Assessing Change in the European Union's Approach to Migration

Combinations and contradictions between the traditional securitarian paradigm and a new developmental component

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List of Acronyms:

ACP: African, Caribbean and Pacific Group of States
CARIM: Consortium for Applied Research on International Migration
DG: Directorate General
EU: European Union
GAM: Global Approach to Migration
GCIM: Global Commission on International Migration
GFMD: Global Forum on Migration and Development
IFI: international financial institution
IGO: intergovernmental organization
ILO: International Labour Organization
IOM: International Organization for Migration
JHA: Justice and Home Affairs
UN: United Nations
1. INTRODUCTION

An abundance of labels have been assigned to the times we currently live in, but one of them is of particular interest here: the “age of migration” (Castles and Miller 2009). This catchphrase refers to the reality of international movements of people that has reached unprecedented dimensions in the last decades, particularly since the 1980s and 1990s. While large-scale migratory movements are not in themselves a historical novelty, the truly global reach and the wide-ranging economic, social, cultural, and political impacts that nowadays characterize these flows justify the adoption of this expression.

1.1. International migration and globalization

The age of migration is one facet of the age of globalization, and embedding it in this context can cast light on its underlying causes, dynamics, effects. International migration and globalization are indeed closely connected: firstly, the evolutions in the field of transports and information and communication technologies (ICTs), which have allowed all kinds of global cross-border transfers, flows, and networks to burgeon, also account for an increase in the numbers of international migratory movements. Secondly, the global economy underlies the very imbalances that lead people to migrate: neoliberal globalization, far from leading to a convergence in growth, economic development, and standards of life throughout the world, has resulted in a stark concentration of economic resources in few hands and in widening disparities between high-income and low-income regions and countries (and also within them). It is a story of exclusion rather than a tale of emancipation.

It has been argued that international migration, apart from constituting simply a symptom of this unequal context, can more and more represent an active reaction to and partial redress of it, in the limits of the possible: the transnational networks arising from it have the potential to produce a form of 'globalization from below' through which the losers of the 'globalization from above' can partly compensate the inequalities and lack of opportunity imposed on them by neoliberal global

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1 According to the IOM World Migration Report 2010, “[t]here are far more international migrants in the world today than ever previously recorded, and their number has increased rapidly in the last few decades, if not their percentage of world population (which has remained relatively stable) [...] If the migrant population continues to increase at the same pace as the last 20 years, the stock of international migrants worldwide by 2050 could be as high as 405 million” (IOM 2010: 3). Among the novel qualities which define contemporary migration flows, the IOM Report highlights their unprecedented ethnic and cultural diversity, their considerable feminization, the growth in irregular migration and in temporary and circular migration (IOM 2010: 3). Castles and Miller identify the following tendencies: globalization of migration, acceleration of migration, differentiation of migration, feminization of migration, growing politicization of migration, and proliferation of migration transition (when traditional lands of emigration increasingly become also lands of transit and immigration) (Castles and Miller 2009: 11-2).
capitalism (Portes 2009: 10). Following this interpretation, the age of migration represents the bottom-up, labor-centered reflection of top-down, capital-centered globalization. However, in many respects this 'globalization from below' holds the status of a black sheep in the neoliberal global system: it is far less liberalized than, for instance, flows of goods, services, capital, technology, information, and ideas. Nayyar (2006) argues that this illiberal regulation of migration at the international level is one of the main differences that distinguishes what he defines the 'first phase of globalization', namely 1870-1914 (a time when, however, migration was mainly transatlantic rather than truly global) from the current one, starting in the early 1970s. In his opinion, the exceptional restrictiveness that characterizes the regime of international migration is partly supported by substitutes for labour mobility that are nowadays available, such as trade flows and investment flows (Nayyar 2006: 148).

1.2. A weak international regime

Many scholars and experts worldwide, such as Bimal Ghosh (2007) and Jagdish Bhagwati (2003) have lamented the absence of an international regime for migration, as it exists for a host of other issues such as trade, investment, human rights, the environment (Kalm 2008: 38). This is commonly considered to depend on the nation states' resistance against ceding authority in this area, which touches upon sensitive issues of sovereignty. International migration constitutes, more than other types of cross-border flows, a directly visible and perceivable challenge to the traditional notion of state as it has been conceived since the Treaty of Westphalia: a territory and a society under the exclusive authority of a national government, and a population which is ideally homogeneous for what regards ethnicity and culture. These are the implicit foundations on which countries have rested especially in the 'old continent' Europe. Here, enormous resources were spent to construct national identities based on stability, unlike in 'newer' countries like the US or Australia, which since their modern beginnings got accustomed to constant population change and have learned to make the best of it.

To be sure, international migration has been perceived by the state not only as a political-cultural danger, but also as a threat for national socio-economic equilibriums. Also in this latter case, the reasons lie in a paradox that has its roots in the modern concept of liberal democratic nation-state:

“As democracies and welfare states, governments are accountable to their own citizens and voters. These expect a privileged level of protection – not just of their security and civil liberties, but also in terms of access to welfare and social services and employment. At the same time, though, the very democratic, liberal and welfare principles that underlie these systems are based on a logic of equality and non-discrimination” (Boswell 2005: 7).
While this contradiction may remain silent as long as international migration is still rare and does not pose a challenge the notion of the state as a closed container or a body, it necessarily becomes a burning issue in the age of migration. Hence, states are on their guard against a phenomenon that calls into questions those very myths, long taken for granted, that justify their existence and make them look like natural, ahistorical entities.

In recent years, however, there have been some developments towards a less unilateral and more international approach to migration. A remarkable change in attitude emerged in the 1990s; to a large extent, it was due to the end of the Cold War and the consequent rise of a less politically and geographically clear-cut world. The renewed blurriness of identities and borders, which in some cases sparked violent conflicts, led to momentous movements of people. In the international community as well as in academic circles, international migration started to be widely categorized and perceived as a security threat, thereby signing a break with the almost exclusive concern with interstate war that had characterized the Cold-War era. Especially since the late 1990s, a host of international stages and forums originated which focused on the regulation of international migration: “suddenly around the turn of the millennium [...] migration was everywhere one looked in the UN system and beyond” (Newland 2010: 332).

1.3. International migration and the EU: research rationale, research objective, and research questions

While on the global level states are still very reluctant to relinquish formal regulatory authority and do not go beyond non-binding discussions in flexible and intergovernmental settings, also the regional level has hardly proved a more suitable context for reaching agreements and transferring competences away from the sole control of the state. In this landscape, it is surprisingly from the European Union that comes a remarkable exception (Newland 2010: 334, 336). Here, powers over immigration and asylum have been transferred to a considerable extent to the supranational level; in some areas, the decisions taken at this higher level have proper binding quality for member states. According to Newland, the explanation of this gradual Europeanization of migration policy lies is the functional approach adopted by the Union: “Rather than starting from principles and trying to wrest sovereignty from reluctant governments through binding agreements, the EU migration policy has taken shape gradually in response to felt needs and converging objectives” (Newland 2010:

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2 For more information on stages and settings of the international governance of migration, please consult: Newland 2010; Klein Solomon 2005; Kalm 2008; Castles and Miller 2009: 12-4.
Thus, intriguing questions arise: is a European migration policy likely to be freed from the Westphalian chains that characterize, and have characterized particularly in Europe, national approaches to immigration? What does this recent Europeanization of competence over policy on immigration from third countries imply? Does it just reproduce the same problems, but at a higher level? Or does this transfer of migration policy to the European Union imply positive opportunities to handle the issue in a qualitatively different manner?

These wide-ranging interrogations express the general rationale guiding this research. Much of their interest lies in the indications they can indirectly provide about the kind of political community the European Union has the potential to forge. This is due to the fact that different approaches to immigration reflect and imply different ideas on the broader nature of politics and of a polity.

In the last decades, the approach of European states to immigration has been known for being extremely restrictive: inflows of immigrants have been categorized as dangers to block and fight. Much more recently, however, a discourse has spread that intends migration as an opportunity for development rather than a threat, and the EU has not remained immune to these new ideas. The specific objective of this research will regard precisely this 'migration-development turn' in EU immigration and asylum policy: firstly, the quality and intensity of this change in the framing of migration in the Union's official discourse will be assessed; secondly, it will be investigated which historical-institutional factors account for it. These two steps shall allow me to move to a third and final one, namely to provide a tentative prognosis of future developments in EU immigration policy, taking into account recent institutional evolutions of the Union's governance structure.

The following research questions will be addressed:

- What are the impacts of the recent introduction of a developmental element in EU migration policy on the Union's overall approach to immigration and asylum? Admitting that a change has taken place, what has been its intensity? What has been its quality? What have been its outcomes?
- What are the main drivers and supporters of the new developmental discourse in regard of EU migration policies, and what are its main opponents?
- What are possible prospects for the European approach to immigration in the future, taking into account recent important structural reforms of the EU that tend to centralize power and to give the Union more political weight? Is there a real possibility of a greater
emphasis on a truly 'global' approach to migration, in line with the migration-
development nexus, or will a securitarian paradigm still prevail in years to come?

1.4. One methodological premise

The prevalent focus on discourse that characterizes this research might well be critically attacked. How is it possible, one could ask, to give an assessment of EU immigration and asylum policy without delving into single laws and policies, as well as into their implementation and their outcomes? Is the level of practices and technologies of government completely discounted and neglected?

These are cardinal questions and, as such, they deserve an answer already in the introduction. While the importance of the level of practices and technologies is fully acknowledged, the current research is informed by the social constructivist idea that discourse plays a crucial role in creating agreement upon values, interests, objectives: it has the power to define what is the appropriate way to deal with an issue, and what is not. Moreover, discourse is beyond complete control by anyone: even where it is used hypocritically as a disguise for very different aims, it will eventually rebel against this instrumental role and 'make' its own reality.

Actors can influence discourse, but they will always in turn be influenced by it. In order to provide a full picture, this research avoids privileging the former over the latter or vice versa: the interplay between these two variables is the real object of this analysis.

1.5. Outline

Chapter 2 aims at familiarizing the reader with the history and the contents of two ideal-typical approaches to immigration, namely the securitization of migration and the migration-development nexus; these are broad categories that will serve as a point of departure to orient the research. In Chapter 3, the social constructivist premises that theoretically support the research will be outlined. The methodology will be set out in Chapter 4. Chapters 5 and 6 will present my research results and interpret them against the backdrop of an historical-institutional analysis. Lastly, Chapter 7 proposes a tentative forecast on future prospects for the European Union's approach to immigration and asylum in years to come and offers some conclusive remarks.
2. THEMATIC BACKGROUND

2.1. Migration as a threat: The securitization of migration

There is an extensive literature on securitization in the European Union's approach to immigration and asylum. This literature builds upon theoretical accounts on what securitization means and on how it is performed, in order to better understand how it has informed European discourses and policies on migration.

The main authors on this topic, such as Jef Huysmans and Didier Bigo, draw on those theoretical accounts in security studies that are concerned about the process through which something is invested with security language and practice and made into a threat, rather than with the threats themselves: “the meaning of security does not primarily depend on the kind of threats one includes but on the nature of the framing that security practice applies” (Huysmans 2006: 16). Thus, the leading question shifts the focus away from the positivist domain of 'simple facts' to the domain of social construction: why is migration increasingly interpreted as a security problem, and how is it constructed as such?

These accounts emerge in the wake of the 'linguistic turn' in security studies, of which they recognize the great merits and innovations: language is no longer seen as only describing a threat, but plays a performative role. It can mobilize certain perceptions and expectations and therefore mould a phenomenon into a threat (Huysmans 2006: 24-5). This turn, stemming from the 1990s, has inaugurated a strand of social constructivist approaches to security studies, leading to more self-reflection. It became clear to some scholars of this field that security language is not at all neutrally representing an extra-discursive reality, but it has the power to construct an issue into a security area. This gave rise to normative dilemmas (Huysmans 1999). The term 'securitization' originates in this renewed theoretical context in security studies:

“Thus, the exact definition and criteria of securitization is constituted by the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects. [...] If by means of an argument about the priority and urgency of an existential threat the securitizing actor has managed to break free of procedures or rules he or she would otherwise be bound by, we are witnessing a case of securitization” (Buzan et al. 1998: 25).

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3 The main authors of this 'linguistic turn' are the group theorists of the Copenhagen Peace Research Institute, also known as Copenhagen School: Ole Waever, Barry Buzan, Jaap de Wilde are the most prominent names.

4 The dilemma is expressed by Huysmans in this way: “How to enunciate 'security' in these areas if one wants to avoid that these areas are contested in security terms and if one knows that uttering ‘security’ always risks to introduce or strengthen a security problematic in an area?” (Huysmans 1999:2).
The original concept of securitization as formulated by Buzan and his colleagues at the Copenhagen School has undergone important critiques and evolutions. Huysmans partly distances himself from that concept by pointing out that objects or phenomena do not need to be explicitly construed as threats in order to become such; more subtly, they can be located within a larger frame from which they will indirectly be characterized and defined:

“This interpretation broadens the notion of insecurity from threat definition to the political and institutional framing of policy issues in what can be referred to as 'domains of insecurity'” (Huysmans 2006: 4).

A similar idea is expressed by Didier Bigo, who talks of a “security continuum”:

“The popularity of this security prism […] is the result of the creation of a continuum of threats and general unease in which many different actors exchange their fears and beliefs in the process of making a risky and dangerous society. The professionals in charge of the management of risk and fear especially transfer the legitimacy they gain from struggles against terrorism, criminals, spies, and counterfeiters toward other targets, most notably transnational political activists, people crossing borders, or people born in the country but with foreign parents” (Bigo 2002: 63).

The issues of immigration and asylum are therefore securitized in an indirect way, through the frame they are associated with rather than by direct threat definition. In these accounts, the idea of framing plays a crucial role; as will become clear in the next chapter, precisely the concepts of frame and framing will provide the following research with a theoretical basis on which to assess the extent of a change in the EU approach to immigration issues.

Another point on which Bigo and Huysmans disagree with the Copenhagen authors is the exclusive attention the latter pay to speech acts in processes of securitization. On the contrary, the role of “techniques of government”, namely the technologies and routines that make up security practice, must be emphasized as well. In a society characterized by rationalization and professionalization, the role of specialized bureaucracies responsible for producing security knowledge assumes a great importance; the resilience of the securitization discourse rests upon the authority of security professionals, who “are invested with the institutional knowledge about threats and with a range of technologies suitable for responding to these threats” (Bigo 2002: 74). In a Foucauldian spirit, this move adds to securitization an important technocratic dimension next to the political one:

“the modulation of insecurity domains […] crucially depends on technological and technocratic processes. The development and implementation of technological artefacts and knowledge, such as diagrams, computer networks, scientific data, and even the specific forms that need filling in do
more than simply implementing a policy decision that arose from a particular discursive framing of events. These solutions and instruments of policy implementation often precede and pre-structure political framing in significant ways. [...] the solutions and available technologies do to some extent define the problems and they develop to some degree independently from the politicization of events” (Huysmans 2006: 8).

Highlighting the routinary character of the technologies which constitute security practice is particularly urgent, for it helps undermine their pretension of exceptionality. The claim of defending the very survival of society aims at posing security practice outside the domain of the state and of politics as something more fundamental, as a precondition of the political community's very existence. Both Huysmans and Bigo, however, aim at unveiling the political essence behind the securitization of migration, in order to avoid falling into the trap of understanding security practice as a purely administrative field. This political essence of securitization is especially crucial when it comes to immigration issues. As Bigo explains, migration is invested with security language and security practices because it “enters into the political arena in a way that contests the premises of polity and state” (Bigo 2002: 71). This is particularly true in the age of globalization, at a time when the Westaphalian ideal of state as a 'body' or a 'container' characterized by coinciding political and cultural boundaries is losing its strength, and so is the ability of the state to regulate movements into and out of its territory. Migration thus represents a very visible challenge to the control capacity of the state, to its claim of sovereignty and to the cultural criteria that have traditionally determined belonging to the political community since the beginning of the modern era (Bigo 2002: 67). Politicians, imbued with these myths about polity, sovereignty, and the state which justify their own authority, support narratives such as “[t]he framing of the state as a body endangered by migrants” (Bigo 2002: 68). While their pretension to have full control over immigration is often frustrated by reality and shows the cracks in their effective power, they still retain the weapon of symbolic power, of generating and establishing narratives: “it is no mean power they have” (Bigo 2002: 70).

At the same time, however, migration flows constitute a chance for the state to reaffirm its role as a provider of protection in a disorderly and insecure environment:

“This technology of power plays with the innermost devices of misgiving and uncertainty that are implanted in today's risk society in order to strengthen them [...] This technology of power unifies internal and external, individual and collective security, and tries to recapitalize trust in the state not by reassuring but by worrying individuals about what is happening both at the internal and at the external level” (Bigo 2002: 81).
The centrality of security practice for politics is therefore a pivotal argument of these authors. Arguably, it has become particularly clear to them because of their attention to the issue of immigration, which due to its very nature puts under strain the taken-for-granted nationalistic categories that structure the way we think. Bigo attacks the attitude of other eminent scholars who accept security practice as an exceptional field separate from politics. Instead, it should be seen as what it is, namely an inherently political discourse; this is a necessary premise to challenge it effectively (Bigo 2002: 72-3). Huysmans goes so far as to say that a clear relation exists between security policy and the founding ideas on the nature of politics around which a society is structured. The political logic he associates with a securitarian approach to immigration is a Schmittean one, whereby the confrontation with an enemy constitutes the essence of the political, because it has the greatest capacity to integrate different individuals and diverse functional fields in a political unit (Huysmans 2006: Ch. 8).

2.1.2 The securitization of migration in Europe

European states, as epitomes of the ideals of stability and homogeneity on which the Westphalian order was (and still is) based, are the likeliest to suffer from political vulnerability in the face of international migration:

“Most Western states have […] spent enormous quantities of time, capital (of all types) and blood before finding workable formulas for managing their diversity – whether religious, linguistic, ethnic or racial. […] Most European societies fit this model all too well” (Papademetriou, in Spencer 2003: 43).

However, the framing of immigration as a threat through security language and practice was not always the case. In the 1950s and 1960s, European migration policy was rather permissive, due to the needs for workforce in a continent busy with a massive post-war reconstruction. At that time, the legal status of migrants was not perceived as politically sensitive, and “[i]f anything, their

5 James Anderson (2002) stessess the importance, felt by all scholars of transnationalism, to call into question these pre-given frames of mind: “Finding an alternative to states as the analytical starting point is to treat them as 'second order' category which needs explaining, rather than taking states as 'pre-existing givens'. It means seeing them as continually contested historical constructions rather than timeless essences” (Anderson 2002: 16).

6 Bigo's polemic target are the scholars of the Copenhagen School: “the critical vision of security developed by Barry Buzan, Ole Waever, and Jaap de Wilde introduces into the academic field the military discourses on societal or internal security. They repeat the discourses of a part of the military working on low-intensity conflict – discourses that, after the end of the Cold War, seek to explain that immigration is an existential threat to national identity, even if migrants do not directly threaten the state. They accept the 'truth' about what security is not in the way they agree with the military [...], but do so by accepting the framing of a different domain of security beyond the political – one linked with emergency and exception. In doing so, they agree with the idea of an 'exceptionalization', or a 'beyond the law' politics, and come back to 'cynicism and realism,' forgetting 'democracy.’” (Bigo 2002: 73).
illegality contributed to making them even more flexible and exploitable” (Huysmans 2000: 754). The situation started to change at the end of the 1960s and in the 1970s, when it became clear that many immigrants previously understood as ‘guest workers’ had settled down and would not leave (Hansen, in Spencer 2003: 26). Despite increasingly restrictive and control-oriented immigration policies, originating also from the oil crises of the 1970s and the consequent economic recession, the migrant population kept growing, due to family reunions. The understanding of immigrants was still mainly as guest workers rather than security threats, “political rhetoric, however, increasingly linked migration to the destabilization of public order” (Huysmans 2000: 754). From the 1980s onwards and particularly after the end of the Cold War and during the Yugoslavian conflict, when the numbers of asylum-seekers increased notably, migration was constructed in Western Europe as a political, social, and cultural danger for society7 (Huysmans 2000: 758-70; Buonfino 2004: 43-4).

Interestingly, the timing of these securitarian changes in the framing of immigration policy coincided with an increasing Europeanization of migration policy in the 1970s and 1980s. Initially, this trend developed through intergovernmental groups (TREVI, Schengen) which were not formally part of the European regional integration process but started putting the signposts for future developments. The area of migration was officially brought into European Community structures in 1992, with the Maastricht Treaty, but it remained mainly intergovernmental (not subjected to the community way of decision-making, and therefore still under the control of member states) until 1999, with the entry into force of the Amsterdam Treaty and the supranational rules it implied. I will delve later into these more recent historical aspects.

In the literature, the simultaneousness of these two trends has not passed unnoticed. Links have been drawn between, on one hand, the surge of discourses, technologies and practices centered on security in regard to immigration and, on the other hand, this first wave of (intergovernmental) Europeanization of migration policy as well as the process of European integration in general.

A first important link is the obsession with securing the external borders which followed the foundation of the European internal market through the 1986 Single European Act:

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7 Castles and Miller draw a brief history of how the disciplines of security studies and of international migration studies were conneted into a 'migration-security nexus', and for what reasons: “In many respects, the period between 1945 and 1980 was unusual. The horrors of Word War II discredited the xenophobia of the extreme right and perceptions of migrants as a security threat. Indeed, international migration was often viewed as an economic phenomenon and a largely beneficial one at that. […] The key questions in international relations pertained to peace and war. International migration did not appear to bear importantly upon either; hence the nearly total lack of connection between the study of international relations and of international migration. […] The failure of postwar guestworkers policies in Western Europe by the mid-1970s resulted in unexpected migrant settlement and family reunification. At this time, the prospects for conventional or nuclear war between NATO and Warsaw bloc-affiliated states had declined significantly. Interstate conflicts had also declined. The accretion of settlers, swelled by an influx of asylum seekers and unauthorized migrants in the 1980s, resulted in the securitization of migration issues: the linking of migration issues to security studies” (Castles and Miller 2009: 207-9).
“[i]ts central element is the assumption that, after the abolition of internal border controls, transnational flows of goods, capital, services and people will challenge public order and the rule of law. This link has been constructed so successfully that it has obtained the status of common sense” (Huysmans 2000: 758).

A second point, but closely linked to the previous one, is the creation of bureaucratic networks of experts and technologies at the transnational level. Through the setting up of these transnational links between “professionals in the management of unease” (Bigo 2002: 64), control and surveillance were extended beyond the scope of the nation-state. This idea is very present in the work of Didier Bigo (2002), according to whom security professionals sought this internationalization for reasons of own corporate self-interest, namely to ensure an important role for themselves after the end of the Cold War and of an era characterized by more traditional security threats (interstate war etc.). Thus, these bureaucracies justified the new transnational networks by pointing at supposed threats to be managed together, such as terrorism, environmental risks, and international migration. This internationalization was particularly important in the European Union, since it found in the creation of the common market a powerful pretext to link internal and international security (Bigo 2002: 64, 75).

A third element that connects the process of EU integration and the securitization of migration is the cohesive potential the identification of a common 'other' (third-country national, immigrant) can have for a community with a fuzzy identity such as the citizens of Europe (Bigo 2002: 80; Buonfino 2004: 41, 42).

Fourthly, the thesis has been advanced that newly emerging European fora provided an opportunity that could be exploited by certain domestic actors, and in particular interior ministries, to assert their preferences. Thanks to this 'European loop', they could avoid the public scrutiny and the procedural checks and balances typical of national politics, and indeed managed to impose their view on how to tackle immigration. This is the nodal point of the venue-shopping thesis proposed by Virginie Guiraudon (2000), which will be set out later.

In 1999, following the entry into force of the Amsterdam Treaty and the consequent shift of many competences on migration to the supranational EU level, the first brick of a common EU immigration and asylum policy was laid. Since then, the common migration and asylum policy has been pushed forward through five-year programs in the field of Justice and Home Affairs (JHA), with the goal to realize in practice an “area of freedom, security and justice”, as envisaged in the Treaty of Amsterdam.
Many authors, however, have argued that a restrictive securitization paradigm persisted even after these occurrences. According to Buonfino (2004: 45, 47), the EU inherited from its member states their very same concepts of immigration and security and adopted them in its discourse; the only difference is that a touch of humanitarian concern was added, in line with “the new ambitious project of identifying the EU as a moral institution/actor responsible for the protection of human rights, something that nation-states did not give as much prominence to” (Buonfino 2004: 45).

Writing in 2006, Baldwin-Edwards highlighted the remarkable one-sidedness of the EU’s approach to these issues, all centered on security aspects and marked by an almost complete absence of even co-ordination of policy on immigration for employment, issues of legalization of illegal immigrants, and until recently on the rights of long-term immigrants” (Baldwin-Edwards 2006: 14). For Guiraudon (2003: 271) the rules of the game have not radically changed after Amsterdam, with law-and-order officials still remaining key players. Huysmans, while recognizing that some new elements were brought in at the Tampere European Council (measures for the integration and for the protection of the rights of immigrants and refugees), concluded that “on balance initiatives that focus on controlling and limiting immigration and asylum still prevailed” (Huysmans 2006: 68); hence, the consequences of the 9/11 terrorist attacks did not account for a qualitative novelty in the framing of migration, but rather for a reinforcement of tendencies already in place.

On the other hand, it has also been highlighted that more recently a change in approach has partly taken place, especially in that new area of European Union immigration and asylum policy termed 'the external dimension', where migration concerns are linked with development and foreign policy. Authors have underlined how, in EU discourse, migration is now partly intended as an opportunity for development. The study of the external dimension of EU migration policy is still relatively underdeveloped, as Anja Wiesbrock underlines:

“[t]his area of EU migration law is relatively new and consists up to now mainly of soft-law documents. A comprehensive assessment of the policy documents and a detailed account of national schemes in this field would merit another publication...” (Wiesbrock 2010: 126).

Although Wiesbrock, in line with her background and expertise, has probably in mind a more juridical assessment of this field, which differs substantially from my perspective informed by sociology and political science, this quotation can nonetheless be taken as an incitement for the current research. My purpose here is precisely to cast a little more light on the external dimension of EU immigration policy, also because it is in that sphere that most hopes about the weakening of the securitarian approach have thrived.
Before moving on, however, it is necessary to introduce the reader to the discourse on which this change in the EU approach allegedly rests: the migration-development nexus. As this new discourse is founded on assumptions that differ importantly from the ones examined in this chapter, my aim will be to assess the ways in which it has interacted with the traditional securitarian framing of migration in Europe.

2.2. Migration as an opportunity: The migration-development nexus

The view that is today labeled “migration-development nexus”\(^8\) started to emerge in the late 1990s, and it represents a major shift from previous accounts on migration as well as on the relation between the latter and development. “Traditionally, there was a tendency to perceive migration as either a completely distinct area of concern from development, or the outcome of lacking or failed development”, say Lavenex and Kunz (2008: 441); the novelty in the migration-development nexus is that migration is not perceived anymore as a problem, but rather as an opportunity with considerable developmental potential.

Surely, the relation between migration and development had already been theorized long before the new nexus was established. The direction, however, was inverted: a so called 'root-causes approach' prevailed, according to which international migration is caused by poverty and underdevelopment; consequently, development tools can and should be used to tackle these root causes in order to stop, or at least diminish the intensity, of migration flows\(^9\).

The 'new' migration-development nexus takes a different perspective, highlighting the positive role migrants can play for the development of their countries of origin. This rests on the recognition of the increasingly transnational character of migration: nowadays, migrants have the possibility to live their lives in a social space composed of different localities, thanks to transport and

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\(^{8}\) Lavenex and Kunz (2008: 441) attribute the origin of the notion of the “migration-development nexus” to the article “The migration-development nexus: evidence and policy options” by Nyberg-Sørensen, Van Hear, and Engberg Pedersen (Nyberg-Sørensen et al. 2002).

\(^{9}\) More recently, the effectiveness of these strategies has been put into perspective by referring to the so-called 'migration hump', namely the correlation, at least at initial stages, between an increase in development and a rise in out-migration. As De Haas puts it, “[r]ather than absolute poverty, a certain level of socioeconomic development, combined with relative deprivation in the form of global inequality of development opportunities, seems to be the most important cause of migration. […] Development seems inevitably accompanied by increasing mobility and migration. Only in the longer run, after several decades of sustained growth and progressive convergence of income gaps with destination countries, does emigration tend to decrease and immigration to increase” (De Haas 2005: 1271). Baldwin-Edwards prefers Olesen's expression “migration band”: “Recent scholarship is inclined to see (voluntary) international migration as a stage of development, indicating a transition from a very low level of development to an upper-lower income level. According to this view, migration stems not from underdevelopment but from development itself. Generally the world's main labour exporters are upper-lower to lower-middle income countries such as North Africa or the Philippines. Olesen names this range of low-middle income and high emigration countries as the 'migration band', above which migration tends to diminish” (Baldwin-Edwards 2008: 1454).
communication technologies. As Newland puts it:

“[o]ne of the distinctive characteristics of international migration today is that it does not necessarily represent so dramatic a break with the home country as it did before the second half of the 20th century […] The dense networks of interactions between countries of origin and migrant-receiving countries are a significant feature of international migration in our time, and give reason for some optimism that migration could become an ever more important engine of development” (Newland 2007).

To be sure, this positive impact of migration on the development of sending countries is not the only facet of the latest migration-development nexus. Also more traditional brain-drain concerns are addressed10, and the long-term preoccupation with the root causes is still on the agenda of many actors supporting the nexus. This is especially true for destination countries, which hope that the developmental impact of migration will eventually lead to a decreasing South-North migration pressure. The central elements of this approach can be summarized as follows: the transfer of 1) economic remittances and 2) social remittances from countries of destination to countries of origin; 3) the mobilization of diaspora groups for the socio-economic and political development of countries of origin; 4) the reduction of brain drain and the encouragement of brain circulation; 5) an enthusiastic appreciation of circular migration (Nyberg-Sørensen et al. 2002; De Haas 2005; Faist 2008; Castles and Miller 2009: 57-73).

2.2.1 Economic and social remittances

Economic remittances have attracted great attention, especially because of the influence of the IFIs in shaping the migration-development discourse. They can be identified as the spark which ignited the enthusiasm for the migration-development nexus in the early 2000s:

“A brief chapter in the World Bank's Global Development Finance in 2003 created a sensation when it pointed out that, globally, remittances to developing countries amounted to $72.3 billion and surpassed the level of all official development assistance” (Newland 2007).

The rapidly spreading hype about their impacts and potential was well expressed by Kapur, who

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10 As Castles and Miller explain, the term 'brain drain' dates back to the 1950s and originated from the concern about the trends of increasing emigration of highly educated Indians from their home country, mainly to reach the UK, and about the loss of human capital this trend implied. Preoccupations grew bigger when in the 1960s and 1970s countries such as the US, Canada and Australia amended their laws and started encouraging skilled immigration (Castles and Miller 2009: 63)
with reference to them coined the catchword “the new development mantra” (Kapur 2003) (an expression that since its creation has been quoted so often as to become a mantra itself). Indeed, the size of money transfers sent by migrants to their countries of origin has grown to considerable levels, and for some countries it constitutes a remarkable percentage of GDP. The impact of these transfers on poverty alleviation is massive, and while many doubts remain regarding their real impact on development (also because of poor data), optimistic accounts highlight how remittances positively impact on health and education provisions, reinforce the labor force, are invested in productive activities (often agriculture), and that, even where they are used mainly for consumption, they bolster the general demand and are beneficial to employment:

“[r]emittances to developing countries more than doubled over the 1990s, whereas official aid flows showed a declining trend. Remittances have proved to be less volatile, less pro-cyclical, and therefore a more reliable source of income than other capital flows to developing countries, such as foreign direct investment (FDI) and development aid.” (De Haas 2005: 1277; see also Nyberg-Sørensen et alia 2002: 55-6).

Social remittances have been thematized more recently. They encompass “the ideas, behaviors, identities and social capital that flow from receiving- to sending-country communities” (Levitt, in Castles and Miller 2009: 62). The main examples of such transfers would be entrepreneurial spirit or principles and values on which is assumed to be a universal consensus, such as human rights, gender equality, and so on.

2.2.2 Involvement of diasporas

The role of diaspora groups (groups of migrants from the same country of origin, scattered among more than one destination) in contributing to their home countries’ development is linked with the growing literature on transnational migration. This area of studies acknowledges that migrants increasingly live in de-territorialized social spaces encompassing more than one locality, hence their movement does not imply cutting ties with the place of origin:

“Evidence suggests that integration and return are not mutually exclusive but rather two kinds of transnational practices. Integration often may lead to a higher degree of involvement in home countries, along with the home countries’ governments attitudes and policies toward expatriates” (Nyberg-Sørensen et al. 2002: 54).

The diasporas’ positive impact is recognized in the flows of money, ideas, skills they can activate
and foster, linking countries of destination to countries of origin. For example, collective remittances have stimulated great interest: groups of migrants with the same origin pool together resources to be invested in the development of their home country, as is the case with hometown associations of Mexican émigrés in the United States. But also other forms of “transnational collective actors” (Faist 2008), such as networks of businesspersons, groups of scholars and experts, and political diasporas have increasingly been acknowledged by states and international organizations as significant transnational actors of development. This renewed consideration has also profited from the growing understanding of civil society and community as a principle of development beside the state and the market (Faist 2008: 23-5).

2.2.3 Brain drain, brain circulation, and circular migration

Brain drain refers to the loss of human capital crucial for development due to international migration flows. Many countries in the developing world are affected by this problem, especially in sensitive sectors such as the medical one. Healthy and skilled labor force emigrates in search of better socio-economic conditions. Recently, the brain circulation argument has been developed as a response to these concerns, and it highlights what could be the positive implications of these movements of people:\footnote{Organizations and institutions adopting the migration-developing nexus, however, do not neglect the negative impact of brain drain and try to tackle the problem by encouraging responsible recruitment policies and the improvement of employment opportunities in countries of origin.}

“If highly skilled people cannot be employed at home, they are not damaging the economy by leaving. [...] Indeed, training people to work abroad might be seen as a rational strategy, because in the short run it will increase remittance flows, and in the long run it may lead to return of experienced personnel and transfer of technology” (Castles and Miller 2009: 65-6).

The last element of the migration-development nexus under consideration is one that has risen to great importance in recent years, in some environments establishing itself as a ‘mantra’ even more than economic remittances: circular migration. Many accounts have emerged which highlight the benefits of this phenomenon, and an extensive range of policy initiatives exist which try to encourage it (Castles and Miller 2009: 68). The underlying idea is that circular migration, namely the flexible and repeated movement of migrants from the receiving country to the sending country and back, would lead to a triple-win scenario: host countries would profit from it by obtaining the necessary workforce but avoiding the problems of permanently settling immigrants, such as costs of integration and public discontent; sending countries would profit from economic and social
remittances; and migrants would benefit from education and employment opportunities and a higher standard of life. For these reasons, partnerships between countries are being experimented which involve incentives as well as deterrents to ensure that return to the home country really takes place. Allowing a certain degree of “free movement” between home country and host country has been proposed as one of the main means for success, as migrants would be more willing to return and less prone to overstay their regular permits if re-entry into the country of destination was relatively easy at a later stage. According to De Haas,

“the key to more coherent migration and development policies seems to lie in encouraging circular migration through a far more liberal approach towards labour migration of both the low- and highly skilled for which a real demand exists” (De Haas 2005: 1281).

Even a more critical scholar like Alejandro Portes, who points at global structural imbalances as causes of international migration and is much more cautious about the optimism animating migration-development discourses, sees 'cyclical' labor flows and transnational practices as developmental tools; however, he considers them as palliatives rather than as real solutions. These transnational practices support “a form of 'globalization from below' through which poor people seek to mitigate the growing inequalities and lack of opportunity foisted on them by capitalist-driven 'globalization from above'” (Portes 2008: 10).

As a closing remark, it is important to mention that there is absolutely no unanimous consensus on the migration-development nexus. Important critiques have emerged. They underline that out-migration is not only an effect, but indeed also a cause of underdevelopment: it accounts for the depopulation and consequent depression of entire regions, it transforms remittance receivers into passive rentiers, and it encourages governments to capitalize on resources flowing in from its migrants rather than to find more sustainable solutions. Furthermore, it is argued that most low-income states do not have the control over the composition of their labor exports; the latter depend much more on international equilibriums of supply and demand, which makes these countries vulnerable to global market mechanisms and potential victims of development-hampering brain drain (Newland 2007)\textsuperscript{12}.  

\textsuperscript{12} One of the most famous critiques to the migration-development nexus is represented by the 2005 Cuernavaca Declaration, signed by several migration experts and scholars (Cuernavaca Declaration 2005).
2.2.4 Transnationalism

As already noted above, the emergence and success of the migration-development nexus rests in part on the growing recognition of the transnational character of migration. Transnational studies' main raison d'être lies in challenging the methodological nationalism that still characterizes political sciences and social sciences in general. The study of transnational migration, or “transmigration”, is embedded in this context, and it attempts to study the phenomenon of international migration without building upon outdated, but often taken-for-granted, state-centered concepts:

“in a period in which many areas of scholarship have developed an analysis of uneven and unequal globalization, migration scholars who study globe spanning flows of people remained inured within concepts of society and culture that reflect essentialist and racialized concepts of nation” (Glick-Schiller 2007: 5).

Transnationalist scholars dismiss the identification of state and social space, following which an international migrant abandons one social space to integrate into another one. They also avoid assuming the nation-state as a primary unit of analysis, which leads to view immigrants as an external element penetrating into a body. Even many scholars holding more liberal and pro-migrant views fall into the nationalist trap and reinforce the very concepts that make migration look as an anomaly, as an exception to the Westphalian norm, and therefore as potentially dangerous; they do so, for instance, when they label and classify immigrants according to their national origin, without questioning such categories.

In opposition to methodological nationalism, the focus of transnational migration accounts is on social spaces involving multiple localities, which originate from and are reinforced by social practices such as frequent movements and exchanges within this pluri-local social space; as a consequence, transnational identities emerge, which are founded on loyalties to more than one nation state. Ludger Pries defines “transmigration” as “a way of living in a transnational and pluri-local social space by moving physically and/or mentally between different geographical spaces, not just for a transitory period” (Pries 2005: 12).

2.2.5 The genesis of the migration-development nexus: the international debate

The migration-development nexus had its rise and affirmation at the international level, due to the inclusion of this link among the concerns of major inter-governmental organizations. The IOM
counts as a pioneer in exploring it with specific programs already some decades of time ago, in the 1960s and 1970s, but it was in the 1990s that the hype started spreading widely throughout the international community. Initially, economic aspects sparked the greatest curiosity.

In the early 2000s, the positive potential of migration for development was discussed in numerous conferences and it was addressed in many reports. In 2000, the ILO organized a conference on *Making the Best of Globalization: Migrant Worker Remittances and Micro-Finance*. In 2003, also the World Bank contributed to raising global awareness about the importance of migrant remittances by publishing a *Global Development Finance Annual Report*, all centered around that topic. In the same year, from an initiative of the UN Secretary-General, the Global Commission on International Migration (GCIM) was established with the purpose of devising and proposing new approaches to migration by linking it with other issue-areas. The final report, published in 2005, underlines the positive potential of migration for the development of the countries of origin of the migrants.

In September 2006, the UN launched a High-Level Dialogue Meeting on Migration and Development. That occasion saw the birth of the Global Forum for Migration and Development (GFMD), which is nowadays the most important stage for an exchange of view on this linkage: an intergovernmental setting in which countries and civil society actors meet annually to discuss about current scenarios and future initiatives in a non-binding way (Lavenex/Kunz 2008: 446-9; Newland 2007).

2.2.6 The migration-development nexus in the European Union: a brief outline

The 'external dimension' of migration policy, where migration law is linked to the areas of foreign and development policy, has been on the EU agenda since the 1999 Tampere Conclusions, namely the first five-year program setting the guidelines for a common EU immigration policy (European Council 1999); in that inaugural document, the external dimension was introduced through expressions such as “comprehensive approach”, “partnership with third countries”, and “a view to promoting co-development”. Such steps originated from the recognition that the phenomenon of migration could not be effectively addressed in a unilateral fashion; hence, third countries needed to be involved in strategies to tackle these movements of people. The conviction that extreme poverty and underdevelopment were the main 'root causes' of out-migration (an assumption that has some flaws, as footnote 9 highlighted) prepared a fertile ground for proposals and discussions, and it accounted for the political will to engage development actors in migration issues.

From that moment on, the external dimension was touched upon and developed in several other occasions. In the 2002 Seville European Council Conclusions (European Council 2002), the need
was expressed to employ development and foreign policy tools to tackle the issue of migration; in that context, the stress was on using these instruments to prevent the inflows of illegal immigrants. As a response, the 2002 Commission Communication *Integrating Migration Issues in the European Union's Relations with Third Countries* (European Commission 2002) envisaged economic benefits of migration for both countries of origin and countries of destination, at the condition that the flows were managed well. The second five-year program for JHA, namely the 2004 Hague Program (European Council 2004), further established the external dimension by calling for a full integration of migration into the EU's existing and future relations with third countries. In March 2004, the AENEAS Program was launched: a plan of co-operation, aimed particularly at assisting third countries financially and technically in their efforts to manage migration flows.

According to an article by Christina Boswell from 2003, the priorities of the external dimension of migration policy in this period were mainly two: the “externalisation of control” and the prevention of migration by tackling the 'root causes' (Boswell 2003: 627). This trend continued until 2005, although the root-causes “long-term goal” lost ground to initiatives centered on border control, readmission and return of irregular migrants. The attempt to involve third countries in migration control strategies and readmission agreements was predominant. Use was made of financial instruments (e.g. the AENEAS Program) and economic cooperation agreements (the 'migration clause' in the Cotonou Agreement with ACP states as a valid example) as “sticks and carrots” to reach the desired goals (Lavenex and Kunz 2008).

The situation partly changed after 2005. The migration-development nexus started to be discussed within the external dimension of EU migration policy, bringing a significant change in focus: the idea of migration as an opportunity for development, rather than as a threat or a symptom of failed development, made its entry into discourse. Increasingly, the link between migration policy and development policy was not seen only as the use of the latter as a tool to achieve the goals of the former, but also the other way round: the accomplishment of some development goals through the instruments and chances offered by migration policy. Although strong signs of this trend were already present in the Commission Communication *Integrating Migration Issues* (European Commission 2002), they became most explicit in what is considered as a groundbreaking document for the evolution of the external dimension and of European migration policy in general: the 2005 Communication *Migration and Development: Some Concrete Orientations* (European Commission 2005a).

Towards the end of 2005, the European Council adopted the so-called Global Approach to Migration (GAM), a framework of action focused especially on Africa and the Mediterranean region, with the objective to “ensure that migration works for the benefit of all countries concerned”. The European Commission produced another Communication in 2006, proposing a
thematic program for the cooperation with third countries in the areas of migration and asylum, stressing once again the importance of introducing migration concerns into the Community policies of cooperation and development and to bolster coherence between the different policy areas, also with the purpose of better matching the Community's needs. In 2007, the Communication *Circular Migration and Mobility Partnerships between the European Union and Third Countries* (European Commission 2007) launched and outlined the instrument of mobility partnerships, meant to facilitate legal migration movements between the Union and single third countries. It is explicitly said that these agreements must have development-related aims. They are voluntary, and member states can decide whether to opt in or not.

By now, the migration-development nexus makes its appearance in all most important EU documents addressing migration, including the recent European Pact on Immigration and Asylum (Council of the EU 2008) and the Stockholm Program (Council of the EU 2009), which was passed in 2009 and marks the signposts for the development of the Union's JHA policies for the period 2010-2014.
3. THEORETICAL FRAMEWORK

3.1. The mutual interaction between frames and actors in the policy process: a social-constructivist perspective

I will draw upon the concepts of 'frame' and 'framing' in order to answer the question on the interplay, combinations or contradictions between different approaches in EU immigration and asylum policy. In particular, I will borrow Rein and Schon's “frame-reflective approach” (Rein and Schon 1996), which will allow me to better grasp the dynamics of policy controversy. The authors give a comprehensive definition of 'frame' made of various blocks:

“A frame can be seen as a scaffolding (an inner structure), a boundary that sets off phenomena from their contexts (like picture frames), a cognitive/appreciative schema of interpretation […], or a generic diagnostic/prescriptive story” (Rein and Schon 1996).

While all the elements of this multiple definition are important to the notion of frame and are complementary rather than exclusive, for the purposes of this research the stress will be mainly on the two latter variants, namely cognitive schemata and narratives, since they are the most relevant for an analysis of the policy arena.

Frames in policy controversies have both a descriptive character and a normative or prescriptive character (Rein and Schon 1996), and their strength depends on the fact that they “try to 'hitch on' to norms which resonate broader culture themes in society” (Rein and Schon 1996). They are characterized by an inter-subjective nature, and although initially they might be deliberately and strategically molded, launched and supported by a limited number of actors, once they get established they are relatively resistant to change, as they become independent from actors’ direct influence and tend to pre-form actors’ perceptions and orientations. Established frames guide then the process of policy in their specific area of validity (Lavenex and Kunz 2008: 443), at least until a point when they are successfully challenged and new frames emerge.

This notion of 'frame' introduces a social constructivist element in the analysis of the policy-making process and policy controversies. Distance is kept from rational choice theory, according to which actors' behavior is determined by fixed interests and by the struggle to maximize those interests in an environment characterized by specific material constraints. On the contrary, the social constructivist approach adopted here endorses “a cognitive, intersubjective conception of process in which identities and interests are endogenous to interaction, rather than a rationalist-behavioral one in which they are exogenous” (Wendt 1999: 394).

An analysis of the composition of actors within a specific field would probably suffice to explain
policy change if a “logic of consequences” (Barnett 2005: 259) was assumed as the only determinant for action: an “economic' theorizing” (Wendt 1993: 394) focusing solely on maximization of static preferences. According to this rationalist logic, actors in the political process simply act towards the realization of mandated goals (a Weberian account, centered on output-oriented bureaucracies) or aim to extend their power with all means available (a Foucauldian approach, concerned with the struggle for enhanced societal control). However, taking the standpoint of a sociologically aware perspective as is the case here, it becomes pivotal to investigate the frames which delimit what is relevant to a policy area and provide the categories to guide decision-making. The logic of appropriateness, which “suggests that actors are rule following [and that they] determine their course of action depending on a sense of self and what is appropriate for the situation” (Barnett 2005: 259) is deemed of fundamental importance for understanding and explaining actors' behavior.

On this premise, a social constructivist theoretical perspective introduces a peculiar understanding of power focused on its non-material qualities. If shared ideas, norms, and identities are determinant for the behavior of actors, it follows that important soft political resources can descend from the ideational sphere. These 'sociological' resources depend on the way a policy area or an issue are framed rather than on the formal procedural and institutional rules that guide policy-making in that area:

“Constructivists also examine how actors make their activities meaningful. […] The very fact that these meanings are fixed through politics and that once these meanings are fixed they have consequences for the ability to determine the fates of people suggests an alternative way of thinking about power. […] the forces of power go beyond material, they also can be ideational. […] Power also includes how knowledge, the fixing of meanings, and the construction of identities allocate differential rewards and capacities. […] Power also exists when identities and interests are constructed in ways that benefit some to the disadvantage of others” (Barnett 2005: 260).

In this sense, actors can gain significant power if they are able to persuade other actors to accept certain norms and ideas. They can achieve this by framing the field in a way that suits their preferences and interests. Policy frames however, far from being just a tool in the hands of some actors, grow and establish themselves beyond actors' control and become 'the rules of the game' for all. In sum, frames and actors are mutually constitutive: actors can influence the sphere of shared ideas, norms, and beliefs by imposing or transforming a frame; the categories and ideational elements implied by the frame, in turn, will play a role in constructing the interests and in guiding

13 For a critique of these approaches to the study of EU migration policy-making, see Christina Boswell (2008: 492-3).
the behavior of actors.

In accordance with the aim of this research, which is to analyze, within a specific governmental domain (the European Union) and a specific issue terrain (immigration and asylum), patterns of longitudinal change in the equilibrium between policy frames, a combination of an actor-centered and a frame-centered approach will be adopted. As Steensland observes, this double perspective is the only possibility to gain a full understanding of policy change dynamics: “Connecting policy frames and their sponsors […] provides potential leverage for explaining changes within discursive fields in empirically tractable and theoretically informed ways” (Steensland 2008: 1031).

In order to achieve this fruitful connection, then, the following two approaches need to be both adopted and their mutual interaction needs to be highlighted. Obviously, combining them will imply that each one’s claim of theoretical primacy will be rejected.

1. Actor representation approach: explains policy change by referring to the changing distribution of actors in the policy-making process;

2. Frame adoption approach: explains policy change by referring to the changing distribution of frames in the policy-making process (considering only the distribution of actors is deemed insufficient, because the same actors can change their preferred images and frames thanks to persuasion, diffusion of ideas, external influences, or social learning).

The structure of this research reflects this combined account. At a first stage, the subject of analysis will be the evolutions and diachronic changes in the framing of the policy area of interest, independently from the role played by actors in the policy field. In a second moment, evolutions in the distribution of actors in the field will be added to the picture by means of a historical-institutional analysis. This will allow me to attempt an explanation of the mutual interactions between frames and actors by adopting a theoretical standpoint that does not privilege one over the other. In line with this sociologically aware approach to political science, also some contributions from political sociology and organizational sociology will be included as enrichment to the study of EU policy-making.

3.2. Policy paradigms and the different orders of policy change

Reflecting the aim of this research to assess the extent of a change, if any, in the framing that guides EU migration policy, Peter Hall's account on policy change can be useful to determine the degree to which a change has occurred. His concept of paradigm resembles closely the concept of frame:
“policymakers customarily work within a framework of ideas and standards that specifies not only the goals of policy and the kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing. Like a Gestalt, this framework is embedded in the very terminology through which policymakers communicate about their work, and it is influential precisely because so much of it is taken for granted and unamenable to scrutiny as a whole. I am going to call this interpretive framework a policy paradigm” (Hall 1993: 279).

Hall theorizes three types of policy change, based on intensity or pervaniseveneness of the change: first-order change and second-order change occur within the established policy paradigm respecting its general terms of reference, while third-order change happens when the paradigm itself is replaced (Hall 1993: 279-80). This theory will help me understand how important the change has been in EU migration policy. I will try, through a discourse analysis, to identify the competing frames and narratives. Building upon the outcomes of this analysis, my aim will be to make an assessment on whether the migration-development nexus changes the dominant policy paradigm or not.

For the purposes of this research, I will consider frames and policy paradigms as two different, not coextensive concepts: there can exist competing narrative frames within the same paradigm, and their relative predominance over each other may undergo transformations in time “without radically altering the hierarchy of goals behind policy” (Hall 1993: 282), as in the case of Hall’s second order change.

This is not necessarily in conformity with the literature, where paradigm and frame are often used interchangeably. Nonetheless, my choice can be justified by having a closer look at the texts. Rein and Schon (1996) insist more on the narrative quality of their policy frames, which explicitly set out descriptive and normative accounts. Hall, on the contrary, draws upon Thomas Kuhn’s concept of scientific paradigm, which has mainly cognitive quality and is much less explicitly stated: “it is influential precisely because so much of it is taken for granted and unamenable to scrutiny as a whole” (Hall 1993: 279). This allows me to view the paradigm as a background against which the competition in framing takes place. In fact, the paradigm is the very condition of possibility for the dynamics of framing, at least until the point when the framing arena becomes too rich in ambiguity and the paradigm cannot provide enough coherence to hold it together. While the terms ‘frame’ and ‘framing’ will both be used throughout this essay, the preference goes to ‘framing’ as it puts the accent on process rather than structure, in accord with a constructivist perspective where ideas, beliefs, discourses, and interests are never fixed and always evolving.

Hence, frame competition may result in a first- and second-order change, leaving the paradigm
intact, or in third order change, where the hierarchy of goals and the key instruments adopted to guide the policy process change. If a significant discursive shift is noticed, for instance, in order to determine the extent of the transformation it will be crucial to question whether:

a) this change happens *within* the boundaries of an already established framework: e.g. it consists of a shift in weight amongst elements already included into the paradigm, or it reflects the adoption of a new strategy to achieve the same goals; in this case, we are dealing with a *first- or second-order change*;

b) it implies the emergence of new elements that are incoherent with the goals pursued by the paradigm; hence, the paradigm is called into question and needs reformulation. If the incoherencies proliferate until becoming too gross and untenable, the paradigm faces its demise and a *third-order change* is underway.
4. METHODOLOGY

“Policy framing occurs within a discursive field. This discursive field establishes the limits of policy discourse by defining the range of relevant problems to be addressed and by providing the fundamental categories that shape decision making. Therefore studies of change in policy framing need to examine the ecology of competing frames within this field [emphasis added].” (Steensland 2008: 1028).

This quotation expresses a good suggestion from which to proceed. Once we have acknowledged that frames are cognitive-discursive entities, it follows that when it comes to analyze change in policy framing, discourse analysis will be an appropriate method. It is a methodology that also fits very well with the social constructivist orientation of this research: in an ideational ontology where actors do not change their interests only as a result of material changes, but also on the basis of change of ideas, norms, and identities, and where these interests are determined intersubjectively, it is obvious that language and discursive practices are of crucial importance for the construction of meaning.

The first question of this research (what kind of impact has the introduction of migration-development elements had on the approach to immigration and asylum that characterizes EU policy?) will be answered after a discourse analysis on a comprehensive range of official documents produced by various EU institutions. Through this method, it will be possible to attempt an assessment of whether a change in the policy paradigm has taken place.

The main source of inspiration is critical discourse analysis and, more specifically Van Leeuwen and Wodak's “discourse-historical analysis” (Van Leeuwen and Wodak 1999). This method, binding together a systemic-functional discourse analysis with a diachronic historical view, provides the right instruments for a research that aims to couple a concern with frames (frame adoption approach) and a concern with actors (actor representation approach); two mutually constitutive levels, as was mentioned earlier. The fact that the authors themselves applied this method to the analysis of immigration-related discourses acts as a further confirmation of its appropriateness and as a spur to borrow it. It is described as follows:

“The approach centers on political issues and seeks to integrate as many of the genres of discourse referring to a particular issue as possible, as well as the historical dimension of that issue” (Van Leeuwen and Wodak 1999: 91).

However, the method as outlined in the quotation is applied only partially here: while the historical element will be maintained through an outline of the history of migration policy in the European
Union, I will not seek to incorporate as many genres of discourse as possible. As my main interest is in evolutions in framing within the discourse of the European Union as a regional mode of government, I will limit my discourse analysis to documents produced by EU institutions.

Twelve EU documents will be analyzed. While some of them are clearly more comprehensive than others, the element of commonality between them is the reference to the external dimension of migration policy. My discourse analysis will focus on the external dimension for an obvious reason: the migration-development nexus, whose impacts on framing are the subject of the present investigation, made its entrance into EU discourse through the leeway provided by this new involvement of foreign and development policy in migration issues. Following Rein and Schon (1996), “frame critical analysis begins with naming the issue terrain”; for the current research, while EU immigration and asylum policy will be the general issue terrain on which my frame-critical analysis will be applied, the external dimension of migration policy could be defined as a specific issue terrain.

Apart from providing an orientative historical frame in the light of which the discourses embedded in the documents should be read, I will also use Van Leeuwen and Wodak's systemic-functionally oriented method of text analysis (Van Leeuwen and Wodak 1999: 93 and following). Through this instrument, it will be possible to identify recurrent 'scripts' on migration:

“What this script means to represent is a certain kind of knowledge about the social practice in question, a certain vision of what goes on in that social practice, coupled to, and indissolubly fused with, a certain set of ideas as to why the practice is the way it is (thought to be), and for what purposes, and whether that is good or bad. In other words, it is a context-specific form of knowledge, and hence the knowledge of a social practice which will inform texts about that practice in a specific context. It is a social cognition” (Van Leeuwen and Wodak 1999: 99).

This definition further clarifies why this method has appeared as suitable: the concept of script is tightly connected to the notion of frame seen as a diagnostic-prescriptive narration. It is therefore apt to identify and delimit frames in the real language.

In order to be able to recognize scripts, one must locate the main elements a script is constituted of. It is therefore necessary to understand “discourse as recontextualized social practice” (Van Leeuwen and Wodak 1999: 93) so as to concentrate on those elements that characterize any social practice: activities, participants, performance indicators, times, places, tools and materials, dress and grooming, and eligibility conditions (Van Leeuwen and Wodak 1999: 94-6). And since representation always involves recontextualization, which in turn always involves transformation, it is important to be familiar with the most important types of transformation, on the premise that discourse does not simply work as a faithful 'mirroring' of social practice.
These types of transformation are:

1) deletion: some elements of social practice are included and others excluded from the discursive representation;
2) rearrangement: a discursive change of the order in which events occur in the social practice;
3) substitution: in the discourse, the elements of a social practice are necessarily substituted by signs, and their meaning and connotation can change significantly according to what signs are chosen;
4) addition: in the discourse, elements are added to the representation of the social practice; such additions are, for instance, reactions, legitimations, and purposes.

(Van Leeuwen and Wodak 1999: 96-8)

While all these aspects will be broadly taken into consideration in carrying out the discourse analysis, they will be employed rather loosely, as tools towards the final goal of finding the scripts and frames. The choice to avoid a very detailed and schematic decoding of the discursive scripts (as the one carried out in Van Leeuwen and Wodak 1999: 99-103), besides being motivated by the large body of documents analyzed, also derives from my admitted unfamiliarity with the technicalities of systemic-functional language analysis.

However, a table has been designed to isolate for each of the documents at least the expressions referring to four major categories:

1) factual descriptions of the practice of migration;
2) the main participants mentioned, and the role assigned to them;
3) the main goals of migration policy;
4) the values or other forms of legitimation on which the discourse rests.

This subdivision was created with the purpose to better compare the documents and identify differences in the underlying narratives, in order to find an answer to the guiding question: “ask what gives the text its appearance of coherence, persuasiveness, and obviousness. In our terms, how does the writer make the normative leap from is to ought?” (Rein and Schon 1996: 6). Such a 'normative leap' usually needs to be supported by legitimating discursive procedures, which may be more or less evident. For this reason, of all types of transformation listed above, a special focus in this research was given to legitimation. Basing on Van Leeuwen's typology (Van Leeuwen and Wodak 1999; Van Leeuwen 2007), I have attempted to discover the most relevant legitimizing procedures throughout the text. This step has allowed me to ascertain the underlying moral values
that lend coherence and persuasiveness to the argumentation, even where they are hidden under a blanket of 'pure rationality'.

The second step in my research, namely to introduce an actor-centered approach to integrate the frame adoption approach, was tackled by drawing on a comprehensive review of secondary literature on the EU policy-making process, particularly in the area of immigration and asylum. Furthermore, semi-structured interviews were conducted with officials from the European Union institutions. While members of the European Parliament, representants of the Council of the EU, and European Commission officials have all been approached, only from the latter category was it possible to find available respondents.

Four interviews have been carried out with European Commission officials, three of them from DG Home Affairs and one from DG Development. The three DG Home officials work in three different areas: one is based in the Directorate for Migration and Borders (Dir C), and the other two are active in the Directorate for Immigration and Asylum (Dir B), respectively from the Unit on Immigration and Integration (B1) and from the Unit on Asylum (B2). Although these four interviews are far from covering the spectrum of perspectives and concerns in EU migration policy, they nonetheless give a rather multidimensional picture of the field. Obviously, they provide many insights particularly into the work of the Commission; also for this reason, the attention dedicated to the role of this particular institution is to some extent higher than it is the case for other ones.

Building on these two methods, it will be possible to assess what order of change, if any at all, the entry of the migration-development nexus in the framing of EU immigration and asylum policy can be ascribed to. More in general, it will be possible to identify what patterns of stability/traansformation have characterized the young field of a common EU migration policy since its birth, twelve years ago. On the basis of a further evaluation of the data as well as of secondary literature, some reflections and thoughts on future prospects will then be advanced in the conclusive chapter.
5. DISCOURSE ANALYSIS RESULTS

After having conducted my discourse analysis on 12 key official EU documents on migration policy from 1999 to 2009, I will try to identify the main competing frames characterizing the discourse. On this basis, I will assess what are the predominant patterns of evolution. I will also identify whether there are aspects around which there is strong contestation.

The selected documents are:

- the three five-year programs (Tampere for 2000-2004, The Hague for 2005-2009; Stockholm for 2010-2015) setting out the main political priorities and guidelines for the area of Justice and Home Affairs in the EU (European Council 1999, 2004; Council of the EU 2009);
- the European Pact on Immigration and Asylum approved by the Council in 2008 (Council of the EU 2008);
- a number of Commission communications and European Council conclusions constituting the main steps in the development of an external dimension of immigration and asylum policy. The latter have been selected basing on the relevance attributed to them in secondary literature and in EU online documentation centers 14 (European Commission 2002, 2005a, 2005b, 2005c, 2007, 2008; European Council 2002, 2005).

It is not possible to make a comparison between the analyzed documents as if they were all analogous in type. Many of them originated as an answer to specific concerns and address only particular questions or sub-areas of migration policy, hence not all of them constitute a suitable sample to assess patterns of change or continuity in the broader EU migration priorities. Nevertheless, there is an aspect all documents share: they all address the external dimension of immigration and asylum policy, namely the link between the migration agenda and foreign and development policy. The sample includes most of the fundamental documents for the progressive delineation of this specific aspect of immigration and asylum, hence they are useful in discovering the prevalent narratives and frames within that particular dimension.

After having deconstructed the texts and having subdivided their components according to the four categories mentioned in the methodology chapter (description of migration, participants, main goals, and expressions of legitimation), I concentrated on the parts which explicitly address the

'external dimension' of migration in order to identify the most meaningful trends and competing narratives in the framing of this area.

The aim of my discourse analysis was necessarily limited to identifying broad discursive tendencies. The sample is relatively small, despite including most of the crucial documents for an understanding of how the migration-development discourse has developed within the EU external dimension of immigration policy. Hence, only the most clearly observed trends can be legitimately generalized as characterizing the overall 'EU approach' to the issue.

It is also of importance to remind the reader that discourse analysis is by definition concerned about discourse: it does not aim at an assessment of policy implementation and policy impact. A systematic evaluation of measures and practices of migration policy is therefore lacking in this thesis, as already pointed out in the introduction. This is not due to an underestimation of the role of practices; on the contrary, as already touched upon earlier, an investigation of technologies, implemented policies and everyday practices is a fundamental component to assess the extent of securitization (or, by implication, of a departure from securitization). However, time and resources would have been insufficient for carrying out such an endeavor in this context. For these reasons, also the annexes with detailed descriptions of proposed policy measures have been relatively neglected to the advantage of the main body of the documents.

On this premise, the principal outcomes are as follows.

**5.1. Description of the phenomenon of migration**

Possible advantages and benefits deriving from migration are stressed throughout the time frame under examination, but from very different perspectives.

At the very beginnings (1999), only migrants themselves are represented as beneficiaries, as they can find in Europe the freedom that lacks in other parts of the world:

> “This freedom should not, however, be regarded as the exclusive preserve of the Union's own citizens. Its very existence acts as a draw to many others world-wide who cannot enjoy the freedom Union citizens take for granted” (European Council 1999: 2).

Later (2002-2004), as the project of a EU common migration policy starts to take shape, the gains for Europe's labor market and knowledge economy start to be mentioned:

> “It is a fact that industrialised countries, including the European Union, benefit considerably from

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15 The interested reader can fill this gap by consulting, for instance: Natasja Reslow (2010); Anja Wiesbrock (2010).
migration and will continue to need inward migration in the future, both in high-skilled and low-skilled sectors” (European Commission 2002: 7).

“Legal migration will play an important role in enhancing the knowledge-based economy in Europe, in advancing economic development, and thus contributing to the implementation of the Lisbon strategy” (European Council 2004: 19).

A third stage (2005) signs the emergence in discourse of migrations' benefits for countries of origin and transit:

“migration as a phenomenon whose positive impacts in development terms can be substantial, provided that appropriate policies are in place” (European Commission 2005a: 2).

In a fourth phase (2005-2009), migration is presented as potentially offering win-win scenarios, beneficial for both the country of origin and the country of destination of the migrant (or even triple-win, with the inclusion of the migrant him/herself):

“Migration, if well managed, can be beneficial both to the EU and to the countries of origin” (European Commission 2005b: 3).

“It can be an opportunity, because it is a factor of human and economic exchange, and also enables people to achieve what they aspire to. It can contribute decisively to the economic growth of the European Union and of those member states which need migrants because of the state of their labour markets or of their demography. Not least, it provides resources for the migrants and their home countries, and thus contributes to their development” (Council of the EU 2008: 2).

“The European Council recognises both the opportunities and challenges posed by increased mobility of persons, and underlines that well-managed migration can be beneficial to all stakeholders” (Council of the EU 2009: 59).

An important trend is that during the ten years after Tampere, but particularly after 2005, a discourse progressively gains strength that puts migration into perspective, trying to 'normalize' this phenomenon and to discard populistic and emotional arguments against it. Frequent reference to numbers of immigration flows and other factual evidence, often supported by objective and scientific knowledge, is directed against alarmistic claims. This is especially achieved through statistical data on the European economy and demography, with the purpose to undermine the image of migration as a threat and to stress the economic need for it:
“migration is not to be seen only as a problem, but also as an essentially positive phenomenon, which is of all times and all places, and which produces both opportunities and challenges. It is a fact that industrialised countries, including the European Union, benefit considerably from migration and will continue to need inward migration in the future, both in high-skilled and low-skilled sectors” (European Commission 2002: 7).

“While immigration should be recognised as a source of cultural and social enrichment, in particular by contributing to entrepreneurship, diversity and innovation, its economic impact on employment and growth is also significant as it increases labour supply and helps cope with bottlenecks. In addition, immigration tends to have an overall positive effect on product demand and therefore on labour demand” (European Commission 2005b: 2).

“With regard to economic immigration, the current situation and prospects of EU labour markets can be broadly described as a “need” scenario. Some member states already experience substantial labour and skills shortages in certain sectors of the economy, which cannot be filled within the national labour markets. This phenomenon concerns the full range of qualifications - from unskilled workers to top academic professionals” (European Commission 2005c: 4).

“In a context of an ageing Europe, the potential contribution of immigration to EU economic performance is significant. Europeans are living longer, the so called "baby boom" generation is nearing retirement and birth rates are low. In 2007 the active population in the EU, i.e. the total of those in employment and unemployment, was around 235 million on average. According to the latest population projections, by 2060, the working age population of the EU is projected to fall by almost 50 million even with continued net immigration similar to historical levels and by around 110 million without such immigration. Such evolutions present risks for the sustainability of pensions, health and social protection systems and require increased public spending” (European Commission 2008: 2).

5.2. Relevant participants in the migration process and their role

The representation of participants undergoes significant changes over the ten years under examination. In the Tampere European Council Conclusions (European Council 1999), the first stone in the project of an EU communitarian migration policy as well as the inaugurating document of the external dimension, immigrants are still represented mainly in paternalistic and compassionate terms, as people from extremely disadvantaged environments in search of a better life or as victims of trafficking and exploitation. To counterbalance their vulnerability, the aim is to grant them comprehensive rights:

“This freedom should not, however, be regarded as the exclusive preserve of the Union's own
citizens. Its very existence acts as a draw to many others world-wide who cannot enjoy the freedom Union citizens take for granted” (European Council 1999: 2).

“tackle at its source illegal immigration, especially by combating those who engage in trafficking in human beings and economic exploitation of migrants […] The rights of the victims of such activities shall be secured with special emphasis on the problems of women and children” (European Council 1999: 5).

At a later stage (2002-2004), they are understood as an external element for whom little or no responsibility is born, and more or less directly represented as a threat:

“The European Council considers it essential that the Council begins discussions in early 2005 on minimum standards for return procedures including minimum standards to support effective national removal efforts. The proposal should also take into account special concerns with regard to safeguarding public order and security” (European Council 2004: 23).

“The management of migration flows, including the fight against illegal immigration should be strengthened by establishing a continuum of security measures that effectively links visa application procedures and entry and exit procedures at external border crossings. Such measures are also of importance for the prevention and control of crime, in particular terrorism” (European Council 2004: 25).

After 2005, however, immigrants are more and more recognized as agents (rather than affected, following the typology given by Van Leeuwen and Wodak (1999: 94)), capable of fostering the development of their countries of origin:

“Diasporas are increasingly recognised as an important potential actor in the development of countries of origin, as already noted in the last section with regard to remittances” (European Commission 2005a: 6).

“The Commission, in close cooperation with member states, will play an active role in promoting an integrated and coherent approach […] including encouraging the involvement of migrants themselves. […] the EU will develop approaches on migration to optimise the benefits of migration for all partners in a spirit of partnership” (European Commission 2005b: 5).

“Partner countries could also be supported in enabling returning migrants to contribute effectively to their home societies” (European Commission 2007: 13).

Also the role of third countries experiences important changes in discourse. They are represented in
paternalistic terms in the early days of a common immigration policy, as actors whose economic, political, and humanitarian conditions need to be developed (long-term concern with the root causes) and which must be assisted in managing migration efficiently (short-term concern with fighting illegal immigration: combating trafficking, coping with readmission obligations).

In the following years (2002, 2004) the stress on common migration management aimed at controlling and curtailing illegal immigration measures becomes prevalent over the root-causes approach and assumes even a threatening tone:

“[the] importance of ensuring the cooperation of countries of origin and transit in joint management and in border control as well as in readmission […] The Union is prepared to provide the necessary technical and financial assistance for the purpose […] The European Council considers it necessary to carry out a systematic assessment of relations with third countries which do not cooperate in combating illegal immigration […] Inadequate cooperation by a country could hamper the establishment of closer relations between that country and the Union” (European Council 2002: 9).

After 2005, the importance of a balanced and genuine partnership becomes more and more important in the discourse. It is often underlined that the interest of both parts must be taken into account, and there are more opportunities for dialogue. A more balanced dialogue is called for: for instance, in the case of the envisaged legal migration instruments called ‘Mobility Partnerships’, both the EU member states and the third countries are expected to make commitments to each other (European Commission 2007: 4-5). This mutuality, as asymmetrical as it still is with a larger discretion left to EU member countries and clearer commitments expected from third countries, signs nonetheless a remarkable change in attitude.

A new set of “participants” makes its appearance, particularly in 2005: these are multilateral fora and international institutions, especially those responsible for the linkage between migration and development. The intensity of the global debate increases, and in some occasions the EU discourse makes clear reference to it, seeing itself as part of an international discussion on migration and development in which it is willing to engage actively and to which it is eager to bring contributions:

“The migration and development nexus is one of the central issues being examined by the Global Commission on international migration (GCIM), whose report is due out by October 2005. The ‘High Level Dialogue on Migration and Development’ planned for 2006 in the framework of the General Assembly of the United Nations, is further evidence of the importance of this debate, in which developing countries have a strong interest” (European Commission 2005a: 2).
“Ensure a substantial follow-up to the report of the Global Commission on International Migration, and prepare for the UN High Level Dialogue on Migration and Development that will be launched in September 2006” (European Council 2005: 10).

5.3. Declared goals

When the external dimension was inaugurated in Tampere (European Council 1999), although its content was left relatively blurry and open to interpretation, it had two fundamental aspects:
1) tackling the root causes of migration in countries of origin to reduce the migration pressure as a long-term goal;
2) taking measures in co-ordination with countries of origin and transit in order to stop illegal immigration and human trafficking.

While the former category's development remained 'frozen' for some years, the latter was rapidly defined in more detail (European Council 2002: 8, 9; European Council 2004: 20). Its elements would include, for instance, improving third countries' capacities of migration management by providing them with technical and financial assistance, and introducing clauses concerning the management of migration (especially on return and readmission of illegal immigrants) in any cooperation agreement signed between the EU and third countries. Thus, although the mention of the long-term concern with root causes is present in documents from this early period (European Council 2002: 8; European Commission 2002: 4; European Council 2004: 22), much more attention and detail is accorded to measures to tackle illegal migration flows16.

The discourse of these earlier documents (1999-2004) reveals a rather clear will to use the instruments afforded by other policy areas, such as foreign affairs and development policy, towards the main goal of tackling migration as a problem, like it is traditionally conceptualized in a home affairs perspective. In other words, there is an attempt to co-opt external policies into interior security concerns:

“The European Council urges that any future cooperation, association or equivalent agreement which the European Union or the European Community concludes with any country should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal immigration” (European Council 2002: 8).

16 The Communication Integrating Migration Issues in the European Union's Relations with Third Countries (Commission 2002) is an exception, in that it constitutes an early attempt to bring in a stronger developmental component. However, going through the Hague Program (2004), it does not appear as if the 2002 Communication had an immediate impact on the general discourse.
Also the *resistance* against this co-optation occasionally emerges during this period. This is particularly true for the 2002 Communication *Integrating Migration Issues in the European Union's Relations with Third Countries* (European Commission 2002), which represents quite an isolated attempt of counter-framing during the first five years after Amsterdam (as mentioned in footnote 16):

“The integration of migration aspects in the external action of the Community must respect the overall coherence of our external policies and actions” (European Commission 2002: 4).

All these observations give the picture of a still rather undefined area, which therefore becomes an arena of struggle for framing. The predominant frame, however, is one that while highlighting the European tradition of humanitarianism, solidarity, and freedom, stresses the necessity for the EU to defend itself from the threat of illegal immigration in order to protect the value of freedom peculiar to the Union. The relationship to third countries is one of paternalistic assistance, whereby they must be helped to achieve Euro-centric goals, rather than one of discussion at the same level. The broad objective is to increase the “comprehensiveness” (European Council 1999: 11; European Council 2002: 8; European Council 2004: 16) of migration policy and its coherence with externally oriented policy areas. However, the real goals behind these words seem to be a more effective control of flows and a more efficient implementation of restrictive measures: co-operating with third countries is one more tool in this direction, since it makes possible to apply such measures to early stages of the migratory movements, even before they reach the territory of Europe. Thus, the recognition that migration is a complex phenomenon, an international or global issue, is used as a premise to acknowledging the failure of a one-sided approach to migration policy and the need for collaboration with third countries.

“Asylum and migration are by their very nature international issues. EU policy should aim at assisting third countries, in full partnership, using existing Community funds where appropriate, in their efforts to improve their capacity for migration management and refugee protection, prevent and combat illegal immigration, inform on legal channels for migration, resolve refugee situations by providing better access to durable solutions, build border-control capacity, enhance document security and tackle the problem of return” (European Council 2004: 20).

The impression is that such a shift means mainly the pursuit of the same goal (controlling and restricting migration flows) with different means (oversight of all the stages of these flows). To be sure, also legal migration as well as refugee protection concerns are expressed; however, they are rather vague and general (“inform on legal channels for migration”) and much less stressed than
security-and-control preoccupations ("prevent and combat illegal immigration", "build border-control capacity, enhance document security and tackle the problem of return").

While pressures in a fundamentally different direction already emerge in the 2002 Communication Integrating Migration Issues in the European Union's Relations with Third Countries (European Commission 2002), where the interest of countries of origin is taken into consideration and reference to 'win-win opportunities' and to the benefits of migration for all actors involved is made (European Commission 2002: 16), it is mainly after 2005 that the discourse changes.

From 2005 on, the migration-development nexus is thematized explicitly, with reference to a global debate involving the international community of nation-states, important international organizations, and the academic world. More and more, actions are proposed to enhance the developmental potential of migration on countries of origin, through remittances, the involvement of diasporas, circular migration etc. The Communication Migration and Development (European Commission 2005a) is crucial in this sense.

In the 2005 European Council conclusions on the GAM (European Council 2005), developmental concerns are still relatively small, but they start to be integrated in the range of initiatives that ought to be taken in partnership with third countries. However, they seem to be added ad-hoc-wise to a list featuring mainly control-centered measures, like operational cooperation, capacity building, readmission. They still appear as exogenous elements, without a coherent narrative binding them together with the other priorities.

In the Policy Plan for Legal Migration (European Commission 2005c) and in the Communication Circular migration and mobility partnerships (European Commission 2007), however, the migration-development component gets more and more integrated in the general discourse on migration, this time not only as an autonomous element, but in dynamic combination with legal migration and the fight against illegal immigration. Especially the concept of circular migration manages to merge in a smooth fashion the positive impacts of migration on countries of origin and migrants, characteristic of the migration-development debate, and the advantages for the labor migration needs of the EU. This does not weaken the security-and-control frame, since a commitment to fighting illegal immigration through joint management is a precondition for the access to circular migration agreements. Nonetheless, the framing becomes more multidimensional.

The 'synergies between migration and development' have meanwhile become one of the three pillars of the GAM. Goals and envisaged actions respond now to more than one concern: 1) a still strong control-oriented element, putting the accent on the fight against illegal immigration; 2) a migration-for-development component based on solidarity which boomed in 2005 and is now relatively established, but quite static; 2) and, more and more connected to the latter, an economistic frame underlining the need for and the benefits of legal immigration for the EU and its prosperity. The last
two have become strongly linked to each other through the usage of the term 'circular migration'.

5.4. Forms of legitimation

Some important evolutions can be identified also for what regards the forms of legitimation. It should be noted that, in the documents, legitimation and delegitimation procedures are applied both to the reality of immigration in general and to the EU goals and measures in this policy area. Obviously these two discursive threads are closely linked: a delegitimizing discourse referred to migration automatically legitimizes restrictive actions and vice versa.

All measures and actions listed in the documents are presented as being functional to the achievement of some higher goal. This explains a natural and unsurprising prevalence of “instrumental rationalization”, namely legitimation based on the usefulness of a practice for the achievement of a particular objective. My analysis has therefore concentrated mainly on one question: where do this instrumental legitimation ultimately lead to, or what kind of overarching purposes or fundamental values are proposed? The aim has been to find the moral basis on which the argumentation is anchored, the presumption which cannot be justified instrumentally by referring to another purpose.

In order to unveil these fundamental values, I have tried to identify in the documents the passages responding to the form of legitimation that Van Leeuwen calls “moral evaluation” (Van Leeuwen and Wodak 1999: 108-10; Van Leeuwen 2007: 97-100).

In the 1999 Tampere European Council Conclusions, at the outset of the common European migration policy, the discourse attempts to found its legitimacy on humanitarian values and ideals, such as freedom, solidarity, generosity, responsibility:

“[This freedom's] very existence acts as a draw to many others world-wide who cannot enjoy the freedom Union citizens take for granted” (European Council 1999: 2).

“The aim is an open and secure European Union, fully committed to the obligations of the Geneva Refugee Convention and other relevant human rights instruments, and able to respond to humanitarian needs on the basis of solidarity” (European Council 1999: 2).

In the Seville European Council Conclusions (2002) and in the Hague five-year program (2004), security rises dramatically as a fundamental goal. The priorities and measures set out in these two documents are legitimized by reference to their instrumental role in the achievement of security. Negative moral judgments are attached to migration, particularly of the kind that Van Leeuwen calls “analogy” (Van Leeuwen 2007: 99-100): the linkage of illegal immigration with terrorism and
cross-border crime emphasizes the threatening quality of migration for internal security (European Council 2004: 12). But also the risks of legal migration are stressed, although less directly. This is achieved by reference to moral values of *homogeneity* that are threatened by immigration:

“Stability and cohesion within our societies benefit from the successful integration of legally-resident third country nationals and their descendants: To achieve this objective, it is essential to develop effective policies, and to prevent the isolation of certain groups” (European Council 2004: 19).

Humanitarian rhetoric is still present, but this time it appears as relegated to a secondary role: not anymore as the main value guiding action, but rather as a 'sweetener', qualifying the modality in which the fight and the prevention of illegal immigration should be achieved:

“The citizens of Europe rightly expect the European Union, while guaranteeing respect for fundamental freedoms and rights, to take a more effective, joint approach to cross-border problems” (European Council 2004: 12).

“persons to be returned in a humane manner and with full respect for their human rights and dignity” (European Council 2004: 22).

At times, the suspicion is even expressed that human rights instruments may work against the main goal of security:

“in accordance with the 1951 Geneva Convention, it is important to ensure refugees swift, effective protection, while making arrangements to prevent abuse of the system” (European Council 2002: 7).

However, an alternative discourse exists, which manifests itself in the Commission Communication 2002 (as already seen, however, this document is rather atypical in the landscape of competing frames of its time) and flourishes after 2005. This discourse tends to 'normalize' the phenomenon of migration, undermining the picture of an anomaly that needs to be fought through exceptional measures. This is achieved not simply by hinting at moral qualities, but rather by illustrating in detail the causes, dynamics, and effects of immigration in order to legitimize the EU's goals and measures. This type of legitimation, which is “grounded not in whether the action is morally justified or not, nor in whether it is purposeful or effective, but in whether it is founded on some kind of truth, on 'the way things are’” (Van Leeuwen 2007: 103), is called 'theoretical rationalization':

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“migration is not to be seen only as a problem, but also as an essentially positive phenomenon, which is of all times and all places, and which produces both opportunities and challenges” (European Commission 2002: 7).

“Globalisation invites migration. Where globalisation promotes specialisation of economies and countries, it is only logical that specialised workers […] wish to move from one territory to another. In those cases where comprehensive policies are not yet in place – which is also for the EU – workers will find their own (illegal) way to enter the globalised labour market” (European Commission 2002: 15).

“International migration is a reality that will persist as long as there are differentials of wealth and development between the various regions of the world” (Council of the EU 2008: 2).

“The hypothesis of zero immigration is both unrealistic and dangerous” (Council of the EU 2008: 2).

The important novelty is that migration is even legitimised and depicted as positive, largely based on economic values. While this kind of considerations, as already highlighted in the section on discursive descriptions of migration, occasionally appeared in the first half of the EU-migration-policy decade (European Commission 2002: 4; European Council 2004: 19), it is only in the following years that they become really pressing:

“Countries and international organisations increasingly perceive migration as a phenomenon whose positive impacts in development terms can be substantial, provided that appropriate policies are in place” (European Commission 2005a: 2).

“While immigration should be recognised as a source of cultural and social enrichment, in particular by contributing to entrepreneurship, diversity and innovation, its economic impact on employment and growth is also significant as it increases labour supply and helps cope with bottlenecks. In addition, immigration tends to have an overall positive effect on product demand and therefore on labour demand” (European Commission 2005b: 2).

“In the short to mid-term, labour immigration can – as part of Lisbon Strategy’s comprehensive package of measures aimed at increasing the competitiveness of the EU economy – positively contribute to tackling the effects of this demographic evolution, and will prove crucial to satisfying current and future labour market needs and thus ensure economic sustainability and growth” (European Commission 2005c: 5).

“Circular migration is increasingly being recognised as a key form of migration that, if well
managed, can help to match the international supply of and demand for labour, thereby contributing to a more efficient allocation of available resources and to economic growth” (European Commission 2007: 8).

“It can contribute decisively to the economic growth of the European Union and of those member states which need migrants because of the state of their labour markets or of their demography. Not least, it provides resources for the migrants and their home countries, and thus contributes to their development” (Council of the EU 2008: 2).

Developmental concerns are expressed more and more, after the Communication *Migration and Development* (European Commission 2005a). However, while initially the focus is on advantages for low-income countries (in line with the main preoccupation of the development agenda), soon this is brought together with a discourse considering also economic gains of EU member states. This results in depictions of win-win scenarios and economic arguments resonating a free market logic, standing next to values of solidarity and partnership which are expressed in moral evaluations such as 'balanced', 'genuine partnership', 'dialogue', 'mutual interest'.

“Migration, if well managed, can be a positive force for development in both Africa and Europe” (European Commission 2005b: 5).

“need to enhance collaboration with third countries on economic migration and to develop initiatives offering ‘win-win’ opportunities to countries of origin and destination and to labour immigrants” (European Commission 2005c: 10).

“the EU should actively pursue efforts to design temporary migration schemes that could help maximise benefits for all interested parties, i.e. responding to labour needs in member states while contributing, through eventual return, to the development of countries of origin and offering skills and other gains to participating migrants” (European Commission 2005c: 11).

Security still remains important in the second half of the decade; however, in the arguments that justify an assertive intervention against illegal immigration, the focus shifts from the accent on *national* security (prevalent in European Council 2002 and still very relevant in European Council 2004) to a concern with *human* security:

“with increased migration comes the challenge of combating illegal immigration and human trafficking, including to avert the human tragedy that is a frequent consequence” (European Commission 2005b: 3).

“Such a [surveillance] system would use modern technology with the aim of saving lives at sea
and tackling illegal immigration” (European Council 2005: 10).

“Managing immigration effectively means addressing also different issues linked to the security of our societies and of immigrants themselves” (European Commission 2008: 3).

“One important objective is to avoid the recurrence of tragedies at sea” (Council of the EU 2009: 59).

Starting in 2002, and especially from 2005 on, there is an increase in extensive factual descriptions and predictions that are used as a legitimation basis for the discourse. These tend to be of the kind of “scientific rationalization” (Van Leeuwen 2007: 104-5). Direct reference to scientific sources is particularly used when a topic is introduced for the first time: in the Communication Integrating Migration Issues (European Commission 2002), for instance, the introductory part is dedicated to a long description of international migration flows and the EU, the driving forces of international migration, and the effects of migration on developing countries (European Commission 2002: 9-16); the sources of the data, indicated in footnotes, are reports by the World Bank and the ILO, figures from Eurostat, and articles from academic research centers and universities. In the 2005 Commission Policy Plan on Legal Migration (European Commission 2005c), extensive attention is paid to demographic and migratory trends, again in an introductory and context-defining part; here, preferred sources are again Eurostat, the ILO and the World Bank, as well as research initiatives co-financed by the EU (CARIM). But even in later documents, where no explicit reference to scientific sources is made, the discourse presents many factual descriptions and predictions that echo the sober tone of scientific rationalizations. The argumentation clearly tries to lean on values of realism and pragmatism. Very often, the conclusions reached on the basis of these arguments stress the need to manage migration in a way to satisfy the gaps caused by a demographic crisis on European labor markets:

“Legal migration will play an important role in enhancing the knowledge-based economy in Europe, in advancing economic development, and thus contributing to the implementation of the Lisbon strategy” (European Council 2004: 19).

“The vast majority of Member States need [highly skilled] workers, because of shortfalls in the labour markets pool of highly qualified workers. Furthermore, recent studies highlight for example that 54% of Med-MENA first generation immigrants with a university degree reside in Canada and in the USA, while 87% of those having a lower than primary, a primary or a secondary level education are in Europe” (European Commission 2005c: 7).
“In the context of an ageing Europe, the potential contribution of immigration to EU economic performance is significant. Europeans are living longer, the so-called 'baby boom' generation is nearing retirement and birth rates are low. In 2007 the active population in the EU, i.e. the total of those in employment and unemployment, was around 235 million on average. According to the latest population projections, by 2060, the working age population of the EU is projected to fall by almost 50 million even with continued net immigration similar to historical levels and by around 110 million without such immigration. Such evolutions present risks for the sustainability of pensions, health and social protection systems and require increasing public spending” (European Commission 2008: 2) (many references to Eurostat).

“International migration is a reality that will persist as long as there are differentials of wealth and development between the various regions of the world. It can be an opportunity, because it is a factor of human and economic exchange, and also enables people to achieve what they aspire to. It can contribute decisively to the economic growth of the European Union and of those Member States which need migrants because of the state of their labour markets or of their demography. Not least, it provides resources for the migrants and their home countries, and thus contributes to their development. The hypothesis of zero immigration is both unrealistic and dangerous” (Council of the EU 2008: 2).

“The European Council equally recognises that, in the context of the important demographic challenges that will face the Union in the future with an increased demand for labour, flexible immigration policies will make an important contribution to the Union's economic development and performance in the longer term” (Council of the EU 2009: 59).

Another type of legitimation is employed, especially around the middle of the decade and after, by referring to the international debate on migration and development themes:

“The migration and development nexus is one of the central issues being examined by the Global Commission on international migration (GCIM), whose report is due out by October 2005. The ‘High Level Dialogue on Migration and Development’ planned for 2006 in the framework of the General Assembly of the United Nations, is further evidence of the importance of this debate, in which developing countries have a strong interest” (European Commission 2005a: 2).

“hopes that these orientations will contribute to the global debate on how to manage international migration better, and notably to discussions within the framework of the Global Forum on International Migration and Development” (European Commission 2007: 14).

In this type of legitimation, which is termed “authorization” (Van Leeuwen 2007: 94-7), discourses and practices are justified by reference to a person or institution which is vested with some authority; in this specific instance, by mentioning the UN, the discourse can be anchored in this
organization’s reputation of impartiality and humanitarian solidarity. This is in line with the image the EU wants to give of itself, as a moral actor on the global stage, concerned with development and humanitarian matters: “the process of manufacturing the new identity of the European Union, an identity which aims to present the Union to the world as a novel, moral and supranational global actor” (Buonfino 2004: 25). Thus, the EU seeks legitimacy by highlighting its active participation in these meetings and debates.

5.5. One important continuity

One important observation must be made. Van Leeuwen and Wodak (1999: 108-9), writing about moral evaluation as a form of legitimation, mention different domains of values on which this procedure can be based. As we have seen, values of partnership and dialogue, scientific objectivity, and economic values have definitely come to play a larger role in EU discourse next to values of 'public interest' like internal security, stability, and cohesion. Another category of values, however, remains rather strong throughout all the documents: these are “values of leadership” (Van Leeuwen and Wodak 1999: 108), indicated by the recurring term 'management', used in interchangeable contexts:

“The European Union stresses the need for more efficient management of migration flows at all their stages. It calls for the development, in close cooperation with countries of origin and transit, of information campaigns on the actual possibilities for legal immigration, and for the prevention of all forms of trafficking in human beings” (European Council 1999: 5).

“Migration is at the heart of the political debate in industrialised countries […] If carefully managed, it can be a positive factor for growth and success of both the Union and the countries concerned” (European Commission 2002: 4).

“insufficiently managed migration flows can result in humanitarian disasters” (European Council 2004: 21).

The term “migration management” and all its derivatives are used with very different connotations and for very different uses, from liberal ones to restrictive ones. They act as “benign 'guidance' metaphors” (Van Leeuwen and Wodak 1999: 108) that substitute old-fashioned, more aggressive rhetoric and distance themselves from the dream of 'zero immigration'. What is interesting is that they provide a thread of constancy throughout all documents, holding together the elements of an increasingly multifarious migration policy. For this reason, some specific considerations on the 'migration management' discourse will be carried out later.
5.6. Conclusions

In sum, the following trends have been identified.

- The element of control and the fight against illegal immigration are very important in the EU discourse regarding the external dimension of migration policy, and this is visible throughout the decade under exam. However, while in the earlier aftermath of the 1999 Tampere Conclusions (especially European Council 2002, European Council 2004) the accent on security was the most important rationale giving coherence to the discourse, after 2005 some different concerns (developmental, economic) have grown next to it.

- The concept of migration and development enjoyed a rapid success in the middle of the decade and is by now firmly established in every document referring to the relationship with third countries. There is a strong predominance of the aspect of circular migration, which is explored far more than other elements like, for instance, economic remittances and the involvement of diasporas. Brain circulation and social remittances are tied into the discourse on circular migration. It is implied that, if migrants do not return, this will have bad repercussions on the development of their countries of origin, thereby forgetting about the ways migrants can help without returning. Thus, circular migration has worked as a bridge, bringing together the migration and development discourse (concerned about the development of low-income migrant-sending countries) with the legal migration discourse (concerned about the economic situation in EU member states). While the aim of circular migration policies is to ensure a certain degree of freedom of movement, elements of control are still very strong.

- The representation of participants and of the relations between them has also changed: a more equal relationship with third countries is described and called for particularly from 2005 on. It is often underlined that the dialogue must be balanced and that the interests of both parts must be taken into account. Recently developed partnership instruments are based on mutual commitments rather than on unilateral impositions. However, the partnership with third countries continues to be characterized by migration control measures, where the EU and third countries are not really equal partners: technologies and practices of the EU are exported to these countries. Also the consideration of third countries' interests, such as increased access for legal migrants, is conditional on their cooperation in fighting illegal
immigration to Europe.

- Starting with the Communication *Integrating Migration Issues* (European Commission 2002), but then particularly in the period 2005-2009, the discourse seeks to found its legitimacy more and more on the values of realism and pragmatism. It makes more reference to (allegedly) objective facts rather than abstract principles, and it exhibits its reliance on scientific sources in order to support this claim of objectivity.

- Humanitarian concerns are expressed throughout the decade under exam. Reference to human rights is particularly strong in the 1999 Tampere European Council Conclusions, while it successively becomes a 'sweetener' which recurrently accompanies the call for fighting illegal immigration and softens it up to some extent. More and more, from the Hague Program (European Council 2004) on, humanitarian arguments are even used to bolster the discourse against illegal immigration: better surveillance mechanisms and technologies are seen as preventing humanitarian tragedies and loss of life in the Mediterranean sea. Other than in that usage, reference to humanitarian values is still expressed, but it has lost most of its strength to the advantage of different kinds of considerations: mainly economic and demographic ones, adequately supported by statistical data.

- While at times the impression is that the elements of illegal immigration, legal migration, and migration and development are thematized independently, forgetting the implications and contradictions that may arise between them, the trend shows a progressive attempt to build coherence: important signs of this attempt are the launch of the GAM in 2005 and the exploration of circular migration policies. The result is a mixed discourse: neoliberal, but with very strong control components, and some developmental aspects taken into account. The argumentation is based on economistic values. Concerns about the development of countries of origin need to be legitimized through the benefits these measures bring to countries of destination. The main discourse is thus not a developmental one, but more economistic in tone.

In sum, the main framing tendency appears to be the following: a control-oriented frame is still in place in the external dimension of migration, but it is accompanied by a neoliberal economistic frame. The developmental potential of migration appears as an addition to the latter, and it is used especially to 'morally' justify the concern that migrants return to their country and do not settle in
the EU. Important contradictions arise: there is a lot of liberal rhetoric, talking about the beneficial potential of migration flows in fostering an optimal allocation of global labor demand and supply; at the same time, however, there is a strong insistence on migration management capacities, technologies of border control and similar priorities.

Important changes have thus been identified. The hypothesis of a shift towards a developmental paradigm has been largely downsized. Moreover, an important discursive continuity has been noticed: the catchphrase “migration management” appears throughout the documents in very different usages, sometimes control-related, sometimes labor-market-related, and also development-related. This observed element of continuity, as will become clear later on, offers an alternative key to understand the changes underway in framing arena of EU immigration policy.

5.6.1 One disclaimer

The observed trends must be put into perspective by pointing at the provenience of the analyzed documents. For the first half of the post-Amsterdam decade, European Council documents are overrepresented in the sample; only one Commission communication from this period is considered and, as was noticed in various occasions, its discourse is in strong dissonance with the other documents from the same time. On the other hand, Commission documents prevail for the period 2005-2009. At a first look, this might appear as a limitation of the sample or as a biased choice, which undermines the validity of my results.

However, the sample's particular composition can be soundly explained: in the second half of the decade, the European Commission has become a much more active participant in informing the external dimension of migration through the drafting of proposals17. As will be clarified in the next chapter, this is due to important changes in formal policy-making rules which were established by the Amsterdam Treaty. Since 2004, the Commission holds the sole right of legislative initiative in the policy area, which means that it has become the only responsible for making formal proposals of legislation. While it does not have proper legislative power (passing/amending/repealing laws), the right of initiative puts it in a key position for determining the discourse and framing of migration policy. For this reason, the peculiar institutional identity of the Commission will be one of the subjects of the following chapter.

17 This is proven by the documents listed in the online documentation center of the European Commission's Home Affairs: http://ec.europa.eu/home-affairs/doc_centre/immigration/immigration_relations_en.htm (accessed last February 2011)

This chapter will give an overview of the history of the field of immigration and asylum policy in Western Europe. By looking at the interplay between actors and framing trends, and by reading them in the light of various secondary literature accounts, I will present a social constructivist interpretation of historical patterns of policy change/stability from the beginnings of European cooperation on migration until today.

6.1. Early European cooperation on migration: the rise of security professionals and interior ministries

Virginie Guiraudon's account on EU immigration policy (2000, 2003) offers a precious insight into understanding why the securitarian frame of migration became the dominant one from the very beginnings of the transnationalisation (or Europeanization) of this field's policy-making processes. Already from the 1970s, but particularly in the 1980s, transgovernmental networks originated bringing together government officials and functionaries from different Western European countries. These co-operation schemes were formed outside the European Community's legal order: the main examples are the TREVI group (1975), the Schengen agreement (1985) and the Dublin Convention (1990). Constituted mainly by law-and-order personnel and security bureaucrats, they had their focus on security-related issues, and with the time this field arrived to include immigration policy. In order to employ the technical solutions they were expert in, they had to frame migration as a problem of national security, together with international crime, terrorism and similar threats: “If a solution is defined before a problem is identified, issue framing will be crucial to reconstitute a 'causal story’” (Guiraudon 2003: 266).

But why did these networks originate in the first place? And why did they succeed in including migration into their domain of competence? Guiraudon's account of “venue shopping” provides an interesting explanation for the sudden transnationalization of the field of immigration and asylum in the 1970s and 1980s. This change was deliberately steered, and it was motivated by the search for political resources. Political actors are aware of the fact that at different levels and in different settings of governance they will find different procedural regulations and configurations of participants, which will be more or less favorable for pushing forward their own priorities (Guiraudon 2000: 252). Hence, they will try to move the arena of policy-making to the most advantageous venues for all the decisions that lie at their heart:
“Migration control bureaucrats went transnational at that particular moment because they had seen their action increasingly constrained in the early 1980s. First, landmark court decisions in the main European receiving countries that date from the late 1970s had circumscribed administrative discretion. They established in particular the right to normal family life and to secure residence for long-term residents. […] This period saw also the first major clashes between agencies in charge of the integration of settled foreigners and those in charge of migration control. The incentive to seek new policy venues sheltered from national legal constraints and conflicting policy goals dates from the beginning of the 1980s. This explains the timing of transgovernmental cooperation and its character: an emphasis on non-binding decisions and secretive arrangements. Rather than creating an ‘international regime’, i.e. a constraining set of rules with monitoring mechanisms, national civil servants sought to avoid domestic legal constraints and scrutiny” (Guiraudon 2003: 268).

National interior ministries profited importantly from the rise of these security-related groups, using them as tools to pursue the restrictive reforms on migration they were unable to enact in a stiff domestic context characterized by inter-ministerial quarrels (Guiraudon 2003: 267-8). From that moment, immigration and asylum were considered as almost by definition the domain of competence of JHA actors.

A structural shift occurred in 1992, with the Treaty of Maastricht. This document meant the incorporation of the field of immigration and asylum into the EU framework. However, a pillar was created particularly for this area, falling out of the Community method of decision-making and still largely based on an intergovernmental approach, sidelining the European Parliament and the European Court of Justice, as well as preventing the Commission from exerting its right of initiative (Guiraudon 2003: 269). This also meant that “it was not possible to pass Regulations and Directives – that is, supra-national instruments carrying direct effect” (Wiesbrock 2010: 113), but only non-binding legal acts (soft-law measures). The control of the field remained largely in the hands of member states' governments and officials and particularly of interior ministers. At the EU level, their interests were and still are best represented by the JHA Council, namely that particular configuration of the Council of the EU composed by the member states' interior ministers.

6.2. After Amsterdam: new rules, old frames

The situation changed, however, with the entry into force of the Amsterdam Treaty in 1999. This document signaled a remarkable supranational change in the institutional set up of the Union for what concerns migration issues. Most areas and measures formerly part of the Third Pillar (visa, immigration, asylum) were incorporated in a “Title IV” falling under the Community method of
The communitarization of a large part of Justice and Home Affairs policies resulted in an increased role for 'supranational' EC institutions next to the 'intergovernmental' Council: the Commission was given a shared right of legislative initiative alongside the member states, which would then become a sole right after five years (2004); the European Parliament was to be included in consultation procedures, shifting to co-decision right in 2004; the European Court of Justice acquired jurisdiction over many parts of Justice and Home Affairs. Moreover, the application of the Community method of policy-making to these issues also implied the introduction of qualified majority voting instead of unanimity in the Council, a shift supposed to make the decision-making process smoother and to defy the risk of deadlock posed by single states' veto power. Despite the persistence of some intergovernmental peculiarities in Title IV\(^\text{18}\), the novelty was clear:

> “the Community, with the entry into force of the Treaty of Amsterdam, eventually became responsible for the development of a common EU immigration policy and acquired the competence to draft legislation with regard to the position of third-country nationals” (Wiesbrock 2010: 114).

The discourse analysis, however, underlined a central security-and-control concern in the first years after Amsterdam (especially European Council 2002, 2004). How can this be explained against the background of these institutional changes, which weakened the role of national JHA actors? Guiraudon (2003) tries to give an explanation for the resilience of the traditional security-centered approach to immigration and asylum policy by underlining the continuing availability of hard political resources for Justice and Home Affairs officials in this area, exemplified by their greater involvement in diplomatic forums (Guiraudon 2003: 271-2) and by the persistently intergovernmental aspects of immigration and asylum matters (see footnote 18). Guiraudon's account, however, must be partly criticized. Her understanding of actors' behavior relies too heavily on rational choice models. The independent variable for explaining the outcomes of the policy process are actors interested in maximizing their own power through hard political resources. There are, to be sure, some 'constructivist' moments: actors struggle to create and impose a policy image (a concept very close to 'frame') which gives them an advantage in the field (Guiraudon 2000: 258).

\(^{18}\) As Wiesbrock explains, “Title IV EC continued to feature a number of particularities, leaving greater discretion to the member states than the remaining Community pillar. First of all, the style of decision-making within Title IV EC remained for some time still partly intergovernmental, with the Council taking decisions in unanimity and the member states having the possibility to initiate legislation in a transitional period and thereafter maintaining the right to submit requests for policy initiatives to the Commission […] In addition, some aspects of Title IV are excluded from the preliminary ruling jurisdiction of the European Court of Justice (ECJ), which in any case can only be sought if there are no national legal remedies available. […] Moreover, the ToA provided for a degree of flexibility in the application of measures in the field of justice and home affairs by introducing a number of opt-ins and opt-outs” (Wiesbroch 2010: 113-4).
Nonetheless, this moment of framing is seen only as step to obtain, through a shift in venue, the additional 'hard' power that comes with favorable venues of policy-making.

A different perspective is advocated by Roderick Parkes, whose institutionalist stance is characterized by a stronger sociological component. He criticizes Guiraudon, who in his view insists too much on hard political resources, namely the ones which are formally established in the policy-making rules of the treaties, thereby neglecting or at least diminishing the role of “sociological resources”. While the former are definitely important, limiting the analysis to them would characterize a rationalist perspective blind to other, “softer” opportunities of exerting influence:

“A strictly rationalist framework would discount the possibility that actors alter their preferences, positing that they will only drop a goal if it is shown to be too costly to realise. By contrast, the sociological institutionalist perspective suggests that actors can be persuaded to change their preferences if subjected to normative argument. This is an important source of interior ministries’ influence at the European level: one should not, therefore, concentrate alone upon the political resources that they enjoy to block and veto their rivals' preferences. The sociological political resources that render their arguments more persuasive are also of key importance” (Parkes 2010: 69).

Parkes inherits from Guiraudon (2000: 258) the conceptual tool of “policy image”\(^\text{19}\). The novelty of his approach, however, lies in the accent he puts on the bidimensional character of the policy image: by doing so, he is able to clarify why an increase in hard political resources based on a change in the “functional dimension” of the image (which determines who is legitimized to participate in the policy-making process) does not automatically mean a change in the outcome of policy-making if it is not followed by a change in the “substantive dimension” (Parkes 2010: 51), which determines what substantive preferences are perceived as legitimate in a specific area.

Precisely this uneven pattern of transformation accounts for the largely failed re-framing of migration in the early post-Amsterdam years that was observed in the discourse analysis, in spite of the entry into the policy-making arena of political actors with a view on migration priorities largely diverging from the securitarian one. They acquired more formal decision-making powers, but were unsuccessful in changing substantially the categories and narratives that shape the contents of migration policy:

“Although the EP had traditionally stressed the importance of respecting migrants' rights and

\(^{19}\) In fact, Guiraudon takes this concept from Baumgartner and Jones (1993), who define policy image as the “public understanding of policy problems” (Baumgartner and Jones, in Steensland 2008: 1032)
liberties, and the Commission had pushed for substantive change on grounds of social, economic and foreign policy, these arguments, and the idea that only they could overcome them, did not apparently foster a critical mass or either elite-based or bottom-up pressure for institutional change in the service of substantive change” (Parkes 2010: 56).

But how can this resilience of the security-centered frame at the European level be explained? The strength of this policy image must be partly understood against the backdrop of its decades-long history as a dominant frame before the communitarization of migration policy: path dependency accounts for its ongoing success, even after apparently adversarial institutional changes. However, another peculiar reasons for the difficulty to oust the securitarian frame lies in its 'virtualism'. In other words, even the signs of policy failure actually contribute to reinforce the policy image rather than undermining it:

“The 'problems' evidencing the fact that a reactive, illiberal policy cannot fully steer migration (for example the continued presence of large numbers of 'bogus' or failed asylum-seekers on the national territory) are used to legitimate rather than negate its continuance” (Parkes 2010: 57).

Thus, for some years after Amsterdam, the migration-security frame remained stable as 'the rules of the game' in the regulation of immigration and asylum. One of the interviewed Commission officials pointed out, in this respect, how the infamous returns directive, the first measure to be agreed on through co-decision between the Council and the Parliament, was actually approved with large majority by the European Parliament. This fact points at the reality that actors, when they accrue an important responsibility in decision-making, start to think within the frame of the dominant policy image:

“until the Parliament was not associated with the legislative process, until it had no decision-making power, it was very easy for the Parliament to behave a little bit like a countervailing power, because they had absolutely no responsibility to bear in policy development terms. […] Now that the Parliament has full decision-making power, you can see that the political profile of the institution on these issues is changing. The best example of that, the one I always quote: you have certainly heard of the famous, or rather infamous Return Directive, this Return Directive has been adopted in co-decision, and has been voted in favour by a significant majority inside the European Parliament […] they have moved away from the level of the principles.” (Interview 3, Appendix III).

Another interviewee expressed a similar disillusion regarding the increase of power for the European Parliament, but this time in relation to future prospects. Asked on whether the institutional changes brought about by the Lisbon Treaty (whose implications for migration policy are set out in
the conclusive chapter) will allow for a more liberal migration policy, thanks to a changing
distribution of power amongst policy-making actors, she answered:

“That's what I was hoping for, and I was quite optimistic, but now I seem a bit less optimistic. Of
course the idea was: first of all, qualified majority, which is easier, and then the involvement of the
Parliament. But recently, when I see the way the Parliament gets involved, I'm not so optimistic
anymore. It doesn't have necessarily more open and innovative views than the member states
have” (Interview 4, Appendix IV).

It therefore appears that even more critical political actors end up endorsing the security-and-control
frame when their augmented responsibility pushes them to take a more ‘realist' or 'pragmatist' stance
to the policy issue. That is to say, when their positions are not only guided by matters of principle
anymore, but reflect what they really think is a responsible and appropriate way to regulate the
policy area. All these factors account for the persistence of a security-and-control framing in the
early years of the communitarized EU migration policy (1999-2004).

6.2.1 The terrorism creep

Against the interpretation just given, a critique could be raised, namely one that would rather stress
the importance of the terrorist attacks of that period (New York City 2001, Madrid 2004) in
accounting for the persistence of a securitarian frame during the early post-Amsterdam years. While
these events logically provided a fertile ground for a securitarian rhetoric and are explicitly referred
to in the very official documents under analysis, it should however be reminded that linking
terrorism with immigration is not a natural, value-neutral passage. If such a linkage occurs and
succeeds, it means that it is resting on some pre-existing, and generally accepted, assumptions;
these are obviously of a longer date than the event itself. In the particular case under exam, it means
that the terrorist attacks contributed to the securitization of migration only because migration was
prevalently framed into a “security continuum” that connected it with terrorism and other cross-
border dangers. The insufficiency of the sole terrorist attacks to explain the strength of the
securitarian framing is underlined by the discourse expressed in the Communication Integrating
Migration Issues (European Commission 2002), which was produced in the same period but
constitutes, as already highlighted, a pioneer example of counter-framing.
6.3. After 2005: the European Commission and the reinterpretation of the external dimension

6.3.1 The debut of a new actor: DG Development

While the discourse made thus far casts some light on the predominance of the focus on security and control observed during the first five years after Amsterdam, it does not provide an explanation for later developments. As we have seen, the discourse analysis' outcomes indicate that a partial change has occurred in the equilibriums of the framing arena. The signs of this shift are clear especially from 2005 on in the so-called 'external dimension' of migration policy. The change in formal rules and settings of policy-making alone cannot adequately elucidate the reasons of this evolution, because participants in the policy process act according to a logic of appropriateness and newcomers often tend to adapt to already established frames. A change was therefore more likely to originate from an actor coming from outside the migration policy field, an actor not caught up yet in the framing dynamics of that field, and who had enjoyed until then a large degree of isolation from them. Such an actor would respond to a logic of appropriateness informed and guided by fundamentally different values. For example, an actor from the development world.

In line with these considerations, Christina Boswell (2008) provides an explanation of this frame shift by focusing on the role of the European Commission. Drawing upon organizational sociology accounts, she highlights how single DGs within the Commission have reacted differently to the same mandated goal (the co-ordination of the migration agenda with foreign policy and development agendas, under the header of the external dimension of immigration and asylum policy) and how these various strategies have impacted the definition of the dominant frame in that specific field. These different reactions are not motivated by the bureaucracy's rationalist concern for Weberian effectiveness or by their Foucauldian strive for power expansion; they rather depend on the need for orientation in a complex environment and for internal cohesion typical of any organization, and normally satisfied by remaining loyal to the norms and ideologies that characterize the organization's identity (Boswell 2008: 493).

While the external dimension was initially dominated by a security-and-control frame like the entire migration field, the novelty constituted by other actors' involvement and participation, such as the DGs for external relations (DG Relex) and for development (DG Development) led in the long run to a reorientation of the frame. This is precisely because, in different ways and to different extent, these Directorates resisted the adoption of a frame in conflict with their organizational ideology and coherence.

The most interesting case is DG Development, which in a first moment adopted a strategy of
'evasion', trying to minimize the interference of the changing political environment by ignoring signals and requirements originating from it: “As one Development official put it, the organisation's response was to 'stick its head in the sand'” (Boswell 2008: 502). In 2005, when DG Development started to commit much more to the external dimension, it could therefore still count on a large ideological autonomy from JHA priorities in the area of migration (Parkes 2010: 125). This growing commitment unfolded because some opportunities had appeared which offered a 'hook' for integrating development goals in the external dimension of migration: most importantly, the events in Ceuta and Melilla\(^2\) which pointed at the insufficiencies of the migration-security approach, and the growing global debate on the migration-development nexus, flourishing in important IGOs and IFIs as well as in the academic world (Lavenex and Kunz 2008: 449-52).

Having found these opportunities of 'adopting by adapting' the new agenda, thereby staying coherent with its own ideology, DG Development started giving its support to the external dimension while modifying the frame predominant in it. Far from embracing a paradigm of cooperation with third countries stressing control, surveillance and return, all elements in line with the fight against illegal immigration, DG Development advocated an approach which takes into account potential benefits for countries of origin and transit as well as for the migrants themselves, and fostered a view on migration as an opportunity with important developmental consequences for all actors involved. On this basis, it also encouraged to explore innovative ways for legal mobility to the EU (Boswell 2008: 506).

Therefore, while JHA actors could exult at the involvement of development actors in an area – the external dimension of migration – for which they had long sought transversal support and coordinated action, this involvement did not occur in the terms they had imagined at the outset. Far from being silently co-opted in migration control, DG Development adopted a strategy of 'reinterpretation', whereby it “was able to internalise those parts of the agenda that were in accord with its existing ideology. This implied a fairly selective reading of the package of measures being proposed. It also encouraged the inclusion of a number of new goals that had little to do with the migration management agenda” (Boswell 2008: 508). The prominent role played by DG Development in the introduction of the migration-development discourse into EU migration policy is also confirmed by one interviewee from that same Directorate, who says that “within the Commission, initially it was our directorate, but now the whole Commission, and more and more the member state” (Interview 1, Appendix I).

\(^2\) Spanish enclaves within the territory of Morocco, where episodes of violence were perpetrated by the border police against irregular migrants in September and October 2005.
6.3.2 Beyond hard resources: the importance of persuasion and dialogue for frame-shifting

Following Boswell's account, as we have seen, the involvement of foreign affairs and especially development actors in immigration and asylum policy accounts for a more diversified frame. However, while an actor-centered approach definitely has some merits, it can only partly explain the rise of a migration-development frame in EU discourse: a new composition of actors on the field does not automatically imply that they will be able to change the substance of policy. To achieve this, an evolution in the sphere of ideas is necessary, which could also lead traditional actors to change their views, beliefs, and interests.

With the help of the interviews, a more balanced conclusion can be reached: Commission officials highlight the role of persuasion and normative arguments for the success of the migration-development frame, which is now consensual for all actors:

“I think we are on the way, we are not quite there yet, that's for sure, there has been definitely a change in thinking” (Interview 4, Appendix IV).

“This is now a bit changing. You can see how now development people talk to migration people in the member states, it's quite a remarkable... if you compare it with years ago, there's much more coordination, much more talking to each other” (Interview 4, Appendix IV).

“It took a lot of time, but after protracted discussion, with on one side the migration community and the migration agenda, and on the other side the development community and development agenda, the principles of a nexus have been set by the European Council” (Interview 3, Appendix III).

“Now it's really integrated in the migration policy. Again, the fact that migration is no longer dealt with only by interior affairs actors, but also foreign affairs and development are more and more involved, is quite a significant progress. It's quite a change, definitely within the Commission, but also in quite a lot of member states. Migration and development is now directly included, we don't even have to ask for it anymore, it is a topic automatically included by our colleagues from Home Affairs.” (Interview 1, Appendix I).

One interviewee, an official whose department is specialized on the GAM, keeps the accent on dialogue and persuasion but makes a rather different point: she describes this partial frame-shift as a 'natural consequence' of the confrontation and partnership with third countries inaugurated with the external dimension. Thus, rather than considering only internal dynamics of the EU, the possibility of an influence from outside is also taken into account:
“For me it's a natural consequence of talking to third countries and starting to work in partnership. Because of course, the main thing that comes to their mind is, “ok, for us when we talk about legal migration we think of remittances being sent, means brain drain, means contact with diaspora and so on”. So, [these migration-development concerns] have resulted from the fact that we spoke, we started talking with third countries more, and try to address their needs and their problems and objectives more, and for me it's a natural consequence of that” (Interview 4, Appendix IV).

Once again, this implies that actors do not have immutable preferences. They can be dialogically convinced to align to different priorities, and not only forced by political constraints. In this specific case, the persuasion was effective also because of its coincidence with other various sources of soft pressure. The first one has already been mentioned: the increasing international hype of the migration-development nexus. A second one lies in the intensifying dialogue between European interior ministries and third-country governments, and in the sympathetic concerns and common language that originated from this interaction:

“Actors from outside the EU have become increasingly adept at speaking precisely this language of ‘responsibility’. They have put it to the EU’s interior ministries that they too bear responsibilities for their citizens – for the good management of society and the economy. […] In many ways third-country governments echo the arguments made by development actors. But whereas these can sound ideological from the mouths of development actors because they are removed from the core interests of EU citizens, from third-country governments they match up with the JHA Council’s own concern: both are concerned with the interests of their own citizens and the immediate social and economic stability of their countries. This is a shared notion of responsibility, to which the JHA Council can be sympathetic” (Parkes 2010: 128).

An investigation of the 'soft' dimension of the policy process (the prevalent ideas and beliefs that constitute frames) confirms to be a necessary component of a study of policy change.

6.4. Not only development: Envisaging the coordination with more policy areas

In presenting the results of the discourse analysis of official documents, the trend of a more multidimensional migration policy was noticed, where different particular goals stand next to each other but the overall picture is at times hard to grasp. After these considerations, an effective explanation for this lack of coherence can be given, with reference to Peter Hall:

“A state faced with multiple tasks and well-defined conflicts of interest among the social classes it governs, or the groups within these, may find it necessary to maintain a degree of deliberate malintegration among its various policy-making aims so that each can mobilise consent among its
particular constituencies by pursuing policies which, even if never fully implemented, appear to address the needs of these groups. In many cases the pursuit of incompatible policies renders all of them ineffective; but this strategy prevents any one group from claiming that the state has come down on the side of its opponents” (Hall, in Boswell 2008: 508).

To a certain extent, contradictions are therefore useful for holding together the preferences of different actors. The lack of policy coherence (Bendel 2009: 24-5), of a long-term view (Collett 2010), and of politico-strategic thinking (Parkes 2010: 162-4) are amongst the main critiques moved against the latest developments in immigration and asylum policy. Collett, for instance, criticizes the Stockholm Program (the latest JHA five-year program) for being patchy, ambivalent, and not very assertive. A long-term vision seems to be lacking, and this “may also be due to the fact that immigration policy has somewhat outgrown its parent portfolio. The emphasis on external relations and the shift in focus toward the needs of European labor markets suggests that migration is no longer just simply a Justice, Liberty and Security policy, but an integral part of foreign policy, employment and social affairs, and a host of other policy areas, such as trade, education, and finance” (Collett 2010).

Does this ambivalence and patchiness hence result from the involvement in policy-making of new actors, e.g. from employment, education, etc? Does the shift in framing depend on a changing distribution of actors on the policy field? This is rather unlikely: so far, despite various attempts to seek cooperation, the inclusion of actors from other policy areas than the development world in the migration agenda has yielded very little results. As one Commission official in charge of migration puts it:

“from the Employment and Social Affairs Directorates, very little was done, even in the area of inclusion policies which are after all very close to our integration agenda. We were pleading ourselves for this kind of integrated approach, involving also the Education and Employment Directorate which would be relevant for what concerns the education of migrants. Managing to get migration into the agenda of these policy directorates remains one of our major preoccupations, but I would say that with the exception of the development policy, very little has been achieved. I would not say that we are fighting against each other, but we are running on parallel tracks” (Interview 3, Appendix III)

Nonetheless, the ground for such an inclusion is being intensely prepared, by insisting on the complexity of immigration's implications for society and on economistic discourses. The European Commission plays a central role in this expansion. This is also confirmed by one of the interviews:

“My expectation for the next few years is that we could try to design the same nexus between
immigration and employment policies as the one we have designed and implemented between the migration and development agenda. There are several points on which we could hang an attempt to set up this agenda, for instance the EU 2020 agenda, where you have a series of labour-market related actions and initiatives which include indeed the dimension of economic immigration and efficient integration of economic migrants. For the time being, this is mainly about words. But my expectation is that we could, and we are going to do that, build on that to build a bridge between the two agendas, paving the way – as it was the case for the migration-development bridge – for a more operational and action-oriented approach.” (Interview 3, Appendix III)

Thus, a question arises: why are there constant attempts to link other issue-areas with migration policy? This is even more surprising when confronted with the cold way these other policy areas react when they are encouraged to get involved. What explains this expansive trend, which at first sight distances itself importantly from the threat-constructing discourse of a securitarian approach? A partial answer to these questions will emerge in the following pages.

6.5. Expert knowledge and the Commission’s quest for legitimacy

The increase in the use of theoretical and scientific rationalizations noticed in the discourse analysis depends on the increased activism of the European Commission in shaping the debate on migration policy. I will now set out the reasons for the Commission's preference for this type of legitimation. The European Commission occupies a particular and partly controversial position in the EU institutional landscape. This “multi-organization” (Boswell 2008b: 476) is not directly held accountable for the societal impacts of its proposed measures, a characteristic that distinguishes it radically from the position of interior ministries, who “[t]hrough their involvement in implementation and delivery […] have multiple channels of feedback and intelligence about the impacts of their interventions. Crucially, such impacts also become the object of party political debate and mass media scrutiny” (Boswell 2008b: 478).

The Commission is an epitome of the “democratic deficit” which has been often criticized as a fundamental flaw of EU integration. Its representatives are not directly elected (as in the European Parliament), nor are they representatives of democratically elected national governments (as in the Council of the EU). Moreover, the Commission's goal is not simply to enact a democratically approved program: its role is not equivalent to that of national bureaucracies, it is not simply a transposition of the same function to a higher level of governance. Far from fitting into the Weberian image of bureaucracy as a servant, the European Commission moves in an ambiguous environment, with multiple principals and therefore a broader room for autonomous choice (Hooghe and Smith 2010: 3). On this premise, the question of legitimation becomes urgent, and the
answer needs to be sought in different domains than the ones of representativeness and accountability.

The solution adopted by the Commission has been to legitimize its role in a top-down way, on the basis of a privileged access to hard data and the reference to specialized expert knowledge, rather than in a bottom-up way based on electoral pressure and societal feedback on implemented policies.

The latter feedback is necessarily precluded to the Commission because of its role as a proposing and initiating body, with a very limited responsibility in implementation and delivery.

Commission officials responsible for migration, coming mainly from DG Home (the former DG Justice, Liberty, and Security), are 'socialized' to the world of academia and scientific research:

“The Brussels-based immigration and asylum policy community includes an array of international organizations, lobby groups and think-tanks. Many of the larger organizations have dedicated research departments or 'research officers'. DG JLS officials are increasingly active in a variety of fora bringing together these actors. They regularly participate in conferences and workshops, have frequent meetings with researchers, sit on advisory boards for research programs, and publish academic articles” (Boswell 2008b: 478).

Learning from this environment, they absorb the style of argumentation typical of scientific literature. And since their input is more requested to inform decisions which appear to be of technical nature, this explains why the frame supported by the Commission in regard to migration insists on the economic dimension rather than on the political (and obviously less technocratic) one (Boswell 2008b: 478).

The Commission's peculiar claim of legitimacy emerged clearly in all interviews. Commission officials expressed the need to focus on long-term goals (labor market needs and a well-functioning European economy) rather than on short-term concerns (such as leaving untouched the politically sensitive issues of sovereignty and belonging). They often described the ambitions of their institution as being curtailed by member states which 'do not seem to understand', but will have to understand soon. To be sure, there is some expression of sympathy and understanding for the political concerns of member states representatives, who have to confront a susceptible electorate; however, these political sensitivities and the short-term logic that comes with them are seen as merely an 'irrational' obstacle against the maximization of the own objective interest. National political concerns are seen as an outdated nuisance hampering the solution of a 'technical' problem:

“Well, in the longer term the EU will have to look outside to fill the gaps of its labour market, and migration will contribute to a wealthy economy. EU needs to be in general a bit more open on this issue, but because it is such a politicized issue, it's not easy to manage” (Interview 1, Appendix I).
“In the long term we will need the migrants and we should work on it already now. So this is something that is definitely missing and is also missing in the contact with third countries. You know, if you want to curb illegal migration, then the easiest way is to offer legal migration opportunities. I think our member states do not necessarily understand this, and if they do understand it, then they are afraid of doing so” (Interview 4, Appendix IV).

“You know, it's also a question of the short-term and long-term objectives, and migration policy is often seen as if the need to address it was only in the short term, because this is also what public opinion asks for. So there is a bit of lacking of long-term objectives in the whole policy. We are on the way there, but this is not an issue that can be solved from one year to the other, it takes time.” (Interview 4, Appendix IV).

“If you look at demographic trends, Europe needs migration. The fact that the migration debate gets so often politicized is a problem, the political debate often focuses only on the short term, which of course has to be taken into account, but if you look at the longer term, the trend is clear. Here you have the challenge for the political leaders to “sell” this to their public opinions.” (Interview 1, Appendix I).

“We touch very much on issues which relate to sovereignty, you know, very nationalistic issues.” (Interview 2, Appendix II).

“More difficult to realize politically [a common EU migration policy], but in practical terms, I think it will become more and more obvious, because once the demographic crisis starts hitting seriously, all right and left wing will be in competition for the highly qualified. That's what they call 'the global race for talent'. And we can do this as the EU, we can do this as 27 member states, which makes more sense to me!” (Interview 2, Appendix II).

Hence, this technocratic reading of migration results in a way of handling the issue that addresses each of its functional implications separately and according to different logics, in opposition to an all-encompassing political discourse whose force is based on the reference to unifying symbols and values.

According to Boswell, also humanitarian arguments and reference to human rights are well-suited to the particular institutional status of the Commission and in harmony with a technocratic discourse, since they are abstracted from short-term political exigencies and enjoy a reputation of impartiality and universality which transcends particularistic national concerns and populism (Boswell 2008b: 479). However, this interpretation opens a doubt, as it does not really match with the results of the discourse analysis. There, a relative loss of importance of humanitarian arguments
was highlighted: these were very strong at the beginning, in Tampere (European Council 1999), but later shifted increasingly away from the core of the discourse (apart from some reference to the Millennium Development Goals). Humanitarian concerns are still formulated explicitly, as we have seen, when the discourse is about fighting illegal immigration, mainly in European Council documents.

These observations lead to a different interpretation than Boswell's: while the Commission, in line with its technocratic character, has a preference for liberal economic arguments, humanitarian legitimations are more likely to be adopted by the European Council, as they are more in accord with the moral and principled tone typical of political discourses (the European Council is formed by the Heads of State and Government), rather than with a de-politicized approach to the issue of immigration.

6.6. A change of which order?

6.6.1 First interpretation: the emergence of a new paradigm

The migration-development nexus has acquired popularity in EU discourse particularly since 2005, as was observed in the discourse analysis. This can also be imputed to some events and phenomena (the concern expressed by the international community, following some humanitarian tragedies in the Mediterranean region due to attempted irregular entry into the EU; a growing global debate on the migration-development nexus) which account for external normative pressures on the European Union. In response, and to stay coherent with its image as a moral actor on the global stage, the Union felt the urgency to adopt an appropriate behavior and to align with rapidly growing debates at the international level. Thus, a possible interpretation is that the framing of migration has undergone a turn at that stage because of normative pressure from the external environment (Lavenex and Kunz 2007). Actors like DG Development have supported this evolution by acting as conveyors of this external discourse into the EU.

This might be indicative of a paradigm change, or third order change. In a paradigm change, according to Hall, the change in policy is more sociological than scientific. In other words, it is a radical transformation of values and categories which depends on the external influence of society and public opinion, rather than being an incremental evolution based on trial-and-error and on experts' advice:

“Only some kind of social learning seem to take place inside the state itself. The process of learning associated with important third order changes in policy can be a much broader affair
Following this first interpretation, the rise of the migration-development nexus in EU discourse shows at least some characteristics of an emerging paradigm change. Not only tools and strategies, but also the main goals have changed to some extent: development goals appear to have imposed themselves next to security goals, without fully losing their autonomy and without being totally co-opted as simple instruments of a restrictive migration policy (i.e. not only using development aid to reduce migration pressure, but also using the potential of migration to help the development of sending countries).

6.6.2 Second interpretation: paradigm-stretching

Strong control concerns, however, have definitely not disappeared. Because of the continued centrality of the fight against illegal immigration in EU discourse, the first interpretation remains flawed and unconvincing. Hall's description of the process leading to third-order change, however, gives enough room for a second interpretation, according to which the field of immigration and asylum policy is experiencing an intermediate phase in which the securitarian paradigm tries to resist anomalies and challenges by 'stretching' itself:

“instances of policy experimentation and policy failure are likely to play a key role in the movement from one paradigm to another. Like scientific paradigms, a policy paradigm can be threatened by the appearance of anomalies, namely by developments that are not fully comprehensible, even as puzzles, within the terms of the paradigm. As these accumulate, ad hoc attempts are generally made to stretch the terms of the paradigm to cover them, but this gradually undermines the intellectual coherence and precision of the original paradigm. Efforts to deal with such anomalies may also entail experiments to adjust existing lines of policy, but if the paradigm is genuinely incapable of dealing with anomalous developments, these experiments will result in policy failures that gradually undermine the authority of the existing paradigm and its advocates even further” (Hall 1993: 280).

This would also provide an explanation for the perceived incoherencies and contradictions in the discourse arising from the proliferation of different discursive threads next to each other in migration policy.

6.6.3 Third interpretation: just a change within the migration management paradigm?

However, a third interpretation is possible. It rests on an interesting discursive continuity noticed
throughout all examined documents and already mentioned earlier: the recurrence and persistence of the catchphrase “migration management”.

The concept of migration management, far from being just a generic and randomly chosen expression, has a clear history rooted in influential multilateral organizations. According to Geiger and Pécoud (2010), it was launched by Bimal Ghosh in 1993, following requests from the UN Commission on Global Governance and the government of Sweden, and was subsequently consolidated in 1997 in the framework of the NIROMP Project (New International Regime for Orderly Movements of People)\(^\text{21}\), again under the supervision of Ghosh. It ended up constituting the ideational basis for the IOM (International Organization for Migration), which currently “has the broadest mandate for migration issues of any international institution” (Newland 2010: 338). The timing is not a coincidence: after the end of the Cold War, there was the fear that international migration could give rise to important crises; it was therefore to be addressed through the creation of a new regime based on holistic norms (Geiger and Pécoud 2010: 2).

In many important respects, migration management is distinct from the traditional securitarian approach pursued for a long time by Western European states:

> “migration is presented as a normal and potentially positive process. In addition, given its international nature, this global policy discourse needs to take into account the interests not only of a country or a region, but of the world and mankind in general. This motivates the so-called ‘triple-win’ argument, according to which migration should be turned into a process benefiting all parties (including receiving states, sending countries and migrants themselves). The issue, then, is not whether migration should be authorized or not, but rather how it is to be ‘managed’ in order to maximize (or ‘optimize’) its impact. These arguments contrast with long-standing representations of migration as a threat to be combated and with the ‘zero immigration’ policy goals that have characterized political rhetoric in Europe since the 1990s” (Geiger and Pécoud 2010: 9).

All these aspects of ‘migration management’, while present in it since its international-organizations-based genesis, are not at all explicit in EU discourse from the beginning, despite the adoption of the label. Positive descriptions of migration and the ‘triple win’ argument, besides appearing in the ‘anomalous' 2002 Communication *Integrating Migration Issues* (European Commission 2002), remain silent until 2005, as the discourse analysis showed. Hence, the use of the catchphrase “migration management” by the EU in early times might be explained as just a window-dressing move, which responds to the Union’s claim for moral legitimacy and to its self-presentation as a non-selfish global actor (Buonfino 2004: 25). However, it could also be read as a

\(^{21}\) The NIROMP Project was funded by the United Nations Population Fund and by the governments of the Netherlands, Sweden and Switzerland.
genuine embracement of the new agenda, whose implications were then temporarily slowed down in the post-9/11 climate. In any case, it is a matter of fact that in the early post-Amsterdam documents “migration management” refers mostly to measures against illegal immigration.

In fact, far from being in open contradiction with securitarian goals, the migration management discourse can even reinforce them, despite its apparent difference. As Geiger and Pécoud explain:

“migration management is keen on keeping states at the centre of the picture. After all, a genuine laissez-faire approach to migration would sooner or later refer to ‘open borders’ and to free movement as ideal goals. But migration management – while often advocating more freedom – never envisages full freedom of movement. [...] Rather than organizing the disappearance of states, migration management is in this sense an attempt to find new ways for them to retain their influence over migration flows” (Geiger and Pécoud 2010: 15).

It also legitimizes securitarian goals and practices by depoliticizing them. This follows the trick described by Didier Bigo and already mentioned earlier, namely disguising migration policy as a merely technical matter in order to subtract it from public discussion:

“This points to what could be called the ‘legitimizing’ function of migration management. In several chapters, one can see how governments rely on IGOs and on their ‘managerial’ approach to justify their harsh measures and escape any kind of political debate on the orientations of their migration policy” (Geiger and Pécoud 2010: 12).

Thus, adopting the label “migration management” was initially useful mainly to address the fight against illegal immigration in de-politicized terms. The endorsement of this 'neutral' expression also paved the way for the external dimension of migration policy: the technical quality of the term “management” implies that there is one rational and objective way to deal with migration, and that both European states and third countries can share this view.

However, the migration management vocabulary, while initially adopted mainly at the service of security and control, has risen in importance and outgrown the role it was initially relegated to. Signs of policy failure and pressures from an international debate, linked to pressures from inside (DG Development) have led to a fuller establishment of it. This surge has opened some cracks in the traditional, nation-state centered securitarian paradigm by highlighting the neoliberal character of migration management, concerned about making migration economically beneficial and connecting the supply of labor in the South with the growing demand in the North.

Thus, the third interpretation makes sense of the migration-development 'turn' and of the current trends in a fundamentally different manner: to be sure, it is a phase of decline of the traditional
security paradigm, centered around the dream of zero immigration; this demise, however, rather than simply leading into the chaos of piecemeal concerns and 'frame anarchy', sees already an emerging dominant frame, capable of integrating together very diverse aspects and to give them coherence.

This new frame, namely migration management, does not propose free movement. It still stresses control, although of a different kind: steering, rather than prohibiting, migration flows. Sara Kalm (2010) suggests that Foucault's concept of liberal governmentality can cast light on the particular coexistence of freedoms and control in migration management:

“Liberal governmentality is not about guaranteeing liberties as a good in itself, but seeks to promote certain freedoms for the purpose of reaching other governmental aims. Therefore, freedoms must be organized, managed and overseen” (Kalm 2010).

Thus, such diagnosis accounts for the increasingly economistic argumentation found in the discourse analysis by highlighting the neoliberal character of the frame. It also answers for the growing links between migration policy and other policy areas, as a peculiar characteristic of migration management since its very beginnings is its search for comprehensiveness (Geiger and Pécoud 2010: 2). This is coherent with an administrative approach, which hives off the issue into several functional sub-elements.

According to this hypothesis then, the migration-development element is only one component of a technocratic and neoliberal paradigm still centered on control, but on a different, more 'comprehensive' type of control. Legal migration measures, for instance, are now also used as a tool of control, which aims at influencing and steering the behavior of all different actors (through moralized narratives, through practices, etc.) rather than tackling migration unilaterally. The fight against illegal immigration is bound up with other areas, and through these bonds a new, more subtle kind of control is obtained. The developmental element fits into this discourse to the extent that, in accord with neoliberal governmentality, it promotes entrepreneurialism and the migrants' maximization of their human capital and it extends the market logic of incentives and disincentives to all spheres of society (Kalm 2010).

One of the interviewed Commission officials laid emphasis upon this distinction between “security” and “control” that characterizes the shift from a securitarian approach to a migration management approach:

“In all fairness, I would resist qualifying what is labeled as EU migration policy as a securitarian one. As we discussed earlier, it has been dominated by control-oriented preoccupations, but it did not boil down in a completely securitarian view of migration. If you look for instance at one of the
recent landmark papers, i.e. the European Pact for Immigration and Asylum which was adopted in 2008 under the auspices of the French Presidency, it has been qualified by many NGOs at totally securitarian. In all fairness, I completely disagree with that. Of course, in that paper there is a lot about border control, about trafficking in human beings, all these security-related preoccupations, or better control-oriented preoccupations that you can find, that have been for years on the agenda of the EU. But you can also find very ambitious wording in regard to asylum and the need for the EU to be up to the level of its historical humanitarian tradition, to be protection-oriented. There is very strong language on integration policy and on the development of an EU approach of integration issues. Notwithstanding the resistance of a significant minority of member states there is still language about the benefits that legal migration can bring to our societies, and so on. So, dominated by a control-oriented preoccupation, YES. Securitarian, No, I would not say so” (Interview 3, Appendix III)

In conclusion, this third interpretation seems the most convincing one, and spurs intriguing questions: does “migration management” really have enough coherence and consistency to be characterized as a paradigm in its own right? In Europe, does the adoption of the migration management discourse constitute a real paradigm shift away from the securitarian approaches that characterized Western European nation states from the 1970s on? And if it does, at what point in time did it start its rise, just after Amsterdam or even before? Does the adoption of this new paradigm correspond, in its timing, with the shift of competence in migration matters to the EU level?

All these questions constitute a good starting point for further research. They build upon the recognition that the migration-development turn does not represent a radical shift in the EU’s approach to immigration: it does indeed bring a change, but one that should be understood as the accelerated growth of elements already seminally present in discourse rather than as causing a paradigm crisis. The real paradigmatic breaking point should probably be sought somewhere earlier, when the migration management paradigm asserted itself to the detriment of the traditional securitarian paradigm. A degree of overlap between the two (the insistence on control, the reassertion of some security elements especially in the wake of the terrorist attacks in the early 2000s) is probably the reason behind a certain confusion, which hindered some authors from recognizing the paradigm novelty at its earlier stages.
7. CONCLUSION

Looking at the future, one has to take into consideration the recent institutional rearrangement the European Union has undergone with the entry into force of the Lisbon Treaty on the 1st December 2009.

This document, which declaredly aims at making the Union more efficient, more democratic, and more coherent in its external action, has also impacted in significant ways the institutional rules governing the area of migration policy-making. The most important change regards policies on legal immigration, which will be pursued under the 'ordinary legislative procedure': qualified majority voting rather than unanimity in the Council, and the right of the Parliament to co-decide with the Council. The pillar structure has been undone and all JHA matters have been incorporated into the Community structure (while almost all areas of migration policy had already come to be part of the Community acquis with the Amsterdam Treaty, this was not yet the case for police and judicial cooperation). The Commission will enjoy the sole right of legislative initiative and almost all areas of Justice and Home Affairs will fall under the jurisdiction of the European Court of Justice.

Although the control on the volumes of admission of migrants is still firmly in the hands of single states, this new structural change represents a marked shift towards supranationalism. At first sight, this should make migration policy-making easier, since particularistic interests of the member states could be sidelined with more ease. However, it has also been observed that this transformation may give rise to a stalemate, with Community institutions and member states clinging stubbornly to their positions and unwilling to seek compromise. Therefore, Parkes suggests that an intergovernmental way of approaching migration would yield better results, on the condition that it was guided by the European Council (the Heads of State and Government) rather than by interior ministries in the Council of the EU (Parkes 2010: 166-9). A politically pro-active European Council could avoid the impasse arising from institutional mud-wrestling within the EU.

In fact, after Lisbon the European Parliament might indeed be keener to engage in such an inter-institutional conflict. Although some of the interviews as well as accounts in the literature express skepticism about possible substantial changes arising from this institution's enhanced role, it is actually possible that the Parliament will become less condescending. Particularly because of the formal powers it has gained over police cooperation and criminal matters, it will not need anymore to lower itself to compromises with the Council. This was still the case before Lisbon, where “the Parliament has made its amenability when co-deciding over migration control dependent upon the

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member states' respect for its views on criminal justice and police cooperation, where it had only limited powers. With its new powers over police cooperation and criminal justice, the Parliament will no longer have to behave in this way. Confrontations with the Council will presumably gain in intensity” (Angenendt/Parkes 2009: 2-3).

The agenda-setting powers of the European Commission come away strengthened from the Lisbon reforms (Angenendt/Parkes 2009: 3; Parkes 2010: 160). Nonetheless, as proved even by a comparison between the original Commission draft for the latest JHA five-year program (the Stockholm Program) and the final document, a tug-of-war is likely to continue between ambitious Commission proposals and the much more cautious approach of the Council (Angenendt/Parkes 2009: 3-4).

In spite of the constant brake put by the Council on Commission proposals, this does not prevent the latter institution to gradually pursue and achieve its agenda-setting goals: this occurs through a strategy of 'softening up', a form of soft power that requires patience, but eventually proves successful in the face of initial political disagreement:

“[The Commission] puts the proposal on hold, biding its time, but continuing to devote attention to technical and procedural aspects of the policy. For example, it may continue to gather evidence supporting its claims, or establish a procedure for monitoring national developments. Over time these procedures become institutionalized, and national governments become accustomed to the idea of co-operation in the given area” (Boswell 2008b: 479)

The European Commission deserves special attention in this research precisely because of the important soft power it controls. Thanks to its prerogative to legislative initiative, further reinforced by the Lisbon Treaty, it plays a key role in the framing of many areas, including migration. Commission personnel are aware of this privileged position, and a very substantial minority of its officials does not strive for more supranational power to the detriment of member states, as long as the power of legislative initiative is preserved and not shared with other institutions (Hooghe and Smith 2010).

Building on social constructivist premises, it can therefore be expected that the Commission will gradually expand its clout over EU immigration and asylum policy by intervening as a heavyweight in the framing arena. This is very likely to imply a further establishment of the migration management discourse (we can call it 'migration management paradigm', with all due reserves expressed in the previous chapter), even despite the real possibility of enduring inter-institutional contrasts. This type of technocratic, administrative, economic, and de-politicized discourse, whose origins and blooming are to be found in IGOs and in academia, suits well a multi-organization which is rather isolated from the pressure of public opinion and from societal feedback
on its proposals, but is closely linked to the epistemic communities of the academic world and of international organizations.

It is largely above the ambitions of this dissertation to judge whether this is a positive change or not. Nonetheless, some thoughts can be expressed as conclusive remarks.

7.1. “Cons”...

As was stressed by Gerard Boucher (2008), one contradictory peculiarity of the global migration management discourse lies in its tendency to neglect that the main causes of migration are in fact precisely the global imbalances produced by neoliberal capitalism. Instead, more neoliberalism is suggested as a solution, even in UN reports, as the powerful interests of the corporate sector are taken into account when drafting these documents (Boucher 2008: 1464). By attacking the bigotry and the ‘irrational’ fears of the nation-states’ right-wing parts, this discourse can present itself as forward-looking and open-minded, because it proposes a certain liberalization in the movements of people in order to bring about a more rational equilibrium between the world demand and supply of labor. The developmental element adds a further progressive touch. But in how far is the concern about development genuine, and to what extent can it be effective?

Developmental elements, as was highlighted also by the discourse analysis, have assumed a secondary, rather instrumental role in EU discourse. They are now not so much considered in themselves, but appear as just one aspect in legal migration policy drafts. The very fact that, of all migration-for-development facets, precisely circular migration enjoys nowadays the greatest attention raises the suspicion that developmental considerations have managed to survive only in those measures which are also economically beneficial for the EU. Hence, development is not the final goal, but just another aspect added to these migration policies to further legitimate them, especially at the eyes of the international community where the EU champions morality.

A more genuine developmental approach should try to target the fundamental global causes of international movements, and it should look for solutions at the very top-down level (for instance, the level of economic partnership agreements) at which low-income countries are condemned to underdevelopment (Goodison 2007; Flint 2009). Instead, only very rarely are the famous ‘root causes of migration’ interpreted against the background of the push to liberalize weak markets, which is inherent in global neoliberal capitalism and has been irresponsibly endorsed by the EU.23

Throughout the documents, the discourse on these root causes presents them mainly as internal to

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23 For more information about the Economic Partnership Agreements between the EU and Africa, and about the pressures and bullying tactics the European Community exerts on ACP states to have their markets liberalized, see Goodison (2007) and Flint (2009).
underdeveloped states and originating from their own bad governance. In the early post-Amsterdam years, the Union's discourse expressed the necessity to address the root causes through traditional development aid; subsequently, however, the migration-development nexus has more and more introduced the idea of alleviating these push factors through the beneficial potential of migrants. This carries with it some dangers: apart from keeping the view away from what the are the global interconnections underlying and reinforcing these root causes, such a strategy overloads the migrants with an onus that is unfairly too big for them, thereby de-responsibilizing at least in part the governments of both sending and receiving countries (Cuernavaca Declaration 2005). As Kalm (2010) explains,

“[l]iberal governmentality often takes place 'at a distance', steering and guiding individuals' free actions and through stimulating forms of responsabilization and self-regulation. In this particular discourse, migrants are understood and fostered on the one hand as neoliberal subjects, prepared to move, and on the other hand as responsible subjects, concerned with the development of the home community” (Kalm 2010).

Thus, the migration management discourse steers its subjects by instituting moralized narratives on what is positive migration and what is not, on who is good migrant and who is not, on what the actions are that a good migrant should do in order to be an agent of development, and so on. Too heavy a burden is put on the shoulders of international migrants, while the attention is shifted away from insufficient actions taken by European states to redress global imbalances and combat the underdevelopment of low-income countries, of which Europe is co-responsible.

In sum, the neoliberal discourse over-responsibilizes subjects who are already disadvantaged, especially international migrants; it does so through a narrative according to which development success/failure depend on their own individual initiative rather than on broader, strongly entrenched structural forces. This narrative satisfies at one time: 1) the need for some categories of workers in the European labor market; 2) the need to send them back when they are no longer needed, and when they risk to become a cost for society rather than a benefit; 3) the moral image of the EU, which can now present itself as an actor concerned about development, while transferring a considerable part of the responsibility for sending countries' development to the migrants themselves. Even when, in the discourse, the EU still partly faces up to its responsibility for alleviating the root causes of migration, proposed measures such as “the opening of markets” of sending countries (European Council 2005: 3) repeat those fatigued neoliberal anthems that have already been largely belied by the crude reality of globalization.
7.2. … and “pros”

With all due prudence, some considerations can be made that strike a blow for the Commission-sponsored tendency towards migration management in the EU's approach to immigration. Let us start by addressing the technocratic aspect inherent in this trend: it is arguable that keeping migration policy issues removed from the public debate yields in the short term more liberal outcomes than if they these topics were offered to political discussion. At first, this sounds like a heresy, like an encomium of technocracy to the detriment of democratic government. However, as Guiraudon (1998) argues, expanding the arena of participants in the migration policy debate would have as a consequence that the focus moves from material costs and benefits to symbolic arguments; while the former (material aspects) would definitely speak for a more liberal immigration policy, the latter (symbolic aspects) are most likely to bolster a strong opposition against it, also because of the rhetoric ability of politicians to exploit these symbols to their own advantage. In Europe, the beginning of the securitization of migration in the 1970s and 1980s coincided with the shift from a technical to a political approach to this issue area.

“Emphasizing the importance of rhetoric goes against the idea that the substantive implications of an issue will determine the scope of debate. It means that issues with symbolic value rather than material value take on importance. Fran Baumgartner insists that ‘those issues that affect the more people, cost the more money, or would result in the most radical changes’ are not necessarily those which will lead to intense political mobilization. [...] In brief, whereas Gary Freeman would argue that the beneficiaries of immigration outweigh in resources the cost-bearers, I would argue that there are non-cost bearers who will oppose immigrant rights on symbolic grounds, which is one reason why an expanded scope of debate will not result in more rights for aliens” (Guiraudon 1998: 290).

While it has been stressed that migration management is still self-interested and mainly concerned with control, this seems hardly avoidable. It would come as great surprise if the top concerns of the paradigm guiding EU migration policy were purely altruistic, such as improving the situation of the countries of origin. Nation-states, after all, are self-interested, and the European Union is too:

“I don't think these [EU-centric perspective and global perspective] are mutually exclusive. It is more like this: thinking of the European interests while keeping more global concerns in mind as well. I think states are selfish. The EU, to some extent, is the sum of its parts, so the aim is to do something that is beneficial for you collectively, so yes, it could also be regarded as selfish. You know, we want our labor market to work efficiently, we want to make a good use of the migrants that are present, it's an economic question as well as a legal one, and it does make sense. But
think it is right, there is also a responsibility not to empty a country of all its doctors, this would be morally incorrect.” (Interview 2, Appendix II).

On this basis, providing that one is aware of its real essence, it does not seem misplaced to claim that migration management represents an improvement from the traditional securitarian paradigm, for a number of reasons.

Firstly, a discourse that emphasizes more balanced and equal partnership and an ongoing dialogue with third countries is likely, in the long term, to reproduce this type of interaction in reality. Although initially adopting such wording might be a simple strategy of disguise and window-dressing, eventually the discourse influences what is intersubjectively perceived as good and bad, and actors' behavior changes accordingly, following the already mentioned “logic of appropriateness”. The bullying tone and practices that have often characterized EU’s relations with countries from the so-called global South will therefore possibly wane, in the long run, as a consequence of this discourse.

Secondly, also the very intensification of the interaction with third countries might play a role in this sense. When more actors are involved, although there might exist clear plans at the outset about how to involve them, what role to assign them, what goals to steer them towards, the original interests are going to be reoriented according to the other participants’ interests. The inclusion of actors such as third countries and the migrants, but also of actors from other policy areas, will probably cause a redefinition of ideas, norms, and interests on the field. A Foucauldian reading of migration management, such as the one proposed by Kalm (2010), has one flaw: it makes all subjects look like passive objects of an inescapable paradigm of control. In line with the social constructivist assumptions that have informed the whole dissertation, my interpretation is different: if other actors are involved in the practices and discourses of migration management, if they are awarded some freedoms, if they are given some voice, the result will not be a simple co-optation. Rather, they will participate in shaping the migration management paradigm.

Lastly, the move from the traditional securitization of migration towards migration management has an important effect on the notions about the nature of politics and the political community that define a society. By achieving, at least partially, a desecuritization of migration (Huysmans 2006: 124-44), this shift also weakens a Schmittean political project that tries to bring about the unity of the polity by pointing at a common external enemy. Gradually moving the attention away from the politicized fight against illegal immigration (still quite prominent, anyways) to other concerns, much as they continue to be self-interested ones, would contribute to oust security and identity politics as the founding preoccupation of a (rather blurry, for now) European political community.
7.3. One last reminder: the importance of politicization

The analysis carried out in this research is limited to the European Union's official discourse, whose impact on the framing of migration in the public opinion of European societies is probably much less important, at the present juncture, than that of media or national political parties. It is certain that a positive acceptance of migrants and migration in society will inevitably have to go through democratic public debate: even if an administrative and managerial approach to migration will really establish itself more and more in the relevant policy-making settings, the issue needs to be politicized eventually, as it touches upon the delicate question of the belonging to a political community.

This politicization and debate have historically proved complicated, and it often took some generations before immigrants were de facto accepted as equals in national communities. This is still likely to be the case now, at a time in which right-wing coalitions are in the driver's seat of several important European countries. However, this politicization could lead to better results if it was to take place in an essentially different political community than the one of the traditional European nation-states, which have historically been built on the criterion of cultural belonging. For some authors, the European Union constitutes a chance in this sense: it represents the possibility of a novel concept of polity and of citizenship, a post-national citizenship:

“For post-national approaches the non-existence of a culturally defined European demos is precisely what is interesting about the European Union. It makes the Union a structure of opportunity for creating political identity on the basis of legal and ethico-political principles rather than cultural identity. Such an approach allows for a more relaxed attitude towards the culturally different immigrants and asylum seekers. The principle of discrimination shifts from national cultural identity to internalization of democratic constitutional dispositions.” (Huysmans 2006: 118)

Whether this republican vision based on ethico-political criteria of citizenship has real potential for the European Union, or whether on the contrary it is destined to remain just a vision, is another story. For the moment, it seems that the neoliberal logic establishing itself in the framing of EU immigration policy could at most lead to a move away from cultural criteria of inclusion towards utilitarian ones.

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24 Important accounts on this vision can be found in: Jürgen Habermas (1992); Marco Martiniello (1995).


**Bibliography**

**Primary sources:**


**Secondary literature:**


Angenendt, Steffen; Parkes, Roderick (2009) “Asylum and Immigration Cooperation after
Lisbon”, in *SWP Comments*, 29, December 2009;


EU-wide policies?”


Geddes, Andrew; Boswell, Christina (2011) Migration and Mobility in the European Union. Houndmills, UK: Palgrave Macmillan;


Rein, Martin; Schon, Donald (1996) “Frame-critical policy analysis and frame-reflective policy practice”, in *Knowledge & Policy*, 9, 1, 1996;


APPENDIX I

Interview 1:
January 2011, European Commission official, DG Development

How would you describe the general attitude of the European Union towards immigration and asylum issues? What are its primary concerns in this field? What are its most important objectives?

The EU always refers to its Global Approach to Migration as approved also by the European Council in 2005 and then further elaborated in 2006. So that is really the basis defining the EU policy and its objectives on this issue. It is always based on circularity, preventing and fighting illegal migration, consolidating legal migration and mobility, and supporting the synergies between migration and development. So these can be considered the priorities of the EU when it comes to migration issues. And of course there is also a geographical focus when it comes to migration, which is also defined in the Global Approach to Migration and refined in 2007, with what it's called the Southern route (Africa) and the Eastern route (Central Asia to Europe). Of course it's quite an EU-centric approach.

So you are saying that the main goals are these three: fighting illegal immigration, enhancing legal immigration, and migration and development?

Exactly.

Are there important contradictions in the EU discourses, policies and legislations about immigration? Or is there a coherent will backing them?

You mean contradictions between the various initiatives?

Yes, exactly, between the various initiatives, areas, pillars...

Well, I think that actually the GAM is precisely an attempt to provide coherence within migration policy. Of course, certain areas have been more consensual and there has been more progress than others: clearly fighting illegal migration is a priority for all member states. Facilitating legal migration, also because of the split competence over this issue (you know, economic migration remains a national competence, and it's a touchy political issue especially in time of crisis), so this is an area where less progress has been achieved. There was Legal Migration Policy Plan that was first foreseen and that was not entirely adopted, for instance. Even if there has been progress recently, especially with a proposal for seasonal workers and intra-corporate transfers, these two directive proposals were tabled by the Commission last summer. Still, it has been a bit delayed as compared to the previous schedule. So, things are moving, but the timing is also influenced...

Is it also the resistance of the member states that delays these initiatives?

Yes exactly, and the political concerns, the economic crisis.

What are the main factors or who are the main actors determining the shape of the current approach to migration and asylum pursued by the EU? Considering the recent discursive change in favor of the migration-development nexus, could you tell me who have been the supporters and who the opponents of this change?
The main factors... you mean who determines the political line on migration? Well, it's a number of actors, not one actor. And also, it depends on the area you look at, because it's a shared competence. Even on legal migration, part of it remains a national competence, so of course that has an influence. For the rest, with the Lisbon Treaty it's mostly a co-decision area, so the European Parliament is also very involved, especially when it comes to international agreements that also have, for instance, a readmission component, these have to be approved also by the European Parliament. The European Parliament is involved, also the Commission, the member states, also a range of civil society actors. And within member states you also have a national contest to be taken in mind, and migration is in general quite a sensitive issue, especially in this time of economic crisis. So, there are quite a lot of actors.

And regarding migration and development?

Well, obviously within the Commission, initially it was very much our Directorate. But I think now in general within the Commission, and also more and more the member states, there are some member states that are more sensitive to that argument than others, but more and more people realize (and that was a bit the shift that was made by the GAM) that you cannot only talk about security issues. You also have to take into account a number of longer factors, like addressing the root causes of migration, also the fact that through remittances migrants do have the possibility to make a positive impact on the development of their countries of origin. So, now it's no longer the development world only, it's more consensual.

Also within the Commission would you say that all concerned directorates agree on this and cooperate?

Yes.

And in the migration-development discourse, is the root-causes approach prevalent or migration-for-development approach prevalent?

Well... both. Migration for development, the idea is to say that of course the lack of development and economic inequality (of course it's not only this, there are also political considerations) but still of course it's important. The root causes and also the other aspect. Migration can also contribute to development and development (or lack of development) can contribute to migration. Both are taken into consideration.

You said that there are a lot of actors dealing with immigration at the level of the EU. Do you feel that there are very conflicting views on how to manage migration between these actors?

Yes, there can be. Again, certain issues are more consensual than others. From a state perspective, fighting illegal immigration is more of a consensual topic. What you can do for legal migration... the very fact that it remains a national competence shows that there is no consensus at the EU level, that such decisions should be taken at the national level. At the same time, there is also a debate in the European Parliament, of course there are different political groups even within the Parliament that have some divergences between themselves, and sometimes the Parliament can take a bit of a different view. So it's definitely a topic of debate.

But of course at the same time a common migration policy is in the building, and it's also an area where huge progress has been made in the last 10 years.

So, there are not many frustrations, there is a fruitful co-operation?
No, it depends. There are quite a number of frustrations and all actors do not have the same view. The member states’ view on some topics is also very determined by their national debate, migration is always a sensitive issue. Of course, from the Commission side there is the will to move to a common EU policy, there are various national resistances for different reasons. So it's moving, but there is a lot of debate.

*Although now the supranational competence on legal migration has increased after the Lisbon Treaty, is that right?*

Yes, but states still decide how many migrants should be allowed to enter.

*What is, in your opinion, the relationship member states and the EU when it comes to migration issues? Are they resisting or are they giving up authority? Do you think that the approach of the EU institutions differs very much from that of the single member states?*

When you look at the progress in terms of transfer of competences over 10-15 years, it is definitely an area that has grown significantly (since Amsterdam Treaty), probably one of the areas that has grown the most within the EU competences. But I think there are still quite a number of challenges when it comes to having really a common asylum and immigration policy implemented. When you look at the area of asylum for instance, it comes out clearly that you definitely don't have a harmonized asylum system at this stage, and even the rates of acceptance of asylum are very different among member states, that creates a lot of tensions between states. So countries that don't have to face big influxes have a more liberal approach than, let's say, Greece. So this is an important question, and when you talk about this you also talk about what kind of solidarity should be put in place: financial, but not only financial, what about transfers of asylum seekers to have a more equal burden. And on the Commission's side there is clearly the will to have a common asylum system until 2012, or at least the ground for it. This is progressing, but slowly. It has progressed a lot if you look at the last 10-15 years, but of course there are still resistances it takes time to build such a system. And it is the same for migration.

*What are, in your opinion, the main lacks and the main strengths in current EU immigration and asylum policy?*

The main weakness is probably the fact that it's not common enough, this is one of the main challenges. And of course, the asylum-seekers and potential migrants are very much aware of this kind of incoherencies and discrepancies and take advantage of them. Also in terms of communication, there are certain challenges. I mean, when you talk about human rights of migrants, EU is often in a very defensive position, but if you compare the EU guarantees with what other countries offer to migrants in terms of guarantees, it's still quite strong within the EU. Which of course doesn't mean that it should not progress even further. You also have this question of externalization and respect of lowest standards in terms of human rights; so this is quite a complicated question, but definitely an important question for the EU in general.

If you look at demographic trends, Europe needs migration. The fact that the migration debate gets so often politicized is a problem, the political debate often focuses only on the short term, which of course has to be taken into account, but if you look at the longer term, the trend is clear. Here you have the challenge for the political leaders to “sell” this to their public opinions. But this is more political than policy.

*What is your idea about future prospects for the regulation of this policy area in the context of the EU? What is your comment about the recently approved Stockholm Program in relation to future prospects?*
The Stockholm Program, when it comes to migration it definitely builds on the GAM, and if you look at asylum it builds on the idea of building a common European asylum system. So on that point there's continuity with what took place in the last 5 years, and the direction is definitely that migration gets more and more integrated in EU's foreign policy and international relations as a whole. This goes 2 ways: people dealing with foreign policy and external relations are more and more involved in migration issues, and at the same time migration is no longer an area only for ministries of interior. And I think this will continue.

In terms of substance, the Stockholm Program is really based on the GAM. The fact that these directive proposals have been tabled last year is good: the EU needs to show that it is not only progressing in fighting illegal migration, but also on facilitating legal migration and facilitating movements for legal migrants, which it is trying to do with the directives that were tabled last year. And then the question of rights, which will remain a very political question.

This securitarian paradigm (on which one finds a lot in the literature about Europe's approach to immigration), do you think it is increasingly giving way to other concerns?

Well, again I think in the longer term the EU will be faced with the gaps in its labor market, and it will have to look outside to fill these gaps, and that migrants contribute to a wealthy economy. Also, the EU needs to be in general a bit more open on this issue, but of course because it is such a politicized issue, it's not easy to manage.

Some authors claim that the Stockholm Program is different from previous ones in that it has lost a long term view, it is more of a list of short-term initiatives. And they also claim that that program has marked a step back to intergovernmentalism. Would you agree?

For migration, not necessarily, in the sense that it's very much in continuity with what was decided five years ago. Of course it could be more ambitious, especially on building a common migration policy that would become predominant vis-a-vis member states' national policies. But still you have some progress with the Lisbon Treaty, a change of competence, but at the same time, as long as parts of the issues covered remain under national competence (as for legal migration) it will prevent the full building of a common EU migration policy. There has also been progress, for instance on integration, although it is also a national competence, but there quite a number of initiatives have been taken, exchange of experiences, whatever you can do when you don't have a direct competence on the issue. I think you have to look at the progress that is made also in terms of competence, and take that into account as well. When you make such an assessment, you must take into account the competence on the issues.

What is now the role of concerns about migration and development as compared to 5 years ago, when the topic really gained strength at the EU level. Is this tendency going up, or rather slowly down, or how would you judge it?

Now it's really integrated in the migration policy. Again, the fact that migration is no longer dealt with only by interior affairs actors, but also foreign affairs and development are more and more involved is quite a significant progress. It's quite a change, definitely within the Commission, but also in quite a lot of member states. Migration and development is now directly included, we don't even have to ask for it anymore, it is a topic automatically included by our colleagues from Home Affairs.

So the participation of many more actors has also led to a much fuller picture on the subject?

Yes, exactly.
APPENDIX II

Interview 2:

January 2011, European Commission official, DG Home Affairs

How would you describe the general attitude of the European Union towards immigration and asylum issues? What are its primary concerns in this field? What are its most important objectives?

We operate within the legal framework of the Lisbon Treaty, so we have legal competence but it’s not exclusive, the member states maintain the competence for the numbers of non-EU nationals that they admit. The immigration policy is framed to cover the most important groups of third country migrants, discrete categories that should be covered, and to provide a minimum common framework, a basic common understanding of the rules, of what are the conditions upon which these third country immigrants can come in, how long they should be allowed to stay before they have long-term residence status, how long should the seasonal workers’ contracts have to be, what provisions are in place to avoid exploitation, so this sort of things, a basic combination of rights and conditions which should apply ...

So it's a sort of agreement on minimum standards?

Yeah.

Could we also call it “harmonization”?

Yes, a minimum harmonization.

And especially as you said, with highly qualified workers -

With particular categories. So I suppose it's sad to say, but it's easier to get agreement and a higher level of harmonization if you talk about highly qualified, like the researchers directive, because these are very specific categories which are not so politically difficult. And there is not so many of them as well, literally

So the main concern is to provide some minimum regulation for what concerns this categories regarding legal migration. And what about illegal immigration?

Well, the directive we are responsible for is the Employers Sanction Directive, which sets in place the basic structure to tackle illegal migration, but which looks at the responsibility of the employer, it's tied also with trafficking of human beings

In your opinion, are there important contradictions in the EU discourses, policies and legislations about immigration? Or is there a coherent will backing them?

Amongst the EU institutions there is a common will. I think when you get to the member states’ political level, then it's different, because there are very different views among the member states. But I think within the Commission yes. I mean if you read papers like the 2009 … Report, produced by DG Enterprise, it talks about making a full use of the skill potential of migrants; if you look at papers and policy work done by DG Employment, again: how to get the right people into the right jobs
Ok, so there is a coherent will backing ...

I mean, I would say so. There is a lot of emphasis on improving the labor market because and deal with demographics. So there are different solutions, you train our Europeans, you improve the education and training of all the workforce, you improve the ability of EU citizens. But all of this has its limits: there are only X numbers of EU citizens. And then at a certain point, you come to an inevitable conclusion

That migration is also needed?

Yes, that migration is also needed. It may not be your first choice, but it will definitely be a choice. Especially for the future, because the demographics context gets worse

And would you say that also the European Parliament and the European Council, as well as the different configurations of the Council of Ministries all have coherent will in the way to deal with migration?

Well, I think with the Council it is difficult, because that's the Member States' representatives. So they have national political concerns.

Now, more specifically, regarding the migration-development nexus: to what extent has it really been adopted by the European Union and with what effects?

You mean the fact that migration could be good for the sending countries?

Yes, exactly. Concerns about linking migration and development.

Well, I think it's a rough draft. So, for example if you look in the Blue Card directive there is a provision against brain drain, for example. You may be aware that there will be later this year a communication from the Commission about the Global Approach to Migration, which will involve more that sort of issues. We will also have a paper on circular migration, and a clearer structure to what is circular migration and how do you insure that money and skills go back, those sorts of issues. For example, if you look at the seasonal workers proposal, you know, this is about people who have a temporary right to work; now, the idea is that when they go back home they take back some money and expertise. So I think there are elements which are already within the legal migration framework, and are being dealt with. And of course there is more policy work on it elsewhere. But at the end of the day it's stopped by the fact that the member states decide how many people come from which country. This is always a sort of limitation.

In your opinion, what are the main factors or who are the main actors determining the shape of the current approach to migration and asylum pursued by the EU?

Well, the Commission. We are the only body which puts forward initiatives and we are the body putting forward policy papers

And who have been the major supporters/opponents of this change to migration-development?

I think it's quite hard to say, I mean, clearly developing countries are in favour [10 seconds: damaged tape] by the Parliament and by the Council, it has the support of both these institutions.
In the field of immigration, are there conflicting pressures?

It depends on what you are talking about, because it seems to me that the Parliament is largely supportive, but the Council depends very much on the member states' will, and it depends also... I mean, in any legal proposal, there are parts which they might like more than other parts. It's hard to say without looking at specific texts and instruments.

What is the relationship between the member states and the EU as an overarching entity when it comes to the issue of immigration? In relation to the latest institutional changes (Lisbon Treaty), do you think nation states are increasingly giving up authority? Supranational approach differs substantially from that of single nation states?

Well, starting from the last question: yes, it does, for example you see that the labor market has a problem as a whole, which would be better to solve as the EU, because all the member states have labor shortages. I give you an example: most migrants are overqualified for the jobs they do, and that's because they can't get their qualifications recognized, because there is no EU-wide mechanism to have the qualifications recognized. So it depends entirely on the member states, therefore they may or may not get their qualifications recognized, their degrees. Even worse, in the case of Germany it depends on the Länder, so it depends on which Land they go to. At the end, it's clearly in the interest of all Europe that a doctor works as a doctor, not as a construction worker, for example. I mean, I'm not an economist, but this is completely common sense. But we have this completely as-hoc system, which means that most migrants don't get their qualifications recognized. You could argue that it would be better to have an EU wide approach on this problem, allow qualifications obtained out of the EU to be recognized, and then these persons could circulate around the EU in an internal-market logic. But again, the problem is that each member state is responsible for which migrants they admit, so you can see that at all points there is this stumbling block.

Do you feel that this is going in a direction where states are more and more willing to give up authority, or is it to some extent going back in comparison with 10 years ago or 5 years ago?

I think if you look at the political make-up of national governments, they are more right-wing.

So they are probably less willing to give up authority...

Indeed, this is a sort of inevitable consequence of the move to the right. Although to be fair, I don't know whether member states would have done so ten years ago even though they were less right-wing. We touch very much on issues which relate to sovereignty, you know, very nationalistic issues.

Do you feel that maybe this common approach to migration, which is one of the goals of the EU, is more difficult to realize now?

More difficult to realize politically, but in practical terms, I think it will become more and more obvious, because once the demographic crisis starts hitting seriously, all right and left wing will be in competition for the highly qualified. That's what they call 'the global race for talent'. And we can do this as the EU, we can do this as 27 member states, which makes more sense to me!

Do you see it as a political obstacle that hinders the solution to a more technical problem?

Well, the right-wing governments, one of the aspects of their national policy is an anti-EU and anti-immigration policy.
What are, in your opinion, the main lacks and the main strengths in the current European immigration policy?

That we don't have yet all categories of people covered. This is a big gap. And in my view, also that it doesn't allow for enough intra-EU mobility. We have a minimum harmonization if someone comes into one member state, but then, apart from certain provisions and certain categories, that person doesn't move. And yet mobility around Europe is a crucial point.

So, there is a big discrepancy in that the right of free movement is applied to citizens, but not to immigrants. Is this what you are saying?

Yes, indeed. And I mean, as you know, the right of free movement is not used very much by EU citizens. A very strong and clear legal structure exists, but not many EU citizens move.

Is there also a lack of will for burden-sharing between the member states, also for what regards asylum for example?

Yes, I know very little about asylum, but there is that issue. You have to consider also family reunification, which is a large part of the numbers of immigrants that come to European countries, a lot of them come for family reunification rather than strictly labor or economic migration.

And what do you see as the main strengths of the current situation of EU migration policy?

That it sets a basic minimum common framework, which should allow people that come from outside to know what their rights should be, what they can expect, and I think this is very important. And it gives basic rights of equal treatment, it provides a certain protection against exploitation.

One question regarding the future: What are possible future prospects for the regulation of this area?

We have the proposals on the table for seasonal workers and intra-corporate transferees. We need to look whether there are other categories that are still uncovered. And then we've announced that in 2013 we're looking at a consolidation of all the legal directives into a single instrument termed 'immigration code', which will be a chance to make it more transparent, to make more clear what the rights of the different categories are.

Is there also the desire to have more and more control over the field of legal migration?

Yes, but within the political constraints that we face, and the legal constraints of this shared competence problem.

What is your personal comment on the recently approved Stockholm Program? Is it a big step forward or is there some disappointment?

No, we are quite happy with the Stockholm Program. It's got quite a lot in it, it's quite ambitious on migration, talking also about the economic aspects as well as about the legal, so a better labor matching and so on. For us it's good, it's positive.

Do you see the migration-development element as gaining momentum, or do you see the EU institutions as losing a bit of interest?
No, I wouldn't say so. I would say the former, that it is gaining momentum. We will have this new policy paper on the Global Approach, then a paper on circular migration, and so on. So I would say that, on the contrary, the role of migration in the wider global context is becoming more and more up the agenda.

So, it is one of the main concerns?

I would say so.

There is the tendency not to think only in EU-centric terms, but also in global terms?

I don't think these are mutually exclusive. It is more like this: thinking of the European interests while keeping more global concerns in mind as well. I think states are selfish. The EU, to some extent, is the sum of its parts, so the aim is to do something that is beneficial for you collectively, so yes, it could also be regarded as selfish. You know, we want our labor market to work efficiently, we want to make a good use of the migrants that are present, it's an economic question as well as a legal one, and it does make sense. But I think it is right, there is also a responsibility not to empty a country of all its doctors, this would be morally incorrect.
How would you describe the general attitude of the European Union towards immigration and asylum issues? What are its primary concerns in this field? What are its most important objectives?

If you allow me, I would not refer to the European Union's attitude. The EU is a set of institutions, a form of government, which develops policies and adopts legal standards and norms. So it's not about an attitude, I mean, citizens have attitudes, public opinions have attitudes, social groups have attitudes, but not the EU.

It has formulated its policy agenda in the area of immigration and asylum through a series of major papers, most of them being adopted at the level of heads of states and governments in the European Council, which means that you have therefore a rather clear statement about the kind of policy that the Union wants to develop in this area. This policy is supposed to be common, it's supposed to be based on solidarity, it is supposed to be balanced, and it is supposed to be coherent or call it holistic if you wish (although more and more people, and I count myself among them, absolutely hate the word 'holistic'). Comprehensive and coherent refer to the so-called four milestones, which were defined in the occasion of the Tampere European Council in October 1999, which are basically:

3. partnership with the countries of origin and transit
5) building a common European asylum system
6) being fair and open to and with legal migrants and offering them decent reception conditions and integration possibilities
7) preventing and fighting illegal or irregular migration

These are the benchmarks, the milestones, and the main building blocks of the policy which has been developed over the years.

Do you think that these four milestones have all been developed at the same pace, to the same extent?

That is another question. And the answer is: yes, there are contradictions; no, progress has not been achieved at the same pace for the four milestones that were identified earlier. That is absolutely clear. The rhythm of development has been uneven. We have to keep in mind, to explain that, an absolutely key parameter when you are assessing what the EU has achieved in the area of migration management: this is a brand new agenda. It started... well, I was referring earlier to the Tampere Council in 1999, in the same year there was also the entry into force of the Amsterdam Treaty which communitarized the first legal basis in the area of migration and asylum. So, we can fairly consider these are the starting years of the development of this policy agenda. And you cannot think that it is possible to achieve a comprehensive, coherent policy at EU level on such a sensitive topic as migration in ten years. That is not possible.

So, indeed, what has been done is not evenly spread on the four milestones, it is not always coherent, its impact is even limited in some policy areas, like for instance the promotion of legal migration and the development of a common approach on integration issues. But this, I think, is due to the very little time that we've had to work on these questions at EU level this since 1999. I mean, it's a little more than ten years, which is really very little.

Do you think that these contradictions are reflected in a fight between institutions?

It's good that you ask this question. There is a bit of a bureaucratic, institutional contrast. If you
look at the Council: the Council that leads in matters of migration is the so-called Justice and Home Affairs, that is to say the Council instance in which member states are represented by the ministries of interior. When you look at the governmental machineries, ministries and ministers of interior approach the migration phenomenon, the mobility phenomenon, from a very specific angle, which is one of control. They are the departments in charge of controlling the access to the territory of the national state, it’s their business, the purpose is not to blame them for this, it is their business. Others take care of other dimensions of the policy: development ministries take care of partnerships with countries of origin and transit, social affairs and employment ministries take care of legal migration and integration, but they are not in the guiding seat at the level of the Council, which explains that indeed there is the accent, at the level of the Council, on control measures.

Getting to the Parliament now: until the Parliament was not associated with the legislative process, until it had no decision-making power, it was very easy for the Parliament to behave a little bit like a countervailing power, because they had absolutely no responsibility to bear in policy development terms. It was common wisdom to say that the Council was taking very little account of the opinion of the Parliament.

The European Parliament would stick to matters of principle?

Absolutely! It was very easy for them to stick to matters of principle and to take the liberal side of the migration debate. Now that the Parliament has full decision-making power, you can see that the political profile of the institution on these issues is changing. The best example of that, the one I always quote: you have certainly heard of the famous, or rather infamous Return Directive, this Return Directive has been adopted in co-decision, and has been voted in favor by a significant majority inside the European Parliament.

Are you saying that they have become more pragmatic, as now they play an important role in the decision-making process?

'Pragmatic' is also one of these catch-all words that I don't like, but let's say that they have moved away from the level of the principles.

Talking about the migration-development nexus, to what extent has it been adopted by the European Union? With what effects?

It took a lot of time, but I dare to say that after protracted discussion at EU and national level between, to make it very simple, on one side the migration community and the migration agenda, and on the other side the development community and development agenda, the principles of a nexus have been set by the European Council again by adopting the Global Approach in 2005-2006. There at least there has been a policy agreement, and a political agreement by the same token, on the ways to merge the two agendas and a series of tools have been designed which aim at putting flesh on that bone of the migration-development nexus: mobility partnerships, circular migration programs, remittances programs, etc.

Now, this being said, this is really a very sensitive policy area, and policy tools and policies are not easy to implement in this area, it takes time. What we have done since 2005 is to test some of these tools, sometimes successfully, sometimes less. What we are aiming at, and what most probably the Commission will launch later on this year by adopting a Communication and another policy paper on that, is now to build upon these three-four years of policy experimentation to set a more coherent agenda in view of implementing this migration-development policy nexus: in terms of geographical priorities, in terms of allocating financial means (that has never been done very properly), and in terms of developing, or at least proposing to our partners the right policy mix which would be based on the conjunction of various of these policy tools and the coordination of various of these tools which have been developed and tested until now. So, we are halfway through, the concept is there,
it has obtained the blessing at the highest level, it has been translated in rather operational terms, these operational tools have been tested for some years in different circumstances, and now we have to move to a different phase and transform all that into a genuine and coherent strategy.

So this has been more an experimental phase?

Exactly, that’s what I meant!

You said that the Council of interior ministries is still the most relevant organ for regulating the area of immigration and asylum. Do you think that, with the migration-development nexus gaining consideration, also other actors next to the JHA Council have enhanced their influence over migration matters?

The answer is unfortunately not so clear. When you look at the activities at the level of the Council, you will hardly find over these last ten years any meeting of, for example, the General Affairs Council or of the development ministers that had a sound debate on migration issues. These have been largely out of their agenda. The situation is largely the same with employment ministers, there was an endeavor (if I remember correctly, it was during the last Portuguese presidency in 2007) to hold a joint meeting of ministers of home affairs and ministers in charge of employment policies, the famous “Jumbo Meeting”, and of course, this was a complete failure, because in most of the cases where a Jumbo Meeting was hold (thanks god, now the Council is distancing itself from this working method) we had a series of 27 times two [27 is the number of the EU's member states], so 54 uncoordinated statements for each member state, one done by the minister of employment and the other one done by the minister of home affairs. My expectation for the next few years is that we could try to design the same nexus between immigration and employment policies as the one we have designed and implemented between the migration and development agenda. There are several points on which we could hang an attempt to set up this agenda, for instance the EU 2020 agenda, where you have a series of labor-market related actions and initiatives which include indeed the dimension of economic immigration and efficient integration of economic migrants. For the time being, this is mainly about words. But my expectation is that we could - and we are going to do that – build on that to build a bridge between the two agendas, paving the way – as it was the case for the migration-development bridge – for a more operational and action-oriented approach.

What about the Commission, do you think that next to the Home Affairs Directorate also other Directorates have been involved in the formulation of proposals during the last years?

Well, actually, very very little, with maybe the exception (but that was before the creation of the European External Action Service of course) of the Development DG, where indeed in the last years a lot of work has been done and expertise has been gathered on the so-called external dimension of the migration phenomenon. From the Employment and Social Affairs Directorates, frankly, very little was done even in the area of inclusion policies which are after all very close to our integration agenda. We were pleading ourselves for this kind of integrated approach where migration would have been mainstreamed into the policy agenda of other DGs, involving also the Education and Employment Directorate, which would be relevant for what concerns the education of migrants. Managing to get migration into the agenda of these policy directorates remains one of our major preoccupations, but it would be fair to say that with the exception of the development policy, very little has been achieved until now. I would not say that we are fighting against each other, but we are running on parallel tracks.

You said that DG Development did play a major role, in the last years, in the formulation of proposals for migration policy. Admitting that to some extent there has been a securitarian, or control-oriented concern in the tradition of European migration policy, do you think that now the
increased role played by development concerns constitutes a challenge to this securitarian approach?

Ok, I will make a few comments on this question. First of all, in all fairness, I would resist qualifying what is labeled as EU migration policy as a securitarian one. As we discussed earlier, it has been dominated by control-oriented preoccupations, but it did not boil down in a completely securitarian view of migration. If you look for instance at one of the recent landmark papers, i.e. the European Pact for Immigration and Asylum which was adopted in 2008 under the auspices of the French Presidency, it has been qualified by many NGOs at totally securitarian. In all fairness, I completely disagree with that. Of course, in that paper there is a lot about border control, about trafficking in human beings, all these security-related preoccupations, or better control-oriented preoccupations that you can find, that have been for years on the agenda of the EU. But you can also find very ambitious wording in regard to asylum and the need for the EU to be up to the level of its historical humanitarian tradition, to be protection-oriented. There is very strong language on integration policy and on the development of an EU approach of integration issues. Notwithstanding the resistance of a significant minority of member states there is still language about the benefits that legal migration can bring to our societies, and so on. So, dominated by a control-oriented preoccupation, YES. Securitarian, No, I would not say so.

Regarding the future of this policy area, and also in connection with the institutional future of the EU – now with the reforms brought about by the Lisbon Treaty, for example – do you see this policy area as becoming more and more supranational in character, or do you see strong resistance from the member states? And do you think that the most progress could be achieved through an intergovernmental approach or through a supranational approach?

Ah! That's the question! Ok, I will begin by the end. Having been in this business for quite some time, I've lived through the good old days of intergovernmentalism, i.e. before and after the entry into force of the Maastricht Treaty. It's not about value judgments, but it's a mere statement of fact: what was achieved under the auspices of this intergovernmental regime? Nothing! Absolutely nothing. And that is the reason why, for instance, it did not take ages to convince member states to communitarize this policy area at the time of the negotiations of the Amsterdam Treaty. Maastricht had been a total failure from that point of view. So, intergovernmentalism: we have tried and it's very easy to assess the outcomes of this experimental phase.

Now, turning to supranationalism. Being myself a lawyer, for me when you move a policy area to a decision-making process where you have qualified majority voting and co-decision with the European Parliament you are forming a transnational level. Whether you like the word transnational or not, again, it's not a value judgment but rather a statement of fact: it has to do with some kind of transfer of sovereignty. So we are there. Significant norms and standards, if you take it from a legal angle, have been adopted since then. I mentioned the Return Directive, I could have mentioned the Employer Sanction Directive, I could have mentioned the Visa Code. So it's not supranationality in paper, it is supranationality in action.

Through supranational decision-making processes, the Union at last delivers. Again, you will say, and I will not question that, that it delivered control-oriented measures, but your question was “What is the most efficient way to deliver in terms of policy implementation, and the clear historical answer to your question is that the best way to deliver is to do it via the supranational way.

Do you think that this might give rise to conflicts with the member states? I've heard that there is strong resistance especially for what concerns legal migration.

Yes but again. I think that here we have to make a distinction between two types of questions, two kinds of issues and two levels of preoccupation. It is not because you have moved to
transnationalism that you will agree on substance. These are two different issues. Concerning the institutional framework, this time referring to legal migration: the only thing that I can state is that even legal migration has now been transferred to co-decision and qualified majority via the Lisbon Treaty and that I don't remember this having been a major issue of contention, either between the Commission and the member states or between the member states themselves. Surely, the member states were keen to have in the Treaty the limit that had been adopted at the political level before: member states remain responsible for determining the volume and the profile of the migrants that are admitted on their territory. But procedures for admission, conditions of admission, and level of rights are now, in the future, going to be set at EU level.

So, with all the reservations that are now enshrined in the Treaties, issues will be decided upon through a transnational procedure. That's one point. Another point is: do member states nowadays have common views on legal migration? The answer is: No, seemingly they don't agree on these issues yet. But that's a different issue, if you understand what I mean: a decision-making process remains a decision-making process, substance is another level of preoccupation.
APPENDIX IV

Interview 4:

February 2011, European Commission official, DG Home Affairs

How would you describe the general approach of the European Union towards immigration and asylum issues? What are its primary concerns in this field? What are its most important objectives?

This is a very general question. I work in particular with third countries, so my perspective is more from the third countries. The framework we are in is the Global Approach to Migration, the idea is to have a balanced approach to migration, to managing migration in partnership with third countries. And there of course you have interests that are not always coinciding, the interests of member states and the interests of third countries, but the objective of the whole GAM is that we talk about it and that we ensure that what we do is beneficial for everyone. I mean for all sides, for the migrants, countries of origin and countries of destination. So, for me the objective as it should be is to try to manage migration in a way that it is beneficial for the EU, that it corresponds with the labor gaps and so on, but at the same time, not undermining our efforts when it comes to development.

Do you think this goal is really respected or is it more a desire?

I think we are on the way, we are not quite there yet, that's for sure, but there has been definitely a change in thinking. If you think of what was at the beginning of the 2000s and what is now, it is definitely a change. But personally I don't think that we are there, we are working towards it but still... You know, it's also a question of the short-term and long-term objectives, and migration policy is often seen as if the need to address it was only in the short term, because this is also what public opinion asks for. So there is a bit of lacking of long-term objectives in the whole policy. We are on the way there, but this is not an issue that can be solved from one year to the other, it takes time.

In your opinion, are there important contradictions in the EU discourses, policies and legislations about immigration? Or is there a coherent will backing them?

I see a picture that is pretty fragmented. What the Commission thinks is not necessarily what the member states think, so in this respect I don't think that we actually have one clear voice, that's why there are contradictions. For example, the Commission once tried to harmonize all rules on legal migration in one single document in 2005, but then they had to withdraw it under pressure from the member states, so it was never approved. In order to actually do something, we decided to take a sectoral approach, so e.g. we cover discrete categories such as highly skilled migrants, or now seasonal workers, but there is not one general horizontal approach. I don't know if you can say it's contradictory, it's just not in correspondence with the idea of goal, but we try to do the way we can do in the current political environment.

Is it a matter of time?

It is definitely a matter of time, but you also have this conflict between the long-term and the short-term concerns. Some of the things that we do with a short-term objective might actually be problematic if we look at the long term. I'm talking more on the personal level: I would like to have
real freedom of movement of people, but this is definitely in the long term, it is not something that we can do today or tomorrow, or even not in ten years.

Now, this is a bit changing. You can see how development people talk to migration people in the Member States, it's quite a remarkable. If you compare it with some years ago, there is much more coordination, much more talking to each other.

Regarding the migration-development nexus: to what extent has it really been adopted by the European Union and with what effects?

I am probably not the best person, I have a very Global-Approach-centered perspective. But I think it is quite important, and if you presently look at any document on immigration and asylum, it will always have an external dimension, if you look at the Stockholm Programme, even at the infamously Pact on Immigration and Asylum, there is always this external element there, the need to cooperate with third countries, and this is what the GAM is about. So, I think it does take quite a prominent role in the whole migration policy. And now we are working on a new Communication that is going to be issued probably in November, and it will be a revisiting, a sort of evaluation of what has been done so far, and proposing recommendations for the future including migration-development. So, this is one of the main components. It does take quite an important part and also if you look at the preparation of this document, I think it is quite telling: we really plan to have very wide consultations with civil society and member states, but especially with third countries, to have their opinion and views and ideas we can then use in our Communication.

Ok, so there is an inclusion of more actors.

Yes, and especially the most important actors, which are the third countries themselves: countries of origin and countries of transit. At least at the European Commission level, this commitment is really from the highest level of our political hierarchy.

So you say that the migration-development element is always included. But is it included as something not interacting very much with other elements, or is really it becoming coherent with other aspects, such as legal migration, illegal migration, and so on?

It's again a question of time, people have to talk to each other, mainly people from development with people from interior affairs, dealing with migration. But we are trying, for example if you look at the Blue Card, ok, it is not yet very clear, but there are some elements there which are clearly addressing migration-development. Of course, you can say it's not enough, but in the current political framework it's all we could do and it's actually quite a lot. Obviously we will have to wait and see how it will work in practice, because we're still waiting for the transposition by June. But there you see the interaction and the way we try to be coherent. I mean, also seasonal workers in a certain way is quite important in that sense, we are looking at the most vulnerable group of migrants and try to make sure that they get something out of this experience, if they get it then also countries of origin. So, to some extent I think it's there, but it is not perfectly done yet. There is still a lot to be done in the area of linking and being really coherent in what we are doing.

What are the main factors that explain the sudden importance that migration-development discourse gained mainly from 2005 on?

For me it's a natural consequence of talking to third countries and starting to work in partnership with them. Because of course, the main thing that comes to their mind is, “ok, for us when we talk about legal migration we think of remittances being sent, means brain drain, means contact with diaspora and so on”. So, it results from the fact that we spoke, we started talking with third countries more, and try to address their needs and their problems and objectives. In my opinion it is
a natural consequence of that. And also the fact (which of course was also clear before) to start to
think a bit more in long term and address more the root causes of migration. But again, because of
the focus on the short term, it might be not so easy. Still, I think people are aware of it, also
policymakers are aware of it.

But do you think there are particular reasons that account for the specific moment in which it
emerged? At least from my assessment of the documents I have gone through, it seems to me that
until 2004, in the Hague Program, the paradigm was more security-centered, control-centered. Do
you see a specific reason why precisely in 2005 this discourse has gained such a strength?

I cannot remember all the dates of our Communications, but I think there was already something
before 2005. There was of course the Communication on Migration and Development in 2005, but I
think we had something about it as well before. Anyway, in my opinion, the specific reason for it is
that it is a natural consequence of starting to talk more with third countries.

So it's more a gradual process.

That's what I would say. Of course you have Ceuta and Melilla and all these things, which played a
central role in the origin of the Global Approach to Migration, but for migration and development
specifically, I cannot think of one particular event that led to it.

What are, in your opinion, the main lacks and the main strengths in the current European
immigration policy?

We are not doing enough on legal migration, that's clear for me. In the long term we will need the
migrants and we should work on it already now. So this is something that is definitely missing and
is also missing in the contact with third countries. You know, if you want to curb illegal migration,
then the easiest way is to offer legal migration opportunities. I think our member states do not
necessarily understand this, and if they do understand it, then they are afraid of doing so. This is an
element which in my opinion is very underdeveloped, a lot more should be done.

When it comes to strengths: I have been working here for six years (not on the Global Approach for
the whole time, but still I tried to follow) and I see a huge change when it comes to the dialogue
with third countries and the cooperation with third countries that we have, this aspect has really
developed a lot.

This is maybe the novelty that the common EU migration policy brought, the dialogue with third
countries?

Well... it's just that I don't think that we can talk about a common migration policy, I don't think that
we have one, because of the missing part of legal migration, so I don't think that we can really talk
about it. We have minimal rules but it's not a fully-fledged migration policy. This, however, is a
personal opinion.

If you had to assess the main positive innovation between the pre-Tampere and post-Tampere time,
what would you see as the most important progress?

The fact, I think, that we don't think only about security, we do talk to third countries, and we do
more on migration and development. But again, this is my perspective from where I work, so it
might be a bit biased.

One question regarding the future: What are possible future prospects for the regulation of this
area? And what is your personal comment on the recently approved Stockholm Program?
The Stockholm Program, especially if you look at legal migration, doesn't do much. It's a bit a consolidation of what we have but without really any revolutionary change. So it signals some stagnancy when it comes to legal migration. We are planning this Communication on the GAM and we will try to give fresh ideas, learning from the past to revise a bit the approach and try to propose something for the future, so we will try to be quite ambitious. Of course it is only a Communication, so let's see what the Council says on that, but I hope we will be able to move forward. Then again, if we don't move much on legal migration, then you don't have third countries very interested in talking to you, so these aspects are of course always linked. There is a sort of blockage, at the present moment you feel it, in the relationship with third countries: for example, we have the mobility partnerships, they are still called 'mobility partnerships', but when you look at their content there's not that much mobility and not that much legal migration in it. At the EU level we cannot do it because we don't have the competence, until member states are ready to offer more we are in a certain way limited.

*Do you think that the institutional changes made by the Lisbon Treaty will help achieve this goal?*

That's what I was hoping for, and I was quite optimistic, but now I seem a bit less optimistic. Of course the idea was: first of all, qualified majority, which is easier, and then the involvement of the Parliament. But recently when I see the way the Parliament gets involved I'm not so optimistic anymore. It doesn't have necessarily more open and innovative views than the member states have. Frankly, at the beginning I was quite optimistic and positive, now I am a bit more hesitant. Maybe in the long term it will facilitate things, but at this particular point in time I don't think it will help much. For example, with the proposals that we have just tabled, so the seasonal workers or the single permit, which has been there in discussion for some time, I don't think there is much that will be facilitated by the changes.

*Does it have to do with the competence on determining the volumes of admission of migrants which is still in the hands of the member states?*

Yes because at the end of the day this is the main thing? We can of course talk about common rights and so on, which is also not easy at all, but in the end it's about who you let in and how many people you let in, and this is something where the member states keep, and will probably keep for long time, their competence.