policy decision

This subchapter assesses the extent to which the council’s recommendations were adopted in the final Distribution Act. The main recommendation – to give municipalities a legal task to receive asylum seekers – was adopted. However, their proposal for how the law should be designed was not adopted. The Advisory Council had recommended using the status-holders system for the Distribution Act and suggested transferring more responsibilities for asylum reception to the municipalities. The chair of the Advisory Council acknowledged that these recommendations were much more radical than what was ultimately implemented, yet felt that: “... it was so important that this Distribution Act was introduced, despite the fact that it did not meet everything we had written down” (Interview 1, 2024). The feedback provided by the Advisory Council regarding the complexity of the Distribution Act, as well as the concerns about the pressures on municipal solidarity, were also not incorporated into the final Distribution Act. Moreover, the proposal to differentiate between ‘promising’ and other asylum requests was not accepted.

From the text reuse analysis, it is evident that policy documents only directly copy language from the advisory reports when explicitly responding to the advice, such as in a cabinet’s formal response. However, a closer inspection reveals that some parts have been indirectly copied and paraphrased, most notably the legislation’s title itself. The official name for the Distribution Act is ‘Law municipal task to make asylum reception facilities possible’. This name closely resembles the recommendation put forth by the Advisory Council: “To create a legal task for municipalities for the reception of asylum seekers ...” (Adviesraad Migratie, 2017, p. 63). Additionally, the legislation of the Distribution Act frequently bases its rationale on the ‘Implementation agenda Flexibilization of the asylum chain’. The main recommendation of ‘Peaks and Valleys’ – that the asylum system needs to be able to respond to the peaks and valleys of asylum inflow – was incorporated in both this implementation agenda and the government gazette article publishing the Distribution Act, as demonstrated below.

#### **Peaks and Valleys**

“A flexible reception system is, to a certain extent, able to adapt to fluctuations in the number of asylum seekers” (Adviesraad Migratie, 2017, p. 64).

#### **Government gazette**

“... the law aims to ensure sufficient sustainable flexible reception capacity to adapt to fluctuations in intake and occupancy” (Staatsblad van het Koninkrijk der Nederlanden, 2024a, p. 5)

Moreover, the Advisory Council initially proposed the idea of basing the distribution on population size: "... all municipalities would be allocated asylum seekers to provide shelter for, based on their population size" (Adviesraad Migratie, 2023). While this idea was integrated into the final version of the Distribution Act, it was modified. The Act specifies that: "The distribution is based on the number of inhabitants of the municipality in question and on the Socio-economic status – Prosperity, Education and Employment Score (SES-WOA score) at the municipal level ..." (Staatsblad van het Koninkrijk der Nederlanden, 2024b, p. 2). Additionally, while this calculation forms the basis for distribution, the individual assignment for municipalities would be a decision made by the central government rather than solely relying on the number of inhabitants of a municipality as proposed by the council.

Subchapter 4.3 outlined the policy process of the highly politically salient Distribution Act and the role played by the Advisory Council. Despite facing initial resistance, the council's persistent advocacy for its policy preferences played a key role in the eventual adoption of the Distribution Act. As one policymaker noted, "elements [of the advice report] have really been adopted" (Interview 3, 2024). Another policymaker mentioned that the legal department of the ministry uses advisory reports like these to justify the reasoning behind legislation (Interview 4, 2024). Together with the intensive interaction between the council and policymakers, this points towards an instrumental role for experts in this policy process (Boswell, 2009, p. 83). Nevertheless, while the central idea of creating a legal task for municipalities to receive asylum seekers was adopted, many of the council's more detailed proposals were either diluted or left out of the final legislation. The fact that not all expert advice was adopted does not necessarily mean that experts were merely included symbolically; it may simply reflect certain trade-offs between expert recommendations and policy goals. Thus, despite the council's influence in shaping the broad framework of this act, their ultimate impact was constrained by political considerations.

#### 4.4 The 'Pushbacks' policy process

This subchapter provides some necessary background information regarding the policy process surrounding 'Pushbacks', or more specifically, the response of the Netherlands to human rights violations at the border of the European Union. In December 2021, the European Commission proposed to revise the Schengen Agreement, which touches upon the rules and regulations surrounding border control by the member states. This revision concerned what instruments, resources and technologies may be used for border control, what kind of checks must be carried out, and what the conditions are for gaining access to the Schengen area (Interview 2, 2024).

One of the proposals stated that the ‘instrumentalization’ of asylum seekers by countries outside the EU may be a reason for EU countries to close their borders (Strik, 2021). The instrumentalization of migration refers to “... those instances in which a perpetrating actor attempts to exert power by strategically creating or exploiting migration outflows, threatening to overwhelm the capacity of the target state to accommodate the inflow and to destabilize the target state” (Sie Dhian Ho & Wijnkoop, 2022, p. 1). For example in 2021, when Belarus allowed thousands of migrants into the EU territory in response to EU sanctions, leaving them stuck at the Polish border (Ancite-Jepifánova, 2023).<sup>6</sup> The proposal of the Commission in response to this would deny access to asylum seekers even when they have already passed through other EU countries, potentially legitimizing pushbacks in the process (Strik, 2021).

Frontex, the European Border and Coast Guard Agency, is responsible for guarding the EU external borders, where migrants have been forcibly sent back or taken back before they can apply for asylum – which is in direct violation of international law (Vermeulen, 2022). These instances, commonly referred to as ‘pushbacks’ or ‘pullbacks’, often occur with violence and human rights violations (Adviesraad Migratie, 2022c). This overview sets the stage for the process tracing in the following subchapters, beginning with the political salience of this policy process.

#### *4.4.1 The relatively low political salience of ‘Pushbacks’*

This section will delve into the political salience of ‘Pushbacks’. Although pushbacks occasionally come to light, they are more commonly the focus of human rights organizations, European media outlets, and left-leaning political parties rather than Dutch media outlets. Upon closer inspection, this issue was not highly prominent in Dutch media, receiving only minimal attention. The advice report ‘EU borders are common borders’ was mentioned in just six media articles according to the council’s website (Adviesraad Migratie, 2022d). The general term ‘pushbacks’ got some attention in Dutch newspapers, especially in 2021, as depicted in Figure 3. In this year, there was mostly international attention to the involvement of Frontex in pushbacks, which trickled down to the national newspapers. Still, the attention of Dutch newspapers to these human rights violations was limited, especially compared to the international attention it received. One notable article addressing the pushbacks at the EU external border appeared in the Guardian, illustrating how on the 28th of May 2021;

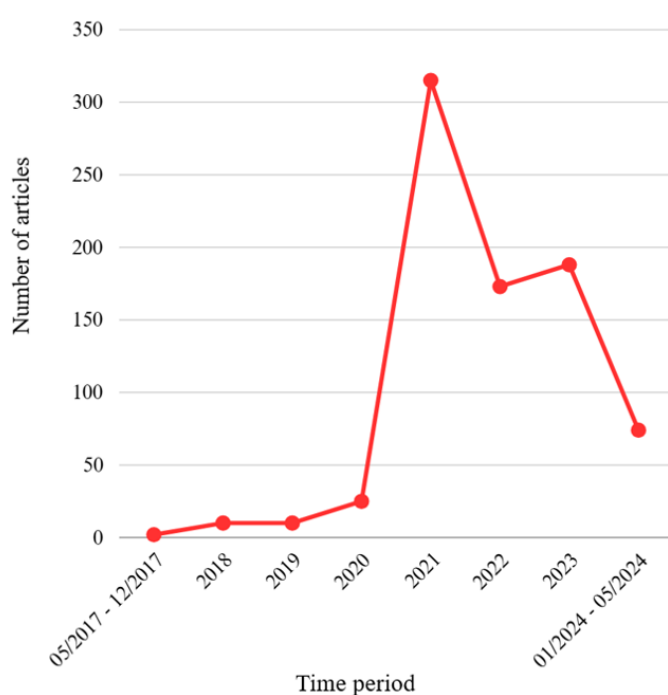
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<sup>6</sup> The ‘instrumentalization’ of migration is a controversial paradigm, see Ancite-Jepifánova for an exposition.

“... a group of almost 50 asylum seekers who had already landed on the Greek island of Lesbos contacted the Norwegian NGO, Aegean Boat Report, sending photos and a WhatsApp message showing their location near the island’s capital, Mytilene. Hours later, some of the group were found by the Turkish coastguard at sea in orange life rafts. This case was later recorded in the Frontex database as a ‘prevention of departure’” (Fallon, 2022).

**Figure 3**

*Dutch Newspaper articles mentioning ‘Pushbacks’*



*Note.* The data this graph is based on was retrieved via LexisNexis.

Moreover, the political attention to this issue was also sparse, though slightly more prominent than the media attention. There were 35 plenary debates and 17 commission debates in the Second Chamber which mentioned ‘pushbacks’ between May 2017 and May 2024, according to the database of the Second Chamber. This level of engagement is modest, particularly when compared to more politically salient issues in the asylum policy field. There were, however, some questions in the First Chamber on the cabinet’s response to the advisory report, as well as a motion to adopt the recommendations of the advice report and to periodically report on the developments (Adviesraad Migratie, 2022d). Nonetheless, this motion expired and was never adopted. Talking about the political salience of the recommendations put forth by the Advisory Council on this subject, the chair of the council

stated: "... what we propose here is more of a technocratic nature. In the sense that we then make recommendations, on how to monitor this better and such. So our recommendations are less politicized in that sense" (Interview 1, 2024).

Having established the relatively low political salience of this policy process, the next section will delve into the original policy preferences of the Advisory Council on this subject.

### 4.4.2 Original Policy Preferences

The following section aims to map out the original policy preferences of the Advisory Council on human rights violations at the EU's external borders. These can be found by inspecting the policy brief 'EU borders are common borders'. This policy brief responded to the proposal of the EU Commission to revise the Schengen Agreement and aimed to influence the cabinet's position on this matter (Interview 2, 2024). It discusses the idea that it is difficult to pinpoint responsibility in border zones where pushbacks occur, as they often occur at sea or in military zones (Adviesraad Migratie, 2022c). According to the Advisory Council, the Netherlands should do more to prevent human rights violations at the EU external borders, as they view the EU borders as an extension of Dutch borders (Adviesraad Migratie, 2022c). This means the Netherlands has its responsibility to prevent these violations, especially since it delivers personnel and equipment to Frontex (Adviesraad Migratie, 2022c). The Advisory Council created six concrete proposals on this subject:

1. "Take measures to avoid direct/indirect Member State responsibility for human rights violations through national support (in the form of personnel, funding or equipment) for EU border management;
2. Draw up clear agreements within the EU, and between the EU and third countries, on operational responsibility in the execution of EU asylum and migration policy;
3. Make human rights compliance a more central and integral part of the development, implementation, and monitoring of existing agreements and operational frameworks within EU asylum and migration policy;
4. Improve access to courts for victims of human rights violations in the field of EU asylum and migration policy;
5. Improve internal complaints procedures of EU agencies and establish effective national complaints procedures;
6. Strengthen independent monitoring of the execution of EU external border management" (Adviesraad Migratie, 2022c, p. 5).

These recommendations cover issues such as accountability, safeguarding human rights, and the monitoring of border patrol operations. According to the interview with the chair of the Advisory Council, these policy recommendations would allow the Netherlands to get a better understanding of what is happening at the EU's external borders through monitoring (Interview 1, 2024). Besides this, the advice also served an agenda-setting and investigative role:

“So you see that things are happening at the external border of Europe that the Netherlands does not support. Pushbacks and the like. So it was also a matter of a 'wake-up call' for us – like, hey, aren't we also responsible for that if that happens? Especially if that happens in the name of Europe. And how should you organize that better? So we really tried to draw attention to that” (Interview 1, 2024).

With the Advisory Council's original policy preferences established, the next step is to evaluate the council's access to policymakers in this policy process.

### 4.4.3 Access to Policymakers

This subchapter will examine the access of the Advisory Council to policymakers in the 'pushbacks' policy process. Noteworthy, the policy brief 'EU borders are common borders' was not requested by the government. The target audience of this advice was not only the policymakers of the Ministry of Justice and Security and the members of the First and Second chambers of parliament, but also the European parliament (Interview 1, 2024). The EU context is important in this case, as EU border patrol is partially coordinated at the EU level – though the Member States at the borders retain full sovereignty in deciding who can enter their territory within the framework of EU law. Despite the European relevance of this issue, the council struggled to reach the European audience (Interview 1, 2024). Nevertheless, it is noteworthy that Tineke Strik, an MEP, published a position paper on pushbacks for the roundtable discussion she partook in on the 12<sup>th</sup> of January 2022 on EU external border patrol. Here, she advocated – among other things – for similar points made by the Advisory Council regarding the accountability of the Netherlands as well as the internal complaints procedures and monitoring of Frontex. She explicitly states that she bases herself on the findings of investigative journalists, who published the article 'European Border Force Complicit in Illegal Pushbacks' in October 2020 (Strik, 2022). When inspecting the background note of the Advisory report 'EU borders are common borders', the work of Tineke Strik is referenced in several paragraphs, as well as the article of the investigative journalists. This illustrates how



the advice of the Advisory Council is based on discussions with other relevant stakeholders, a point reiterated by the chair of the Advisory Council (Interview 1, 2024).

The Advisory Council also advocated their policy preferences in the roundtable discussion on the 12<sup>th</sup> of January 2022. Their representative, John Morijn, mentioned that the Advisory Council would be very willing to continue discussing this topic with national MPs and that the council would even be happy to visit the MPs bilaterally (Debat Direct, 2022). This shows the informal nature of contact between the Advisory Council and MPs, though it is unknown whether the MPs made use of the invitation. It was thanks to MPs however that the cabinet released a formal response to the policy brief of the Advisory Council, as they requested this from the cabinet (Interview 2, 2024).<sup>7</sup> There were also a couple of informal meetings with policymakers during and after the formation of the policy brief to explain to the policymakers the rationale of certain recommendations (Interview 2, 2024). This shows how in this case, there were several formal contact points with policymakers, accompanied by informal discussions. This paves the way to explore the strategies the Advisory Council used to advance its policy preferences through the available channels of access.

#### 4.4.4 Efforts to Promote Preferences

The following subchapter will analyze the council's efforts to promote their policy preferences and the impact this had on this policy process. Before the policy brief 'EU borders are common borders' was published, the Advisory Council published an overarching project plan. This plan outlined the research plan for the council, partly focussing on the human rights violations occurring at the external borders of the EU (Adviesraad Migratie, 2021). Then, on the same date as the policy brief, the Advisory Council published an accompanying info sheet, an extensive background note, and a conversation note for the roundtable discussion. By doing so, the Advisory Council made an effort to reach a wider audience than just the parliament and the government. Namely, the info sheet was meant to inform "... the professional in the migration policy domain and the above-averagely interested audience" (Adviesraad Migratie, 2021, p. 8). In the original project plan, a possible communication strategy was also provided to further distribute the advice products. This included using various publication channels for distribution (such as via websites and social media) and the possibility of an in-depth interview with a journalist (Adviesraad Migratie, 2021, p. 8). By broadening their audience, the council could reach potential partners, scientists, and think tanks (Adviesraad Migratie, 2021). These efforts are also reflected in the interview given by John Morijn on the national news radio

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<sup>7</sup> The cabinet was not legally obliged to respond as this advice was not an official advice report.

before the Roundtable discussion, broadcasting the policy preferences of the council in front of a wide audience (NOS Radio 1 Journaal, 2022).

Moreover, the extensive background note accompanying the policy brief was meant to shed light on the explorative questions underlying the advice. Namely, who is responsible for human rights violations at the EU external border, to what extent can the Netherlands be held legally accountable for these violations, and whether there are accessible legal instruments for victims of such abuses (Adviesraad Migratie, 2022a). In the Charter of Fundamental Rights of the European Union, it is embedded that human rights and the rule of law need to be protected (Adviesraad Migratie, 2022a, p. 32). Without knowing who can be held liable for the violations of treaty obligations, it is difficult to hold the transgressors accountable (Adviesraad Migratie, 2022a). The Advisory Council argued that the EU and its member states, including the Netherlands, can be held responsible on the grounds of an “international unlawful act” if the EU border control violates international agreements (Adviesraad Migratie, 2022c, p. 3). Reviewing the language and the size of the note, it arguably functioned more as legal background information about the argumentation of the Advisory Council than a promotional product. The conversation note for the roundtable discussion was a more clear example of the effort of experts to promote their policy preferences, as it was a concise version of the policy brief, meant to be read by the participants of the discussion. With the council's promotional efforts outlined, the next section will explore how policymakers responded to these proposals.

#### 4.4.5 Policy Makers' Responses

This subchapter will examine how the council's recommendations were received. The responses of policymakers are reflected in the cabinet's detailed response, where Cabinet-Rutte IV backs the general sentiment of the advice. For example in the first paragraph;

“First and foremost, the cabinet considers it essential that international and European law is upheld at the EU's external borders and emphasizes the obligation to guarantee fundamental rights. The cabinet is therefore taking an active position against pushbacks and speaks out against it, both in a bilateral context and in various international forums, at (high) official contacts, at the ministerial level, and at the level of government leaders” (Van der Burg, 2022b, p. 1)

In the same paragraph, the principle of non-refoulement is referenced, underscoring that the cabinet is against withholding asylum seekers from their right to asylum through pushbacks. One policymaker specifically highlighted the value of the Advisory Council's

advice, stating that “... in a general sense, it will always be included in determining the cabinet's final position” (Interview 2, 2024). Another policymaker mentioned that specific points of the advisory reports sometimes get ‘recycled’ in policy or legislative processes (Interview 4, 2024). Despite this influence, the cabinet also takes a different stance in its response by emphasizing the pressure member states are under with high migration flows, and reiterating that border control is a national capacity (Van der Burg, 2022b).

Furthermore, the cabinet directly responds to all six recommendations made by the Advisory Council. The first recommendation, regarding the conditionality the state should apply to supplying Frontex material, funding, or personnel, is rejected. The cabinet writes that it would contradict Union law to refrain from these contributions (Van der Burg, 2022b). Still, it stresses that it aims for more transparency regarding the Dutch contribution to Frontex, though it does not explicitly write how (Van der Burg, 2022b). The second recommendation, on the need for clear agreements within the EU and with third countries on operational responsibility, is also rejected – even though the cabinet states that it agrees with the importance of such agreements. The argumentation for the rejection is based on the measures already in place on this topic, such as a mandatory briefing on human rights for Dutch Frontex personnel before they are deployed (Van der Burg, 2022b). The third recommendation is not explicitly rejected. The cabinet acknowledges that Frontex has insufficiently guaranteed human rights during its operations, and states that improvements are being implemented. It also supports a strengthening of the evaluation of fundamental rights in the revision of the Schengen Agreement. At the same time, it does not go into detail on how it aims to create clear agreements within the EU and between the EU and third countries on operational responsibility. The response to the fourth recommendation shows a similar vagueness. The cabinet writes that it supports the international agreements on asylum and refugee rights such as the European Convention on Human Rights (ECHR), and writes that it acts in line with this recommendation of the Advisory Council as it is committed to accelerating the EU’s accession to the ECHR. This would remove some obstacles for victims of human rights violations to access the court, as the EU would have to uphold the same human rights standards as its member states. Nevertheless, the cabinet does not answer many concrete points of the Advisory Council’s policy brief on this specific recommendation. “The cabinet takes this recommendation to heart” is written in response to the fifth recommendation on internal complaints procedures of EU agencies (Van der Burg, 2022b, p. 6). It states that different recommendations on this matter – made by the European Ombudsman – are being implemented to improve the internal complaints procedures and that the cabinet will advocate in favor of

such procedures. Lastly, the cabinet responds most positively to the sixth recommendation, supporting an independent monitoring mechanism for EU external border management (Van der Burg, 2022b). However, it explicitly disagrees with the notion of the Advisory Council to sanction member states that fail to conduct research into reported human rights abuses, as it views this as unfitting for the cooperative nature of the Union (Van der Burg, 2022b).

Overall, this extensive response suggests that Cabinet-Rutte IV generally agreed with the Advisory Council's sentiment. The next section will delve into how much of the council's recommendations were actually adopted.

#### 4.4.6 Final Policy Decision

This subchapter examines the extent to which the council's recommendations were incorporated into the final policy decision. However, assessing the council's influence is challenging in this case, as there was no final policy outcome directly resulting from this advice, suggesting a lack of follow-up. Nonetheless, the language used in the cabinets' response shows that they support some of the council's points, such as the necessity of strengthening the legal protection of migrants and the importance of independent monitoring at the external borders (Adviesraad Migratie, 2022d). The cabinet also acknowledged the worrying situation at the external border and committed to reporting to the Second Chamber on the Dutch contributions to Frontex in the form of funds and personnel (Van der Burg, 2022b).

In this case, the text reuse analysis also did not find directly replicated language from advisory reports into policy documents, except when they explicitly addressed the recommendations. Nonetheless, some policy documents do build on concepts and ideas put forward by the Advisory Council, such as the annual 'State of Migration' report, which acknowledges the "... signals of possible abuses at the external borders and protection of human rights" (Ministerie van Justitie en Veiligheid, 2022, p. 29). This report explicitly states that it draws on the advisory report 'EU borders are Common Borders', among other research reports. Despite these influences, Cabinet Rutte IV deviates from key points from the Advisory Council. An example of this divergence is illustrated on the next page, drawn from a letter by the State Secretary of Justice and Safety to the Second Chamber, titled "Liability Issue Frontex".

**EU Borders are Common Borders**

“The EU's external borders are also our borders. The way these borders are guarded is a joint responsibility of the EU Member States, and therefore also a Dutch one” (Adviesraad Migratie, 2022c, p. 10).

**Liability Issue Frontex**

“Integrated border management is a joint responsibility of Frontex and the authorities of Member States, whereas Member States remain primarily responsible for their segments of the EU's external borders” (Van der Burg, 2022a).

Additionally, the Advisory Council criticized the response of the cabinet for not specifying concrete steps to implement the accepted recommendations (Adviesraad Migratie, 2022d). The council also argued that the cabinet overlooked the existing international obligations of the Netherlands as an EU member state (Adviesraad Migratie, 2022d). Despite not reaching concrete results in the form of a final policy decision, the council still succeeded in other ways, as the chair of the Advisory Council highlighted that the aim of their advice in this case was more investigative and agenda-setting in nature (Interview 1, 2024). Consequently, this advice might reflect an indirect form of influence, in which the council gradually integrates policy preferences into political discussions (Weiss, 1980). By shaping the discourse and setting the political agenda, such advice can ultimately influence policy (Holst et al., 2023). The council's strategy to exert indirect influence is further demonstrated by its efforts to reach a broad audience with its recommendations.

Subchapter 4.4 outlined the policy process of the Dutch response to the pushbacks at the EU's external borders, which had relatively low political salience. While the Advisory Council's recommendations did not result in a final policy outcome, their influence is present in the cabinet's acknowledgment of key issues and the gradual integration of the council's concepts into broader political discussions. However, the role of experts in this policy process appears to have been largely symbolic. The response of the cabinet repeated and reaffirmed a lot of the moral standpoints put forth by the Advisory Council, yet fell short in making practical commitments to these standpoints.

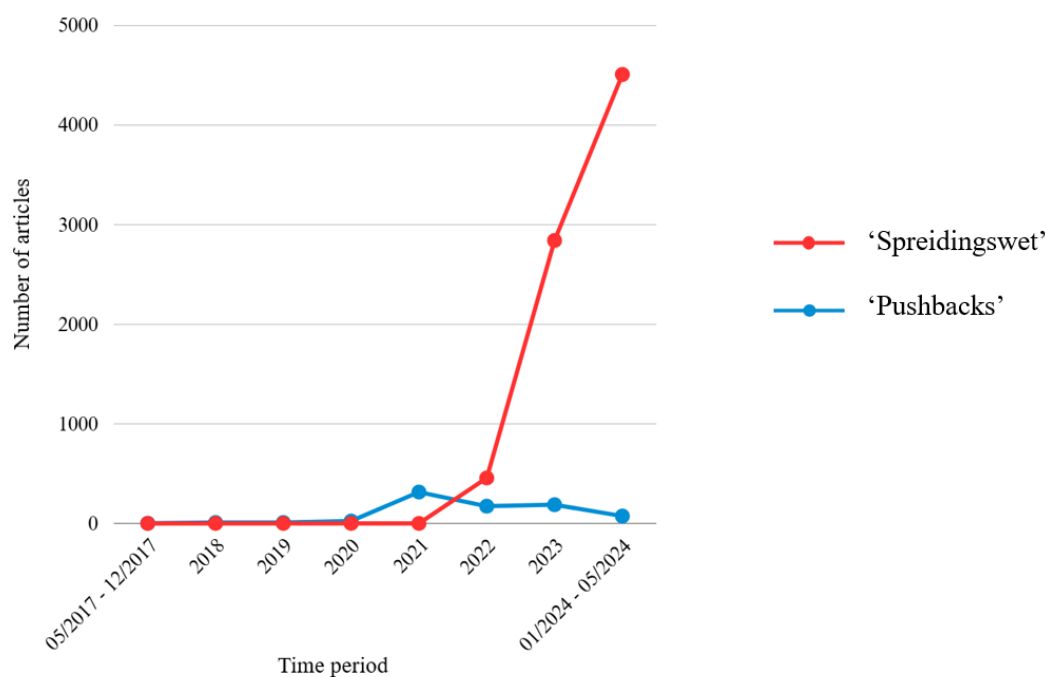
#### 4.5 Comparative Analysis

The following section will compare both policy processes, to determine the similarities and differences between their political salience and expert influence. To start, the political salience of the Distribution Act was higher, because it had more direct implications for Dutch governance, and the Dutch news and parliament are predominantly concerned with the national

context (Interview 1, 2024). This also explains why the policy process surrounding EU pushbacks has received less political and national media attention, as it concerns a more international context with less direct implications for Dutch governance. Especially when comparing the two cases, it becomes apparent how much more politically salient the Distribution Act has been, as illustrated in Figure 4.

**Figure 4**

*Comparison of Dutch Newspaper articles mentions*



*Note.* The data this graph is based on was retrieved via LexisNexis.

The access of the Advisory Council in both policy processes was similar, as the formal channels of access have been institutionalized through government agreements. The council maintained a continuous formal and informal discussion with policymakers during both processes, engaging with MPs through roundtable discussions. This ensured their advice was heard and considered, even if it was not adopted. The relationship between the Advisory Council and policymakers is characterized by a 'healthy distance', allowing for professional, content-focused discussions, particularly when advisory reports are still in the drafting stage (Interview 4, 2024). In the policy process of the Distribution Act, however, experts inevitably had more formal interactions with policymakers because they released more advice documents and received more cabinet responses. In contrast, the policy process on EU external borders

had a wider target audience as the council targeted both national and European policymakers, although this latter group proved challenging to reach.

The Advisory Council also actively tried to promote their policy preferences in both cases, but the persistent promotional efforts of the Advisory Council in the Distribution Act were most striking. Here, they published multiple documents repeating the same message and actively engaged with the media to advocate their recommendations. One policymaker offered some insight into this, explaining that the Advisory Council increases its promotional efforts when an issue is heavily mentioned in the media (Interview 4, 2024). For example, they may organize webinars or meetings to discuss their recommendations for highly salient topics like the Distribution Act (Interview 4, 2024). Regarding pushbacks, the council published extensive reports to try and engage the Dutch government in questions of accountability and legal obligations. In this case, their focus was more geared towards agenda-setting and highlighting human rights concerns, while striving for policy changes.

Moreover, to compare the extent of direct influence, the original policy preferences of the council and the extent to which these were adopted need to be compared. The Advisory Council's initial policy preferences for the Distribution Act can be traced back to 2017, with their report 'Peaks and Valleys'. Here, they advocated for a legal task for municipalities to receive asylum seekers. The proposed system was similar to the existing Dutch system for housing status holders, where municipalities are already legally obligated to accommodate status holders in proportion to their population size. For the issue of pushbacks, the Advisory Council's policy preferences were outlined in the policy brief 'EU borders are common borders'. The six recommendations focused on preventing human rights violations at the EU's external borders, ensuring accountability, improving legal protection for migrants, and strengthening the monitoring of border patrol operations.

The responses of policymakers to the Advisory Council's advice differed between the two cases. For the Distribution Act, decision-makers initially responded dismissively. This gradually changed into a more accepting stance as the political salience of the issue increased. In the end, their main recommendation of a legal task for municipalities was adopted, indicating an instrumental role for experts in this policy process. Still, the cabinet rejected several proposals of the Advisory Council on how to design the municipal legal task, likely due to the high political stakes involved. This ultimately constrained the council's influence. In contrast, responses to the pushback recommendations were less substantive. The cabinet expressed general support for the moral standpoints but they did not take concrete action, as shown by

the lack of a direct policy outcome. This suggests that the council's role was largely symbolic in this policy process.

### 4.6 Theoretical expectations

Having established the influence of the council on both policy issues, we can evaluate whether the findings align with the theoretical expectations in this thesis. The research set out to investigate how political salience conditions the ability of the Advisory Council on Migration to influence Dutch asylum policy. To draw causal inferences, it is essential to present empirical evidence demonstrating that the mechanisms outlined in the theoretical framework operate as anticipated (Christensen, 2017, p. 27). In this analysis, the highly salient policy issue ‘the Distribution Act’ will be compared to the evidence gathered on the less salient issue of ‘Pushbacks’. Additionally, the dynamic of political salience throughout time in the case of the Distribution Act also offers a valuable basis for comparison to determine how varying levels of political salience condition the council’s influence. When the advice was first published in 2017, the attention of political actors and the media was minimal. Later on, as shown in subchapter 4.3.1, the issue became significantly salient. The following analysis is guided by three competing theoretical expectations, which will frame the discussion and help determine how political salience conditions the ability of the Advisory Council to shape asylum policy.

#### *Expectation 1*

The first expectation is: ‘Higher political salience leads decision-makers to favor electorally advantageous policies over expert advice, decreasing the influence of experts’. For this expectation to be met, several conditions should be observed. Firstly, the findings would need to show that, in the highly politically salient case, questions of democratic legitimacy arose regarding the inclusion of experts in decision-making. Scharpf (1997) argued that democratic legitimacy is necessary for resolving highly salient issues authoritatively, limiting the influence of experts. In the Netherlands, this tension is becoming an issue for the relationship between policy-making and science, as expert knowledge increasingly becomes a target of political debate (Bekkers, 2014, p. 241). Despite this, the cabinets led by Mark Rutte have generally held an open attitude towards the inclusion of experts in policy-making, as explicitly stated in the letter on the reorientation of asylum policy and the coalition agreement. Moreover, there was no evidence that questions of democratic legitimacy arose about the inclusion of the Advisory Council in the case of the Distribution Act or ‘Pushbacks’.

Secondly, to support this expectation, the findings would need to demonstrate that concerns about democratic legitimacy led decision-makers to opt for electorally advantageous



policies over expert advice in highly politically salient issues, as outlined by Boswell (2009). In the less salient case of ‘Pushbacks’, the cabinet opted to maintain the status quo rather than incorporating the council’s recommendations into concrete policies. Because the recommendations were more technical and less politically contested, this does not necessarily illustrate a case of the government choosing electorally advantageous policies over expert advice. Contrarily, in the Distribution Act, the choice to include a financial incentive for municipalities to arrange additional reception places does fall in this category, as it offered economic benefits to municipalities, despite being explicitly advised against by the Advisory Council. At the same time, the decision to siphon more power to the central government on such a highly contested issue was not electorally strategic and led to a lot of dissatisfaction among right-wing voters (Lubbe, 2023). Thus, the findings present conflicting evidence on this point.

Thirdly, for this expectation to hold, the findings would need to show that expert advice was ignored in the highly politically salient case (Boswell, 2009). This was not the case, as the advice of the council was thoroughly interacted with by policymakers in both cases. This ensured their advice was considered, even if it was not implemented. Moreover, the Advisory Council had an instrumental role in shaping the Distribution Act, despite operating in a politically charged environment. As a result, the expected decline in expert influence due to increased political salience was not convincingly demonstrated. Therefore, the findings contradict this first expectation.

### *Expectation 2*

The second expectation is: ‘Higher political salience leads to the substantiating or symbolic use of knowledge, decreasing the influence of experts’. To meet this expectation, several conditions would need to have been met. Firstly, the analysis would need to show that due to the high political salience of the issue, decision-makers were pressured to use evidence to support their decisions. For such salient policy issues, the inclusion of experts can help evade substantial criticism (Van Ballaert, 2015). The high pressure of such a political environment incentivizes decision-makers to show that they are including experts in policy-making (Boswell, 2009). This could be applied to the analysis of the Distribution Act, as this issue was highly politicized, prompting the inclusion of expert advice. This is illustrated by the contributions of Jimmy van Dijk of the SP, who referenced the advice of the council on the Distribution Act in a plenary debate. However, despite this example and the promotional efforts of the council itself, there was limited evidence of direct political pressure for the cabinet to

include the Advisory Council in this policy-making process. For the ‘Pushbacks’ policy process, this pressure was more evident. This is illustrated by the questions of MPs, requesting a formal cabinet’s response to the ‘EU borders are common borders’ advice report. This challenges the assumption that decision-makers are more pressured to use evidence to support their decisions.

Secondly, the findings would need to demonstrate that decision-makers wanted to signal the involvement of experts in policy-making (Van Ballaert, 2015). This intention was initially suggested in the letter to parliament on the ‘Design of the reorientation of asylum policy and the asylum system’, where it was stated that the scientific field would be included in the reorientation of asylum policy. However, the cabinet was openly critical of the council’s proposals for the design of the Distribution Act, contradicting this signal of inclusion. Moreover, there is little evidence of efforts to highlight expert involvement in this policy process. Contrary to the expectation, there were stronger signals for expert inclusion during the less salient ‘Pushbacks’ policy process. This is illustrated by the reference to the Advisory Council’s report ‘EU borders are common borders’ in the 2022 ‘State of Migration’ report. Moreover, the cabinets’ response extensively stressed the importance of the moral standpoints of the Advisory Council and agreed on the need for improvements as proposed by the council, signaling the inclusion of expert ideas in their view on ‘Pushbacks’. This discrepancy does not align with the expectation that in higher politically salient issues decision-makers want to signal expert involvement.

Thirdly, to meet this expectation, the findings would need to showcase that experts served a legitimizing role or that advice was selectively used to support pre-existing policy preferences (Boswell, 2008). In the case of the Distribution Act, only parts of the council’s recommendations were adopted, which could suggest a selective use of expert knowledge. However, the council’s influence was hardly symbolic in this policy process, as their main recommendation for assigning a legal task for municipalities to create asylum reception was eventually adopted. This suggests that, rather than being a case of merely symbolic inclusion, some of the council’s advice may have simply conflicted with the cabinet’s policy objectives. In contrast, the case of the Dutch response to pushbacks at the EU’s external borders, which was less politically salient, aligns more closely with the symbolic inclusion of experts. While the cabinet acknowledged the council’s recommendations, the overall impact of their advice was limited. The lower level of political salience of the issue allowed for expert input to be included, but primarily as a means to legitimize the cabinet’s stance on this issue. Thus, the

findings challenge the expectation that more salient issues lead to the symbolic use of expert knowledge.

### *Expectation 3*

The third expectation was: ‘Higher political salience leads to depoliticization, increasing the influence of experts’. For this expectation to hold, the findings needed to confirm several conditions. Firstly, evidence was needed to show that decision-makers wanted to depoliticize the process of policy-making to find effective solutions to the highly politically salient issue (Timmermans & Scholten, 2006). This was evident in the case of the Distribution Act, where the State Secretary of Justice and Security, Eric van der Burg, explicitly noted in the cabinet’s plan to reorient the asylum system that they wanted to include the scientific field in its further design and development (Van der Burg, 2022). Importantly, this announcement was made in December 2022, when the Distribution Act had already gained significant political salience. In contrast, in the case of ‘Pushbacks’, no evidence was found that showed decision-makers wanted to depoliticize this policy process.

Secondly, the findings needed to indicate that decision-makers shifted responsibility by actively including experts in policy-making (Christensen, 2022). This seems to apply to the Distribution Act as well, as at first, the advice was disregarded, but once the salience of the issue rose immensely and the policy process was further along, Cabinet-Rutte IV requested specific legal advice on the Distribution Act. Moreover, as political salience increased, there were many interactions between the council and policymakers, despite the fact that the advice ‘Getting Asylum Shelter Out of Crisis’ was not requested by the government. Meanwhile, during the ‘Pushbacks’ policy process, decision-makers did not make an active effort to include the Advisory Council, as their formal response only came after MPs requested this.

Thirdly, the findings needed to show that experts played an instrumental role in policy-making in the highly salient policy issue. The literature suggests that a high degree of political salience can cause actors to try to depoliticize policy issues by including experts to fulfill a problem-solving role (Metz, 2013; Olsen, 2010; Timmermans & Scholten, 2006). This is consistent with the findings, as the Advisory Council had extensive interactions with policymakers, especially during the policy process of the Distribution Act, eventually leading to the main proposal being adopted after the issue had gained significant political salience. However, it is important to note that their ultimate influence on the design of the Distribution Act was limited by political considerations.

## Chapter 5: Conclusion

This research set out to gain insights into the broader question of why the extent of expert influence varies across different policy issues. This thesis was driven by the question: How does the political salience of asylum policy condition the influence of The Advisory Council on Migration in shaping Dutch asylum policy? To investigate this, the council's influence on the highly politically salient Distribution Act was compared with their influence on the less salient 'Pushbacks' policy process. The analysis indicates that political salience plays a meaningful role in determining the nature of expert influence. In the highly salient case of the Distribution Act, the council's recommendations led to the adoption of the core of the council's advice: a legal obligation for municipalities to receive asylum seekers. The urgency and prominence of the issue led policymakers to engage more directly with the Advisory Council, using its expert knowledge instrumentally and giving the experts substantial influence over shaping the policy outcome. However, it is important to note that the council's influence was constrained when it came to specific policy details, likely due to the high political stakes surrounding asylum policy in the Netherlands.

In contrast, the less politically salient 'Pushbacks' policy process reflected a more symbolic use of expert advice, which limited the de facto influence of the Advisory Council. Although the council's recommendations were acknowledged in the official cabinet response, their advice did not have a significant impact on shaping policy development. In this case, the inclusion of experts seemingly served more to legitimize the cabinet's position rather than to substantially influence policy decisions. These findings suggest that in the case of the Advisory Council, the different levels of political salience of asylum policy issues matter. To answer the research question, high political salience led to the instrumental use of knowledge, increasing the influence of the Advisory Council in shaping Dutch asylum policy. Though not included in the expectations, the analysis also shows that less political salience led to the symbolic inclusion of experts, decreasing the influence of the Advisory Council in shaping Dutch asylum policy.

Reflecting on the theoretical framework, this thesis makes a distinctive contribution to the knowledge utilization literature by incorporating the dimension that experts are not just neutral advisors, but actors with policy preferences they seek to attain based on their expert knowledge (Christensen et al., 2022). However, the findings are somewhat unexpected. They challenge the theoretical expectations that high political salience leads to less expert influence while supporting the expectation that this salience leads to more expert influence. In the

literature, policy decisions in highly politicized issues are expected to be mainly influenced by politics rather than expert knowledge (Holst et al., 2023). Due to the immensely salient nature of the Distribution Act, it is noteworthy that experts influenced the final policy decision. The instrumental use of knowledge in this highly salient case could be explained by the institutionalized nature of the Advisory Council in asylum policy. As an advisory body appointed by the government, the Advisory Council has institutionalized direct access to policymakers, increasing its abilities to promote its policy preferences. This allows the Advisory Council to provide expert knowledge on complex issues, helping the government navigate politically charged debates (Olsen, 2010).

### 5.1 Limitations of this thesis

This research has several limitations. Firstly, the limited number of interviews held affected the internal validity of the findings. Including more interviews from experts and politicians could have provided deeper insights into the relationship between the Advisory Council and the policy-making process. To address this limitation, other sources – such as documents and parliamentary records – were analyzed to understand this relationship.

Secondly, the text reuse analysis proved to be the least fruitful of the research methods, as it rendered no results of directly copied text. However, as mentioned in the research design, a lack of direct text reuse does not mean that the council did not influence policy decisions (Christensen, 2022). To trace this influence, the analysis relied on the qualitative analysis of documents, limiting the ability of this thesis to fully demonstrate the value of integrating quantitative and qualitative methods in research on expert influence (Hesstvedt & Christensen, 2021).

Thirdly, the comparison between the two selected cases is not perfect, as policy processes are dependent on the specific context in which they exist. This not only limits the generalizability of this study but also makes isolating the exact effect of political salience difficult, as the policy processes are affected by numerous contextual factors. For instance, in the case of the Distribution Act, there was an acute problem that needed to be addressed. In such a situation, experts can play a more instrumental role in creating effective policy solutions. In contrast, the case of the Dutch response to pushbacks at the EU external border also presents an acute problem, but one that is at a physical and psychological distance from Dutch citizens and politicians. The media also tends to focus more on human rights violations on national soil compared to ones that occur ‘far away’. This might reduce the perceived urgency to address

these issues, which could in turn affect how much expert advice is considered in policy decisions.

### 5.2 Future research and practical implications

There are several possible avenues for future research stemming from this thesis. Considering the limitations of this study, it would be interesting to study the more opaque access of experts to policymakers with extensive interviews. Filing an Open Government Act (WOO) request could prove useful in this context. Such requests can lead the government to provide valuable information, for instance on more opaque phases of policy-making, such as problem emergence and agenda-setting. With this data, the capabilities of government-appointed expert bodies to shape the political discourse and indirectly influence policy decisions could be measured. It should be noted that such a request should be done well in advance to ensure a timely response.

Furthermore, as mentioned in the analysis, the policy-science nexus in Dutch asylum policy is an exciting subject for further examination. Though there have been some noteworthy contributions made on the different attitudes towards science in the Norwegian government (Hesstvedt, 2023), it would be interesting to see how this applies to the Dutch context. This is especially relevant due to the increasing politicization of the inclusion of experts in policy-making in the Netherlands (Bekkers, 2014). Moreover, in the current political climate in the Netherlands (and Europe at large), there is a growing need for more research on the role of experts in the asylum policy process. This responds to one of the contemporary tensions between democratic legitimacy and the inclusion of experts in decision-making. Another possible avenue for research in this context could be exploring how different leadership styles affect the policy-science nexus. For example, a comparative study between leaders who have a more open attitude toward science compared to leaders who are more skeptical towards it. This could offer valuable insights into how leadership shapes the role of experts in public policy-making.

Building on this, to address the current politicization of the policy-science nexus, expert bodies – such as the Advisory Council – could expand their audience to include the general public, rather than only focusing on decision-makers and professionals in the migration policy area. To address legitimacy concerns, their research should be accessible and relatable, engaging in a direct dialogue with citizens.

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