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The Migration Crisis

Between Division and Unity

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1. Introduction

1.1 Problem of study

The great influx of migrants¹ that arrived at the European Union's (EU) borders in 2015 created a situation that was described as a migration crisis by the media. The EU was portrayed as paralyzed and incapable of finding a common solution for the problem. The discord between the member-states was apparent, especially between the frontline countries, through which most of the migrants entered the EU, and the richer countries in western Europe, which were the desired point of destination for most of those attempting the journey. An agreement to relocate 160.000 refugees, through a quota system, from Hungary, Italy and Greece was reached, but as of February 2016 it had yet to be implemented by the vast majority of the member-states (European Commission (a) 2016:11).

One conflict that became apparent was the disparate views of the President of the European Commission Jean Claude Juncker and the President of the European Council Donald Tusk. Despite opposition from many member-states, Juncker (2015) pushed for a "binding, communitarian solidarity scheme" in his State of the Union speech, calling for joint efforts to address the crisis. This suggestion was met with resistance from Member States such as Slovakia and the Czech Republic, and most noticeably from his colleague Tusk (Von Der Burchard and Barigazzi 2015). Taking a decidedly more defensive stance towards the migrants, Tusk seemed to side with the member-states opposing binding quotas and continued refugee reception. In an interview Tusk clearly stated that unity in the EU was lacking when concerning the migration crisis and that no countries should be coerced against their will to accept refugees (Traynor 2015).

Why did the leaders of two of the most important institutions of the EU reach such different conclusions as to how the situation was to be dealt with? The institutions they represent serve different purposes in the EU: the Commission serves as the politically independent executive branch of the Union and can be said to represent the EU as a whole, free from national loyalties; whereas the European Council brings together the leaders of all the Member States in the highest level of political cooperation. A conflict between their Presidents could be interpreted as a conflict between the institutions and thus between the EU and its Member States. One of the main tasks appointed to the Commission is to protect the

¹ When referring to migrants in the text this includes refugees, immigrants, and asylum-seekers.

interests of the EU on issues that the Member States are unable to cope with domestically (European Union 2015). Similarly, the Council is charged with handling complex and sensitive issues which need to be resolved at the highest level in the EU (European Union 2016). In a situation of crisis, the level within the EU on which a solution should be sought might be up for debate between the two institutions if the competence of the policy area is unclear.

Two of the most influential theories on the logics behind EU decision making and integration are Neofunctionalism and Intergovernmentalism. Since the modest beginning of the European project in the 1950's, and the theoretical debate on integration in the 1960's, these two theories have often been staked against each other in research papers. Despite harsh critique from both camps neither has gained the upper ground and they are still widely used to analyse the integration process of the EU. Neofunctionalism sees the EU as an ever-deepening integration project where decision-making is incrementally passed on from domestic governments to EU institutions, fuelled by the Commission and other EU institutions. Intergovernmentalism, on the other hand, insists the integration is in the hands of the Member States and that the institutions are mere instruments for domestic governments to facilitate negotiations. The two theories can thus also be seen as strategies for how the EU should function.

This essay would suggest that both theories present excellent tools for examining the logics behind decision-making in the Union and that they continuously correlate between and within the institutions. The statements of Juncker and Tusk could then be expressions of a conflict within the EU concerning the purpose of the European project and the function it should fill in times of crisis.

1.2 Purpose of study and Research Questions

The purpose of this study is to examine how conflicting ideas of the European Union's *modus operandi* manifest themselves in the public statements of Jean-Claude Juncker and Donald Tusk concerning the refugee crisis. In doing so, it uses the different logics of Neofunctionalism, as Supranationalist concept, and Intergovernmentalism. The purpose is also to examine possible underlying reasons for their disparate views.

1. What solutions do Juncker and Tusk propose to the refugee crisis in speeches and statements during the refugee crisis in 2015 and early 2016?

2. How do their proposals differ from one another, and which EU ideas manifest in their statements, Supranationality or Intergovernmentalism?
3. Why do their views differ from one another?

1.3 Demarcations

This study will be focusing on statements from Juncker and Tusk from early spring 2015 through summer and autumn leading up to 2016 since these were the months when the debate on the refugee crisis was the most intense. The first calls for EU-level action concerning migration came in April 2015 when attention was called to the high number of refugees killed whilst attempting to cross the Mediterranean to Europe and this was when the debate reached the agenda of the European Council. In early 2016, with the onset of winter slowing down the migrants attempting the journey to Europe, much of the debate moved on to the pressing issue of the British referendum on EU membership and the potential Brexit. It could therefore be argued that the period of most pressing interest are the months of April through December in 2015.

2. Theoretical Outline

This study uses two different theories of integration to capture the political currents in the EU during the refugee crisis. The first theory, Neofunctionalism sees integration as something inevitable and positive that will drive the Member States closer to each other in their struggle to find solutions to regional problems. In this theory, the integration process is driven by the European institutions, especially the Commission, with little possibility for the Member States to pull out without incurring high political and economic costs. Intergovernmentalism on the other hand sees the EU as a project driven by the Member States in an effort to further their own domestic interests. When the benefits of integration are unclear, national governments will resist any agreements that could negatively impact their sovereignty as the risk will be considered too high. Juncker's call for binding relocation quotas of refugees in the EU can be seen as an attempt of the Commission to deepen the integration between the Member States. Tusk's insistence that national preferences must be respected, on the other hand, could be interpreted as a view of the EU as an intergovernmental organisation rather than a supranational one.

2.1 Neofunctionalism

Neofunctionalism grew out of "an attempt to theorize the strategies of the founding elites of post-war European unity" (Rosamond 2000:51). The main theorist was Ernst Haas who set the outline of the theory in his 1958 book *The uniting of Europe: Political, social, and economic forces 1950-1957*. Together with Leon Lindberg, he was to refine this theory throughout the 1960's. It drew on the ideas of Jean Monnet and Robert Schuman on how Europe should integrate, starting with "low politics" like coal and steel, in a political project driven by a supranational authority that would incrementally integrate more policy areas until political loyalties would transfer to the regional level rather than the domestic. Thus political integration would be the subsequent result of increased economic interdependence, with long-term peace in Europe as a result (Rosamond 2000:51–52). This idea was clearly stated in the Schuman declaration of 1950:

"By pooling basic production and by instituting a new High Authority, whose decisions will bind France, Germany and other member countries, this proposal will lead to the realization of the first concrete foundation of a European federation indispensable to the preservation of peace."

The integration process according to Neofunctionalism goes as follows: two or more countries decide to cooperate on a policy domain leading to the formation of a supranational authority to oversee operations. The integration, however, will not be complete unless other related policy domains are also integrated, which leads to increased cross-border transactions within the integrated region. This in turn creates a need for interest groups to lobby on the transnational level rather than the domestic to further their interests. The transnational authority then becomes an advocate of further integration through sponsoring and organising interest groups to promote its agenda on the domestic level, causing domestic politics to be affected and motivating domestic political actors to call for further integration themselves (Rosamond 2000:58-59).

One of the central elements of Neofunctionalism is the concept of spillover as a conduit of increased integration. In a prominent article by Jeppe Tranholm-Mikkelsen (1991), three different types of spillover are identified: *functional spillover*, where the interdependence of policy areas means integration in one area will create a need for integration on another; *political spillover*, where the elites of interest groups would adapt their behaviour to focus their activities on a regional rather than domestic level to pursue their aims; and *cultivated spill-over*, where supranational institutions, like the Commission, in a role as dispute mediator between Member States tend to find a solution that expands its own mandate (pp. 5-6).

The Commission's power as policy entrepreneur is contingent upon: its capacity to form internal unity in the region; its agenda-setting capacity; its creation of a web of relationships with governmental and non-governmental actors in order to further its agenda; its mediating ability to form consensus and reach compromises; its use of functional spill-over logics in the debate to increase the integration; and its sensitivity to the limits of its capacity as leader of the Union. The Commission's ability to shape policies also depend upon whether it has the backing of allies, such as a powerful member state, and the climate in which the agenda is being pursued: periods of rapid change and political turmoil tend to play into the hands of the Commission (Wiener and Diez 2009:60-61). In a situation such as the migration crisis, where chaos and a lack of policy on the European level creates the need for a swift solution, a decisive Commission would be more likely to successfully gain support for their agenda.

Neofunctionalism has faced a few criticisms. First for being a grand theory that cannot explain integration in all settings, but rather restricted to the European context and political

settings (Wiener and Diez 2009:51). The assumption that spill-over would be automatic; this was particularly highlighted after the backlash of the 1960's 'empty chair crisis' (Rosamond, 2000:75; Wiener and Diez, 2009:51–52). And, finally, for its lack of attention to domestic politics and leadership and its overestimation of the influence of interest-groups (Wiener and Diez 2009:53). These criticisms, however, should not be a cause for concern in this paper since its main focus is the European Union; and since the theory is interpreted as a political strategy, to form dimensions of analysis, rather than a predictive model.

Despite the heavy criticism, however, the theory regained popularity in the 1990's after some revisions were made to meet the criticism brought forward by Intergovernmentalism (Tranholm-Mikkelsen, 1991).

2.2 Intergovernmentalism

Intergovernmentalism evolved in the 1960's as a reaction to Neofunctionalism. At the time, Neofunctionalism had come under heavy criticism due to the disparity between its assumptions of integration as an incremental, one-way process and the reality of Europe's political development. The clear opposition from the French President Charles de Gaulle towards the integration project indicated that nationalism was still very much alive and present in Europe, and moreover, that it averted to relinquishing sovereignty to a supranational authority. In his 1966 article Stanley Hoffman criticises the assumption of the demise of nationalism in Europe and the idea of death of politics in Europe as a facilitator of integration. Rather, the ease of the integration of the six (first members of EC) was due to it firstly concerning 'low politics', such as economics, rather than 'high politics', such as defence and foreign policy (pp. 870-77).

Hoffmann saw European integration as a game between the 'logic of integration' and the 'logic of diversity', where the former relies on spill-over of the most disparate policies that will restrict the sovereignty of the nations and the latter indicates that states would rather rely on domestic decision-making instead of collective uncertainty. Integration is only tempting to nations as long as the gains and expectations are high and the costs are low (Hoffmann 1966:881-2). Furthermore, it was driven by the participating states, not by some uncontrollable snow-ball effect guided by a supranational authority.

This theory came under heavy critique during the 80's when the European project, under the Delors Commission, regained momentum despite the predictions of Hoffmann.

Subsequently in the 90's, Intergovernmentalism was refined by Andrew Moravcsik into liberal intergovernmentalism in a bid to counter the revival of Neofunctionalist ideas in the study of the European Union. This revised theory built upon the logic of separate theories for each step of international cooperation: firstly, a liberal theory for defining national interests²; followed bargaining theory³ to explain inter-state negotiations; and, finally, a regime theory⁴ for the logic behind formation of institutions to enforce agreements (Moravcsik & Schimmelfenning 2009:68-9).

One of the critiques of Intergovernmentalism is that its basic assumption of state-centrism renders it incapable of considering any other explanations of integration than inter-state bargaining. This also raises concern regarding the theory's claims of objectivity since it is arguably a normative theory, much like Neofunctionalism (Rosamond, 2000:152–3). There are many modern theories trying to explain the functions of the Union, but, for this study, these two have been chosen since they also represent the most common political strategies for the development of the European project.

2.3 Dimensions

In order to analyse the empirical material in this essay, these two theories of integration have been used to form dimensions. The dimensions consist of mutually exclusive markers to indicate whether the logic of the message can be best explained by Neofunctionalist or Intergovernmentalist theory.

<i>Dimension</i>	<i>Neofunctionalism</i>	<i>Intergovernmentalism</i>
EU-level cooperation	Increased	Unchanged
Principal actor	European Union	Member State

² National interests form the base for inter-state negotiations on the international arena, where each state strives to accommodate its own interests. They have a strong impact on a state's willingness to partake in international projects, like the EU. The driving force behind integration here, is 'international policy externalities', such as domestic costs that arise when the policies of other states impact the domestic economy negatively

³ Bargaining theory explains the power dynamics between states in negotiations. It stresses that a final agreement depends on the different interests of the negotiators. Therefore, the success of EU negotiations, according to this theory, is dependent on the national preferences of the Member States and their willingness to reach a compromise.

⁴ Regime theory is used to explain the logic behind states delegating power to international institutions. Moravcsik explains the relinquishment of sovereignty to EU institutions by 1) the potential gains of cooperation; 2) the level of uncertainty of negotiations; and 3) the level of political risk of future decisions.

Action plan	Binding	Voluntary
Voting	Qualified majority	Consensus

2.3.1 EU-level cooperation

Neofunctionalist logic would in a time of crisis promote increased cooperation on a regional level in order to deal with the problems at hand. Transnational issues such as migration would best be solved through the EU since the consequences of non-regulation would negatively affect other areas of cooperation, such as free movement of people. The Commission would therefore see it as its mandate to expand EU competence in the area in order to protect the EU community.

Intergovernmentalism would preach caution to relinquish yet more power to supranational institutions as this would mean giving up sovereignty in the long run, with potentially negative consequences in domestic public opinion. On the other hand, such a logic should ensure that previous agreements on regional level are respected by all Member States since no-adherence might give unfair advantages to some or negative impact on others. An Intergovernmentalist approach might therefore be expected to call for unchanged EU-level cooperation, since the risks connected with increased cooperation might be considered too high. In the case of a crisis, however, increased cooperation might be seen as desirable if the *status quo* means that the negative externalities for the Member States are higher than the perceived risk or relinquishing power.

2.3.2 Principal actor

On the EU-level, the principal actor according to Neofunctionalism would be the EU institutions, in particular the Commission, since its mandate is to advance the interests of the EU and not the Member States. The European Council, in this case, is an institution representing the Member States rather than the community as a whole: its members loyal to their countries rather than the EU. The force expected to be tasked with finding a solution to a crisis would therefore be the Commission, acting in the interest of the European community.

On the other hand of the spectrum, Intergovernmentalism would argue that the principal actors driving the European project forward are the Member States and that the Commission

is no more than an instrument to implement the decisions reached unanimously by the national governments.

2.3.3 Action plan

In order to solve a crisis, the regional level institutions must be able to swiftly and effectively enforce its mandate and ensure that all Member States adhere to the solution agreed upon. From a Neofunctionalist view point, a binding action plan would therefore be preferable since the task of execution would fall on the Commission rather than the national governments.

The Intergovernmentalist approach would see a binding action plan as a solution only if consensus could be reached between the Member States. A binding plan might incur negative impacts in domestic politics if they are unable to withdraw or limit their commitment in the case of unforeseen changes in the state of events, making a voluntary plan more attractive.

2.3.4 Voting

As the EU has incorporated more Member States, reaching decisions unanimously has become increasingly difficult and a Neofunctionalist might see this as a hindrance for further integration and effective cooperation. Decision-making through qualified majority voting would therefore be the logical means of ensuring that the EU continues to operate smoothly, making certain that the good of the community will not be hampered by the objections of the few.

Intergovernmentalists would strongly oppose this as the risks involved with majority voting would mean that the individual Member States loses control over the amount of power granted to the EU. By using consensus in decision making the national governments ensure that they retain the possibility of vetoing any proposals that might negatively impact domestic politics.

2.4 The European institutions

When considering the internal politics of the EU and that of the representatives of the European institutions one must also consider the function that these institutions have to fill. The Commission is the executive branch of the EU and the only institution that may put forth proposals for new legislation. Its President is elected by the European Parliament after a proposal from the European Council, who then approves the members of the Commission

proposed by the President of the Commission. The independence of its members, as well as its President, should be beyond doubt, and they are to act in the general interest of the EU. The Commission is thus designed to be an institution free from national loyalties and interests and its members can hold no other offices or occupations during their tenure (Treaty on the Functioning of the European Union 2012/C 326/01).

The European Council, unlike the Council of the EU, has no legislative functions but rather steers the general political direction of the Union. It consists of the Heads of States of the Member States as well as its President and the President of the Commission. Neither President has voting power in the Council, and decisions are reached by consensus except in specific cases (The General Secretariat of the Council 2016). The European Council elects its own President, whose main duties consist of driving forward its work and externally representing the EU. The President, unbound by national allegiances and offices, is to make sure the Council runs smoothly and strives for consensus in decision-making (Treaty on the Functioning of the European Union 2012/C 326/01).

The two institutions fill distinctly separated functions, where the Commission represents the EU as a whole and the European Council ensures the Member States influence in the European project. As such, different strategies as to how the Union should function and evolve might be expected and much research has been conducted on the matter. In line with its role as promoter of the interests of the EU, the Commission would logically strive for increased integration and supranationality in order to strengthen its influence and ability to implement and enforce community decisions. In a survey of top bureaucrats in the Commission, Ellinas and Suleiman (2011) showed that there indeed was strong support for such ideas, regardless of nationality. Conversely, the European Council can be expected to act in the interest of the Member State governments in ensuring that much of the agenda-setting and decision-making within the Union is dealt with on an intergovernmental level and through consensus within the own institution. What one must therefore consider is how much these logics might inform and influence the statements given by their respective Presidents and how much discretion these actors have to voice their own ideas.

3. Method and Material

3.1 Research design

The design of this study is a comparative study of the statements of Jean-Claude Juncker and Donald Tusk in regard to the refugee crisis. As the purpose is to highlight the tension between conflicting ideas within the EU through the analysis of the empirical material, a qualitative study is preferred as focus lies on the expression of ideas rather than on measuring their rate of occurrence (Ritchie 2011:50). The choice of objects of analysis is motivated by their prominent positions as heads of two EU institutions, where Juncker as President of the European Commission can be seen to represent the EU as a supranational entity and Tusk as President of the European Council to represent the separate member-states.

3.2 Method of analysis

As the focus of this study is the expression of disparate ideas about the EU, idea (or ideological as it is sometimes called) analysis will be used. This method of analysis is a qualitative textual analysis with a descriptive approach to identifying certain ideas in texts, as explained by Bergström and Boréus (2012:146). Ideas are defined here as conceptions of how the world works, including normative notions of how to act or the difference between right and wrong, and a collection of ideas about society and politics that make up an ideology (pp. 2012:140). Although Neofunctionalism and Intergovernmentalism are not political ideologies in the sense of for example Socialism or Conservatism, it can be argued that they hold normative conceptions of how the EU should function and thus both contain prescriptive elements similar to political ideologies. By pitting them against each other, two distinct strategies of how the EU should function should be discernible, revealing a conflict within the Union.

Another method of analysis to be considered when analysing political material is argumentation analysis, where a descriptive approach can be used to identify and reconstruct the arguments of the different parties (Bergström and Boréus 2012:92-3). In this study, however, the focus lies rather on the tension between two ideologies within the Union and not on how they are rhetorically upheld and defended. Similarly, discourse analysis could be used to examine how the two politicians are projecting a particular image of the migration crisis through their political statements to justify their different positions on the issue (pp. 2012:360-1). Such a study would rather focus on power relations and constructions of reality and goes beyond the scope of this paper.

As instrument of analysing the empirical material, Bergström and Boréus identify two methods: ideal types and dimensions. Ideal types here are not to be confused with Max Weber's work but are rather to be seen as sieves or filters constructed to identify and sort ideas in texts into different categories, such as Conservatism, Idealism etc (Bergström and Boréus 2012:150). When using dimensions, the framework for analysis is more loosely constructed than ideal types and is used to distinguish between disparate ideologies by using mutually exclusive benchmarks (pp. 2012:156-7). As this study is interested in the tension between Neofunctionalist and Intergovernmentalist ideas of how to run the EU, dimensions are preferable since they allow for a more approximate sorting of ideas into two groups. Dimensions also prove a more accessible tool of analysis since the construction of ideal types requires intimate knowledge of the object of study, whereas dimensions can be more easily determined (pp. 2012:151, 167).

3.3 Empirical material

The empirical material consists of statements of Jean-Claude Juncker and Donald Tusk found on the official websites of the European Council and the Commission, in addition to one interview with Tusk concerning the migration crisis. The choice of only using official statements was taken after a review of media coverage on the issue indicated that most quotes from the two occurring in the articles could be directly linked to the press releases on the EU websites. One could therefore assume that the articles use the official statements as sources, or that the official sources come from the same press conferences as attended by the media, and thus the official statements can be considered more reliable and encompassing. The reason for including an interview with Tusk is that the full transcript of the interview was published, reducing the risk of the statements being taken out of context or misquoted. Also, Tusk's official statements tend to be more neutral and less elaborative than those of Juncker, thus the interview offers a better insight into his personal views.

3.4 Critical reflections on methodology

A question of concern in qualitative studies is that of generalisability: that the results could be applied to other situations (Merriam 2009:223). Just as in quantitative studies, generalisability is achieved by assuring that the study examines what it is supposed to examine, validity, and that it is rigorously executed for high reliability (Bergström and Boréus 2012:41–2; Merriam 2009:228). Although the results of this case study cannot be generalised in the statistic sense, Juncker and Tusk can be argued to be symbolic

representatives for two disparate views of integration within the EU (Ritchie and Lewis 2003:82-3,269). Therefore, one could argue, the results derived from the analysis of their statements could be used to explain the logic behind other decisions taken in the EU institutions. This is what Ritchie et al. calls representational generalisation (pp. 268-69).

Hermeneutics is the philosophy and methodology of text interpretation and should also be considered here. According to hermeneutics, any reader and receiver of a text has some preconceptions of the world that will colour the way the text is interpreted (Bergström and Boréus 2012:31). As a researcher it is therefore important to keep that in mind as the study is conducted and also to use *thick description* to carefully explain what methods are used and to argue for the results that are found (Merriam 2009:227).

Another methodological problem is that of the ethics of the researcher, since both the validity and the reliability of the study depend upon it (Merriam 2009:228). The fact that all the data collected here has been handpicked, filtered through pre-conceptions and biases that are sometimes unknown to even to the researcher, can be a cause for concern (pp. 232-3). It is therefore important that the researcher is aware of these issues when choosing which material is included, as to not be tempted to exclude such that does not corroborate with the assumptions of the study.

4. Background

4.1 Migration

With the adoption of the Lisbon Treaty in 2007, asylum and immigration became a competence of the EU institutions rather than being a question of intergovernmental cooperation as it had been before. Integrated under the Area of freedom, justice and security, increased cross-border cooperation was deemed necessary to protect the freedom of movement that is such an essential part of the European project (EUR-lex 2015). Article 78 of the Treaty on the Functioning of the European Union (2012/C 326/01) clearly states that a common European asylum system shall be adopted, granting the institutions the possibility of adopting additional measures in times of emergency. Policy-decisions in this area is subject to ordinary legislative procedures which means that decision-making in the Council of the European Union is reached by qualified majority (The Treaty of the Functioning of the European Union 2012/C 326/01).

4.2 Jean Claude Juncker

Juncker is one of the most experienced politicians in the EU with a political career that goes back more than 30 years, starting in the Christian Social People's Party. He served as the Prime Minister of Luxembourg from 1995-2013 after more than a decade on different ministerial posts and thus has been involved with the work of the EU since the 80s (European People's Party n.a.). He headed the Eurogroup during the financial crisis, and was elected President of the Commission in 2014 with some controversy. This election marked the first use of the Spitzenkandidat procedure, where political parties in the EU would propose candidates for the post of the Commission in an attempt to democratize the election procedure. As the candidate of the winning party, the European People's Party, Juncker was subsequently elected by the European Council in a majority vote, rather than by unanimity as was the previous procedure. With a long history in the EU, and as a citizen of one of the founding members of the Union, he has sometimes been accused of being a federalist, striving for increased integration on a regional level (BBC 2014).

4.3 Donald Tusk

Born in the Soviet Union, Tusk early became a part of the anti-communist movement in Poland while simultaneously working as a journalist and manual labourer. After Poland gained independence in 1989, Tusk was elected to the parliament as leader of a pro-Europe

and pro-business party and in 2001 he helped form the centrist Civic Platform party with which he in 2007 won the national elections, making him Prime Minister. After 7 years at the post he was elected President of the European Council in 2014, after his impressive management of the Eurocrisis had gained him a reputation in the EU (The General Secretariat of the European Council 2015). Tusk also had a reputation of being one of the Union's most European-friendly leaders, and his election amid the Ukraine crisis was greeted positively by the Eastern Member States (Sobczyk 2015). Since his election he's come under some criticism for his outspokenness on EU issues, contrary to his predecessor Herman Van Rompuy, and has been accused of driving his own agenda on the migration issue (Barigazzi, 2015).

4.4 National positions on the migration crisis

4.4.1 Luxembourg

Luxembourg held the rotating presidency of the Council of the EU in the second half of 2015, during the most hectic months of the migration crisis. In the months leading up to the presidency, the Luxembourg Prime Minister Xavier Bettel kept a neutral stance in the debate around the migration crisis in the European Council (Marques 2015; Montaigu 2015). In an interview in August, however, the liberal Prime Minister called for solidarity for refugees in need of international protection and warned against populist politics leading to division in Europe (Bumb & Schumacher 2015). A month later the Luxembourg presidency put forward the proposal for binding relocation quotas that in September would be accepted by the Council of the EU by qualified majority, notwithstanding critique from Member States like Hungary and Slovakia (Le Quotidien/AFP 2015). The country was also one of the first Member States to accept refugees under the EU relocation plan, showing clear support for the controversial decision and for an open policy towards refugees (BBC 2015).

4.4.2 Poland

With a small Muslim community and a national identity with strong ties to the Catholic Church, the attitude towards Muslim immigrants has been sceptical, as has the view of Poland's ability to financially manage the reception of large numbers of asylum seekers (Bachman 2016). Until the October elections, the ruling party in Poland was Civic Platform, Tusk's centre-right political party that had been in power for eight years (Ciensky 2015). They were replaced by the social-conservative Law and Justice Party (PiS), who in the

months leading up to the election attracted criticism for xenophobic comments claiming migrants carried diseases and parasites (Barteczko, Gocłowski & Koper 2015). The PiS stated that Poland, in the light of the Paris terrorist attacks in November, would not be able to accept any more asylum seekers as agreed to under the relocation plan (Krajewski 2015). Increased border control and bilateral aid to countries of origin and transit, in order to stem the influx of immigrants, seem to be preferred in Poland (International Visegrad Fund 2015).

4.5 Party positions on the migration crisis⁵

4.5.1 European People's Party

At the very beginning of the Migration Crisis there were reports of the European People's Party (EPP) discussing an internal quota system for migrants (Traynor 2015). When a similar proposal was put forward by the Commission, the EPP showed its full support for it and for Juncker (European People's Party (b) 2015). In October of 2015 they adopted their own emergency resolution to deal with the migration crisis, in line with the European Agenda on Migration of the Commission (European People's Party (a) 2015).

4.5.2 Civic Platform Party

On the other hand, Poland, under the leadership of Civic Platform, has been a country adverse to granting refugees asylum (Leszczyński 2015) In the debate leading up to the June-meeting of the European Council, the government, together with France and the other three Visegrad⁶ countries, strongly opposed any binding quotas for refugee relocation in the EU and instead insisted on a continued voluntary plan (Lopatka & Jancarikova 2015). The Visegrad countries reaffirmed their opposition in the discussions around the Commission's proposal to relocate 120,000 more asylum seekers in September, calling any steps towards mandatory measures 'unacceptable' (Maurice 2015). However, in the end Civic Platform voted for the relocation plan in the Council in order to have more influence in the following negotiations, abandoning the No-camp of its Visegrad allies (Rettman 2015).

4.5.3 Christian Social People's Party

As a party in opposition during the migration crisis, the Christian Social People's Party (CSV) voiced support early on for the Luxembourg government's proposal for a deepened

⁵ See Appendix for a brief background on the migration crisis.

⁶ An alliance of EU Member States consisting of Czech Republic, Hungary, Poland and Slovakia.

European political cooperation on migration, calling for action in the European Union to face the ongoing humanitarian crisis (Marques 2015). During a press conference in August 2015, they condemned those unwilling to welcome refugees to their countries, stating that it is a humanitarian duty to do so. In addition to proposing a more expeditious asylum process, they also stressed that the majority of migrants were not eligible for asylum and that legal immigration must be premised (Braun 2015).

5. Empirical Analysis

Below follows the analysis of the empirical material collected for this essay. The analysis has been divided into the four dimensions used as a framework and the dimensions, in turn, are presented for the two Presidents separately. Citations and examples from their statements have been chosen to show their views of how the migration crisis might be best resolved, and thus parts of their statements concerning other issues have not been analysed.

5.1 EU-level cooperation

5.1.1 Juncker

In order to handle the migration crisis, Juncker makes several proposals to expand the span of the EU Project, such as a common EU list of safe countries of origin⁷, an emergency Trust Fund, and a development of Frontex into “a fully operational European border and coast guard system” (Juncker statement 4, Juncker statement 3). This is a change from his first statement on the matter where he only called for increased resources to Frontex, rather than expanding the mandate (Juncker statement 1). What he is asking for is thus increased cooperation in areas where the EU already has established agencies whose mandate could simply be expanded, and might not be considered so controversial.

The main proposals from Juncker on how to solve the refugee crisis are, however, a system of relocation of refugees within the EU through a quota system and a Common European Asylum System (Juncker statement 1, Juncker statement 3). This would mean an expansion of the competence of the EU, as Member States would be forced to accept third country nationals into their countries rather than just keeping them out. Juncker’s argument for this is not only to address the current situation but also to prevent future crises by enabling the EU to react quicker in times of need (Juncker statement 8). He thus seems to believe that the best way to preserve the European community is by expanding the EU competence into more policy areas, an idea similar to those of the founding fathers of the Union.

Similarly, in a statement in April 2015 he indicates that national solutions within the EU are insufficient:

⁷ Safe countries of origin are countries outside the EU that are deemed safe enough to extradite migrants too, for example Turkey.

“We cannot leave it solely to the Member States directly concerned to manage the relocation of refugees.” (Juncker statement 1)

This comment came after the Member States had failed to agree on a relocation quota in the European Council, and is a clear criticism of the failure to adopt an EU-level action plan. A few months later he states that the common asylum standards are insufficient to cope with the crisis, again a call for increased cooperation (Juncker statement 3).

Juncker also points out the need for integration to preserve the Union during the time of crisis, and that the EU should rise back strengthened from the current events (Juncker statement 6). This becomes apparent in his State of the Union speech in September where he says:

“Let it read that we forged a Union stronger than ever before.” (Juncker statement 3)

The integration should therefore be incremental to avoid division between the Member States as emerging region-wide problems create a need for regional solutions. In January 2016, in his speech to the European Parliament, increased solidarity and cooperation within the EU are mentioned as indispensable if the European project is to be perfected (Juncker statement 10). The logic here is very similar to that of functional spill-over as imagined by Neofunctionalism, where cooperation in one policy area will lead to the need for cooperation in another in order for the integration to be effective. The moment of crisis thus showed the weaknesses of the Union and indicated where to strengthen it.

5.1.2 Tusk

Concerning possible solutions for the crisis, Tusk keeps a mostly neutral tone in his statements. He often calls for actions strengthening the EU’s external borders, thus asking for EU-level cooperation, but mostly by using operations already set up through previous agreements. Frontex is often mentioned, asking the Member States to grant the agency more funding to expand its operations, but also to increase the mandate of the agency to include the right to return illegal migrants or to be more proactive in protecting the EU borders (Tusk statement 2; Tusk statement 15). This could be interpreted as a call to secure the EU-level cooperation by protecting the Schengen area, but without expanding it. In his invitation to the December meeting of the European Council he writes:

"Besides the debate on the future solutions, we must manage the ongoing crisis with the tools we have in hand." (Tusk Statement 25).

This seems to be a very pragmatic outlook on the state of negotiations, where the Member States are urged to do with what they have rather than to wait for the implementation of proposals which might not gather the unanimous support needed in the European Council. Better to aim for immediate action through Frontex than squabble over uncertain solutions. Here can be detected a cautious view of the possibility of the EU taking decisive action unless consensus is reached among the leaders, indicating that the Member States set the pace in the EU. If there is no unity behind increased cooperation it is better for it to remain unchanged.

However, Tusk also makes several calls for increased EU-level cooperation. Already in April he proposes an EU approach to migration and yet again in September states that "it is essential to establish a credible European migration policy", proposals in line with the Lisbon treaty that sets migration as a joint competence between the Member States and the EU (Tusk statement 2, Tusk statement 10). Here is a clear bid for the Member States to expand the scope of EU regulation to include migration, which would restrict the national governments sovereignty on these issues. He also proposes increased cooperation in the form of an EU border and coast guard system coming up to the October meeting of the European Council, a bold proposal that would mean foreign security forces with supranational mandates operating within the Member States (Tusk statement 14, Tusk statement 16). Such a proposal might be very sensitive for nations to consider since migration is high on the agenda in most European countries and national borders are important symbols of sovereignty.

Overall, Tusk's statements concerning EU-level cooperation are often quite neutral, most often calling for action through existing EU agencies like Frontex, Europol and the Common Security and Defence Policy (CSDP) (Tusk statement 5). These are policy areas where extensive cooperation already exists, and thus perhaps not so controversial for Member States to reach agreements on. The risks for national governments to relinquish decision-making power in these policy areas might be considered less than in such areas as asylum reception, as increased border security rather than a change of domestic asylum regulation would be the outcome. His call for an EU approach to migration could be interpreted as a bid for increased cooperation and supranationality, but this could also be explained by Intergovernmentalist

logic of increased cooperation in policy areas where the negative impact of non-regulation is greater than the risks connected with relinquishing power to the EU.

5.1.3 Comparative analysis

Both leaders have proposals of increased integration, notably that of an increased mandate for Frontex but also of that of a common European migration policy. These can both be explained by the Neofunctional logic of spill-over as a means to strengthen the Union. However, Juncker's insistent call for increased cooperation through a quota system and a common asylum system would expand the EU competence into more sensitive areas of politics than Tusk's call for a common border and coast guard. The former would infringe on national sovereignty by forcing countries to host third country nationals in order to help their fellow Member States under the strain of the migration crisis. Even though this is a logical policy, if considering the wellbeing of the Union as a whole, national governments might think twice before relinquishing such decision power. Tusk's propositions, on the other hand, would work to protect the sanctity of national borders and might prevent future negative impacts of migrations. Although they both call for increased cooperation, Juncker's proposals adhere more to the logic of Neofunctionalism's spill-over for the sake of the continued common project, whereas Tusk's proposals are better explained by Intergovernmentalism's cooperation to avoid negative externalities.

5.2 Principal actor

5.2.1 Juncker

As can be expected by the President of the European Commission, much focus in his statements is given to the work of the executive branch of the EU. When talking about solutions to the crisis or cooperation with third countries, he often mentions the readiness of the Commission to take the lead in the work of shaping agreements and proposals (Juncker statement 3, Juncker statement 5, Juncker statement 7). Juncker, however, not only points out the role of the Commission to table proposals and implement decisions but also argues for the need of the institution to be a political actor rather than just "a bunch of bureaucrats or technocrats" (Juncker statement 3, Juncker statement 6). This is a view of the Commission as a principal actor in its own right and not just a technocratic instrument for Member States to use.

The EU institutions are often mentioned as the main actors that can and should find solutions for the crisis at hand (Juncker statement 1, Juncker statement 3). In September, after the decision to relocate 160,000 refugees, he clearly criticises the earlier efforts made by the Member States in the European Council, pointing out that the Commission and the European Parliament had acted rather than just spoken of “solidarity” (Juncker statement 4). Similarly, in his speech to the European Parliament in October, he says that the European Council was obliged to give a green light to the proposal since the Parliament had already done so, indicating that anything else would have been unthinkable (Juncker statement 5). The European Council and the Member States should let the Commission and the Parliament lead the way or little will be accomplished.

When Juncker does talk of the Member States, it is often to warn against the power of the Member States to hamper the efforts of the EU to solve the crisis. In October he asks that the critique against the inability to reach decisions be targeted against the Member States rather than the EU, and in January 2016 he states that “the Commission have already presented all the necessary elements for effectively dealing with the urgency of the refugee crisis”⁸ and that the inactivity of the Member States was the reason the situation had not been ameliorated (Juncker statement 5, Juncker statement 10). This reveals a view of the Member States as problematic for the efficiency of the European project, and a reluctant acknowledgement of their power within the EU.

Juncker does however also point out the importance of respecting the Member States, that the EU consists of both the institutions and the national governments and parliaments (Juncker statement 3, Juncker statement 6, Juncker statement 7). When doing so he is pointing out the need to stay united, that the EU is only as strong as its weakest link. In his state of the union speech in September he says:

“It is enough if just one of us fails to deliver for all of us to stumble.” (Juncker statement 3)

Even here can be detected a negative view of the Member States ability to block or hinder the decisions made by the EU institutions, that the nation should not get in the way of the interest of the larger community. Indeed, Juncker encourages the Member States to follow

⁸ Translated by author. Original: “...la Commission a déjà présenté tous les éléments nécessaires pour gérer avec efficacité l’urgence de la crise de réfugiés.”

the lead of the EU in the efforts to deal with the crisis, such as matching the contributions to the Trust Funds for Syria and Africa, indicating that the EU is more than an instrument through which the national governments act but rather a separate entity to guide the way (Juncker statement 4). Juncker's often berates the Member States in his speeches, reminding them of their responsibilities and shortcomings, and places the Commission in the role of supervisor (Juncker statement 4, Juncker statement 7, Juncker statement 8). Although this is in line with the role assigned to the Commission in the Treaties, the language used hints of the exasperation of someone dealing with unreliable counterparts:

“It is quite astonishing that we had to undertake a huge effort to convince some of our Member States to inform other of our Member States about the refugee flows heading to the borders; ...” (Juncker statement 7)

If not for the Commission, nothing would be accomplished it seems, and thus it should be one of the principal actors in the EU.

5.2.2 *Tusk*

As the President of the European Council, one might expect Tusk to focus much of his attention on the actions and wishes of the Member States and this is also the case. Since his statements concern the work of the European Council, it is often mentioned as an important actor and thus could be interpreted as placing the EU as the principal actor. However, the European Council consists of the leaders of the Member States and therefore, although an EU institution, it represents the members' interest in monitoring and, if necessary, intervening with the work within the Union.

He often mentions the Member States and the EU institutions together, insisting on the importance of cooperation between the actors (Tusk statement 2, Tusk statement 18). Rather than just mentioning the EU as a whole or the EU institution where the decisions or proposals are being made, the importance of the Member States is emphasised by including them as well, as in his report to the European Parliament in April (Tusk statement 5).

The emphasis of the Member States as principal actors can also be found in statements where Tusk points out that unless accepted by the European Council the solutions proposed by the Commission cannot be implemented (Tusk statement 26, Tusk statement 27). This clearly places the power in the hands of the Member States as the Commission and the European Parliament cannot move forward with any action plan without the support of the

European Council. This also applies to resolutions agreed upon, which Tusk points out to the European Parliament in January 2016 when he appeals to Member States to implement the reached agreements in full to avoid the end of the Schengen area (Tusk statement 28). This clearly indicates that the Member States hold the power over the future of the European project. Tusk warns the Member States against using this power when he states that unless common solutions are found and national responsibilities are met, the outcome will be detrimental for the unity of the European community (Tusk statement 10, Tusk statement 15).

The EU institutions are often called upon to implement the decisions agreed upon by the leaders in the European Council, indicating a view of the institutions as instruments for the Member States rather than separate actors. The Commission is “tasked to deliver” and asked to “table proposals” by the European Council, in accordance with their decisions (Tusk statement 8, Tusk statement 25). The Member States can therefore be seen as the principal actors setting the pace and direction of the EU project.

At one point in the debate, Tusk does speak of the importance of the EU as a decisive actor without mentioning the Member States and this is in connection to the meeting with Turkey in November (Tusk statement 20, Tusk statement 23). The principal actor is here clearly the EU, most likely since the Union is dealing with an external partner and thus profits from presenting itself as a unified entity. In most of Tusks statements, it is however the Member States or the European Council who are perceived as the principal actors in the EU.

5.2.3 Comparative analysis

Even though both Juncker and Tusk speak of both EU institutions and Member States as important actors there is a clear difference in who they *think* should be the principal actor. Juncker’s exasperation at having to depend on the Member States’ compliance in order to take action tells of a Neofunctional view where the Commission should find the solution and the Member States should fall in line behind it. He does, however, acknowledge that the Member States could block unwanted proposals should they wish to. In Tusk’s statements, on the contrary, the Member States are the principal actors and the EU institutions mere instruments for implementing their decisions. Only when addressing external partners does he speak of the EU as an actor in its own right.

5.3 Action plan

5.3.1 Juncker

Juncker consistently calls for a binding action plan to relocate asylum seekers within the EU. In his State of the Union speech in September he heavily criticises the failure of the intergovernmental solution of voluntary quotas, stating that “when we see the weaknesses of a method, we have to change our approach” (Juncker statement 3). This statement came after several attempts of the Member States to resolve the crisis through a voluntary system of relocation, something Juncker always argued against. Only a few weeks later he reproves the lack of action of the Member States and the European Council by stating:

“From the start the Commission and the European Parliament have not only spoken of “solidarity”, but have also made and brought forward concrete proposals; ...”⁹ (Juncker statement 4)

Here is a clear jab at the idea of voluntary action rather than binding. In fact, Juncker goes even further in calling for a permanent relocation mechanism to avoid such inability to deal with crisis situations in the future (Juncker statement 3, Juncker statement 5). The only time he suggests a voluntary approach is in connection to the agreement between Turkey and the EU to resettle Syrian refugees from Turkey, maybe because this involves a third party and not only the Member States (Juncker statement 8).

5.3.2 Tusk

In regard to whether the action plan to address the crisis should be binding or voluntary, Tusk does not clearly state his position on the matter. In October he calls for “collective responsibility” for border security, to increase solidarity between Member States and end discord (Tusk statement 15). His choice of words might indicate that it should be on a voluntary basis rather than forced, but it is not explicitly stated. In the invitation to the June meeting of the European Council he writes:

"Today we have no consensus among Member States on mandatory quotas for migrants. But at the same time the voluntary scheme cannot be an excuse to do nothing." (Tusk statement 6)

⁹ Translated by author. Original: “Von anfang an haben die Kommission und das Europäische Parlament nicht nur von “Solidarität” gesprochen, sondern dazu auch konkrete Vorschläge gemacht und vorangebracht: ...”

While not an outright criticism of the voluntary approach, it is a warning of the consequences of inaction that might result from a non-binding agreement. More often, Tusk invokes the importance of solidarity between Member States than the need for binding pledges, asking them “to sacrifice some national interests for the common good” (Tusk statement 3). All in all, it is difficult to place Tusk on either side of the scale here since he neither propagates for binding nor voluntary measures in his statements.

5.3.3 Comparative analysis

Throughout the migration crisis, Juncker calls for a binding action plan in order to allow the Commission to deal more effectively with the situation at hand and to avoid future crisis. This is in line with the Neofunctional idea of granting the supranational entity a wider mandate so that it can see to the good of the whole union. Tusk, on the other hand, does not make clear where he stands on this issue.

5.4 Decision-making

5.4.1 Juncker

In the statements of Juncker, one can detect an urge for haste in decision-making, a need to quickly agree on an action plan that should not be slowed down by dissension between Member States. He urges the EU to change its way of working, to be faster and “more European in [their] method” in order to be more effective in its work (Juncker statement 3). This statement comes after criticism against intergovernmental solutions and a push for the Community method that involves qualified majority voting in the Council of the EU. The call for the EU to be “more European” in its way of decision-making indicates a view of the Union as something more than just intergovernmental cooperation. That a more European approach would entail majority voting rather than consensus suggests that the EU is a supranational entity that should have the authority to act in the interest of the community as a whole rather than just be an arena for the wishes of the Member States.

Although consensus is preferable, Juncker states that the possibility to reach decisions without it makes the Union “handlungsfähig”, capable of acting (Juncker statement 4). He defends the decision reached by the Council by pointing out that it is in line with the Treaties to apply the Community method when unanimity cannot be reached (Juncker statement 5).

Action at the cost of unanimity is better than no action at all. He does however also state, after much discord between the Member States in the weeks following the decision, that:

“[...] you cannot build Europe against each other, but rather that you can only build Europe with each other.”¹⁰ (Juncker statement 7)

This could be interpreted as a call for unanimity in the workings of the Union, but it could also be seen as admonishing the Member States for not cooperating and compromising with each other in times of crisis.

5.4.2 *Tusk*

Throughout the debate on how to resolve the refugee crisis in the EU, Tusk calls for consensus in decision-making. Rather than pushing on with any proposals that does not win unanimous support, small steps reached through consensus seems to be what should be striven for, although it will prove more time consuming (Tusk statement 6, Tusk statement 8). He makes his view on the matter clear in his doorstep comment before the September meeting of the European Council when he said:

"This plan must be our common plan. Nobody will be outvoted." (Tusk statement 11)

The message here would seem to be that unless consensus is reached then no action can be taken on the issue. This view is again repeated in the interview he gave in December, where he calls qualified majority voting a means of political coercion that cannot be used in the middle- and long-term (Tusk statement 29). The need for consensus in decision-making in the EU must be respected for the cooperation to move forward. Tusk clearly sides with the idea that the right of all Member States to set the pace in the integration process of the EU is more important than reaching a quick solution of the problem.

5.4.3 *Comparative analysis*

The disparate views of the two politicians is clear when it comes to the question of voting. Where Juncker sees majority voting as a necessity for the EU to run smoothly Tusk sees it as political coercion that risks damaging the European project in the long run. Tusk's comments are compatible with Intergovernmentalism's cautious view of relinquishing veto

¹⁰ Translation by author. Original: "... man Europa nicht gegeneinander aufbauen kann, sondern dass man Europa nur miteinander aufbauen kann."

power, whereas Juncker's statements are more in line with Neofunctionalism's desire for effective cooperation to preserve the Union.

6. Conclusion

The purpose of this study was to examine whether conflicting ideas of the function of the EU could be detected in Juncker and Tusk's statements regarding the migration crisis, and if they could be explained by using Neofunctionalist and Intergovernmentalist logic. In the analysis we can see that the solutions that they propose do not widely differ from one another: both call for relocation of migrants and both want a wider mandate and more resources for Frontex. Juncker, however, wants a binding quota system and a Common European Asylum System even if it means going against the wishes of the Member States, proposals that would both lead to further integration and an extended EU competence. Tusk also calls for a European migration policy, although in more uncertain terms, but most of his proposals concern the use of already existing EU agencies like Frontex or Europol.

The most distinct difference between their proposals is that of who and how: who should find the solution and deal with the problem at hand; and how should the solution be agreed upon, by unanimity or by majority voting. Juncker clearly sees it as the responsibility of the Commission to find and implement solutions to the problem at hand and the responsibility of the Member States to support the Commission's proposals for the greater good of the EU, unanimity or not. Tusk, on the other hand, speaks of the Council as the arena where the real decisions are taken, through unanimity, and the Commission as the mere executor. From their statements about the migration crisis it is discernible that they hold different views about how the Union should function and who the principal actors should be. Juncker's proposals are in line with that of Neofunctionalism, or Supranationalism, where the way forward is incremental integration in areas of concern in order to avoid future crises. In contrast, Tusk's statements manifest the idea of Intergovernmentalism: an EU driven by the Member States for their own benefit.

The most interesting question of this study is why their views of how the EU should function differ from each other. Is it because of ideology, nationality, or are they just doing their jobs as representatives of their respective EU institutions? There are probably several factors at play here. As a citizen of one of the founding nations, Juncker has a long experience with the EU and its institutions. During the migration crisis he had the backing of both Luxembourg and the European People's Party, as well as his national Christian Social People's Party, indicating that he comes from a background of pro-European policies. He was also spearheaded into his position as President of the Commission indirectly through the

spitzenkandidat procedure in the European Parliament, and can therefore be expected to have more allegiance to that supranational institution rather than the Council, who has chosen the previous Presidents. Most importantly, however, is his role as President of the Commission, that is tasked to promote the interests of the EU. Although not all presidencies have been marked by increased integration, it lies in the interests of the Commission itself to strengthen its influence and decisiveness through expanded supranationality. It is therefore perhaps not surprising that Juncker himself would express similar ideas.

Tusk's political past contains a supranational giant of its own, albeit a somewhat less democratic entity than the EU: the Soviet Union. Although famous for his pro-European policies at the head of the Civic Platform party in Poland, his previous experience of living under the oppression of a supranational institution is likely to influence his views of how the EU should function and evolve. Considering that the Member States in opposition to Juncker's proposals of binding quotas for refugee relocation were all former Soviet states, including Poland, it is perhaps not unlikely that he had empathy for their positions and felt disinclined to promote a majority voting that would go against their wishes. His position as President of the Council must also be considered, since the essence of the mandate is to ensure the efficiency and harmony of the work there. As such, he is expected to show consideration for the reservations of the Member States and to work towards consensus in decision-making on an intergovernmental level. It is therefore logical that he would express Intergovernmental views of how the EU should function, with focus on the Member States rather than the institutions.

6. Discussion

By analysing the statements of these two European politicians through the lenses of Neofunctionalism and Intergovernmentalism disparate strategies for the function of the EU have been shown. What one must then ask is if these views are their own or if they are just instruments of their institutions. Tusk, especially, is often reticent in his statement, keeping a neutral stance. This is perhaps because his role is not to create opinion but rather to coordinate and mediate between Member States. If he were to speak too freely he might create unnecessary controversy and conflict. Juncker, on the other hand, is a political figure with the massive task of steering the huge ship that is the EU. In his role as the President of the Commission he is expected to create policy and find solutions for problems, controversial

or not. As such, he might be at more liberty to freely voice his opinions on an issue than his counterpart in the Council.

On paper, Tusk should be more restrained by his office and his statements more a product of expectation than his own opinions. He has, however, been criticised for his outspokenness on EU issues and it is not unlikely that he has let his personal opinions leak into his statements regarding the migration crisis. In the interview with Tusk, that was also part of the empirical material, he speaks more candidly on the issue and expresses opinions similar to those that are found in his official statements. As the post of President of the Council is a fairly new creation, the responsibilities that it entails are not yet clearly defined and Tusk has some discretion to shape his own mandate. Tusk is no technocrat, he comes from a long background of political activism and policy shaping, and it is therefore not surprising if he would interpret his mandate as more political than it was perhaps originally intended.

So do their statements represent their own personal opinions or that of their institutions? As President of the Commission, Juncker is the creator, coordinator and leader of the institution and his personal view of how the EU should function should also be what guides the direction of the Commission's work as a whole. Whether his statements are his personal view or not thus arguably becomes less relevant than in the case of Tusk, since the Commission is under his lead. Tusk should, as the face of the Council, relay the wishes of the Member States, not his own. When considering his background, however, it does not seem unlikely that he's taking liberties with his statements concerning such a polemic issue as the migration crisis.

Is this evidence of a conflict within the EU about how it should function? Perhaps, but not necessarily that there is an inherent conflict between a Supranational Commission and an Intergovernmentalist Council. It is in the nature of the Council to be Intergovernmentalist since it consists of the heads of government or state of the Member States who are likely to see to their own benefit rather than that of the EU. The Commission, however, will likely be what its President wishes it to be. Not all Presidents of the Commission have advanced the integration of policy areas or so actively critiqued Member States as Juncker did during the migration crisis. It does, however, lie in the interest of the Commission to be Supranationalist in order to strengthen its own position. The EU is not a neutral entity of technocrats trudging along in day-to-day bureaucracy, but rather a political arena of conflicting ideas pulling the

project in one way or another. In times of crisis, such conflicts are more likely to become apparent since unknown political territory allows for new policies. During the migration crisis, the EU institutions and Member States had to choose whether the way forward was through increased supranationality or through voluntary measures on an intergovernmental level. Naturally, there were many disparate views of which way to choose.

Although this is a small case study with limited empirical material, it could be argued that the conclusions could say something about times of crises in the EU. Since the European project tries to balance two things that are inherently contradictory, Supranationality and Intergovernmentalism, a conflict between those who wish for a deeper integration and those who wish to safeguard national sovereignty will again flare when new policy areas are discussed. With the rise of the Right in Europe, discord between the Commission and the Member States represented by the Council will probably increase in the years to come.

Further studies on the subject would be interesting: can the same division be found between the Parliament and the Council? The Parliament is inherently supranational since it is elected directly by the citizens of the EU and has no loyalties towards the national governments except for political party affiliations. On the other hand, it an array of different political positions and holds internal conflicts of its own, just like any national parliament. Could its President be expected to hold Supranational or Intergovernmental ideas? Another interesting subject would be to analyse the development on the migration issue in the years after the migration crisis and whether the dissonant Member States have fallen in line with the majority decision taken in the Council.

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7. Appendix 1 – Development of the Migration Crisis

In April of 2015 almost 800 migrants drown in the Mediterranean Sea when their boat capsizes, triggering an outrage across Europe and a call for action. Later that month the European Council hold their first special meeting on the issue. In May, the Commission adopts a 10-point agenda on migration, for the first time proposing a permanent relocation plan for migrant within the EU. A voluntary version of the proposal is accepted by Council in June, however, the difference of ideas between Juncker and Tusk becomes obvious. At the end of summer, as protests in Budapest leads to migrants without Schengen visas being allowed train passage to Austria, the Commission proposes a second package of proposals, including a permanent relocation mechanism. This is accepted by the Council, under much protest from dissonant member states, in a majority vote on the 22nd of September. In October, the EU and Turkey reach an agreement to stop migrants from reaching the EU and the first hotspots for migrants open in Greece. The following month, country after country start to close their borders to migrants and the Valetta Summit on migration is held between the EU member states and their African counterparts. On the 2nd and 3rd of December Slovakia and Hungary both file lawsuits against the decision to relocate asylum seekers. At the end of the year, only a few hundred out of the allotted 120.000 have been relocated by the member states (European Council, 2017; ICMPD - International Centre for Migration Policy Development, n.d.).

7. Appendix 2 – Empirical Material

Juncker Statement 1 – 2015-04-29

European Commission. 2015. *Speech by President Jean-Claude Juncker at the debate in the European Parliament on the conclusions of the Special European Council on 23 April: 'Tackling the migration crisis'*. http://europa.eu/rapid/press-release_SPEECH-15-4896_en.htm (Accessed 2018-01-05)

Juncker Statement 2 – 2015-07-08

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Juncker Statement 3 – 2015-09-08

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Juncker Statement 4 – 2015-09-23

European Commission. 2015. *Managing the refugee crisis: Remarks by President Juncker*. http://europa.eu/rapid/press-release_SPEECH-15-5702_en.htm (Accessed 2018-01-05)

Juncker Statement 5 – 2015-10-06

European Commission. 2015. *President Juncker's intervention at the European Parliament Plenary session on the conclusions of the 23 September Informal European Council*. http://europa.eu/rapid/press-release_SPEECH-15-5781_fr.htm (Accessed 2018-01-05)

Juncker Statement 6 – 2015-10-21

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Juncker Statement 7 – 2015-10-27

European Commission. 2015. *Conclusions of the European Council meeting of 15 October 2015 and the Leaders' Meeting on refugee flows along the Western Balkan route of 25 October 2015 - speech by President Juncker at the European Parliament plenary session*. http://europa.eu/rapid/press-release_SPEECH-15-5935_en.htm (Accessed 2018-01-05)

Juncker Statement 8 – 2015-12-16

European Commission. 2015. *Speech by President Juncker at the EP Plenary – Preparation of the European Council meeting of 17-18 December 2015*. http://europa.eu/rapid/press-release_SPEECH-15-6346_en.htm (Accessed 2018-01-05)

Juncker Statement 9 – 2015-12-17

European Commission. 2015. *Joint Press point ahead of the European Council by President Juncker and President Schulz - Remarks by President Juncker.*
http://europa.eu/rapid/press-release_STATEMENT-15-6361_en.htm (Accessed 2018-01-05)

Juncker Statement 10 – 2016-01-19

European Commission. 2015. *Speech by President Jean-Claude Juncker – EP Plenary session – Conclusions of the European Council meeting of 17 and 18 December 2015.*
http://europa.eu/rapid/press-release_SPEECH-16-112_en.htm (Accessed 2018-01-05)

Tusk Statement 1 – 2015-04-20

European Council. 2015. *President Donald Tusk calls an extraordinary European Council on migratory pressures in the Mediterranean.*
<http://www.consilium.europa.eu/en/press/press-releases/2015/04/20/tusk-extraordinary-european-council-migration-mediterranean/> (Accessed 2018-01-05)

Tusk Statement 2 – 2015-04-22

European Council. 2015. *Invitation letter by President Donald Tusk to the Special European Council meeting.* <http://www.consilium.europa.eu/en/press/press-releases/2015/04/22/tusk-invitation-letter-special-european-council/> (Accessed 2018-01-05)

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European Council. 2015. *Remarks by President Donald Tusk ahead of the Special European Council.* <http://www.consilium.europa.eu/en/press/press-releases/2015/04/23/special-euco-tusk-doorstep/> (Accessed 2018-01-05)

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Tusk Statement 5 – 2015-04-29

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Tusk Statement 6 – 2015-06-24

European Council. 2015. *Invitation letter by President Donald Tusk to the members of the European Council.* <http://www.consilium.europa.eu/en/press/press-releases/2015/06/24/tusk-invitation-letter-european-council/> (Accessed 2018-01-05)

Tusk Statement 7 – 2015-06-25

European Council. 2015. *Remarks by President Donald Tusk ahead of the European Council meeting*. <https://www.consilium.europa.eu/en/press/press-releases/2015/06/25/tusk-remarks-ahead-european-council/> (Accessed 2018-01-05)

Tusk Statement 8 – 2015-06-25

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Tusk Statement 9 – 2015-07-08

European Council. 2015. *Report by President Donald Tusk to the European Parliament on the June European Council and the situation in Greece*. <http://www.consilium.europa.eu/en/press/press-releases/2015/07/08/tusk-report-european-parliament/> (Accessed 2018-01-05)

Tusk Statement 10 – 2015-09-18

European Council. 2015. *Invitation letter by President Donald Tusk to the members of the European Council*. <http://www.consilium.europa.eu/en/press/press-releases/2015/09/18/tusk-invitation-letter-informal-european-council/> (Accessed 2018-01-05)

Tusk Statement 11 – 2015-09-23

European Council. 2015. *Doorstep remarks by President Donald Tusk before the Informal meeting of Heads of state or government, 23 September 2015*. <http://www.consilium.europa.eu/en/press/press-releases/2015/09/23/pec-tusk-doorstep/> (Accessed 2018-01-05)

Tusk Statement 12 – 2015 -09-24

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Tusk Statement 13 – 2015-10-06

European Council. 2015. *Address by President Donald Tusk to the European Parliament on the informal meeting of heads of state or government of 23 September 2015*. <http://www.consilium.europa.eu/en/press/press-releases/2015/10/06/tusk-address-european-parliament-informal-euco-september/> (Accessed 2018-01-05)

Tusk Statement 14 – 2015-10-13

European Council. 2015. *Invitation letter by President Donald Tusk to the members of the European Council*. <http://www.consilium.europa.eu/en/press/press-releases/2015/10/13/tusk-invitation-letter-european-council/> (Accessed 2018-01-05)

Tusk Statement 15 – 2015-10-15

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Tusk Statement 19 - 2015-11-03

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Tusk Statement 20 - 2015-11-12

European Council. 2015. *Press remarks by President Donald Tusk after the informal meeting of EU heads of state or government.* <http://www.consilium.europa.eu/en/press/press-releases/2015/11/12/tusk-press-conference-informal-euco/> (Accessed 2018-01-05)

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Tusk Statement 23 - 2015-11-29

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Tusk Statement 25 - 2015-12-15

European Council. 2015. *Invitation letter by President Donald Tusk to the members of the European Council*. <http://www.consilium.europa.eu/en/press/press-releases/2015/12/15/tusk-invitation-letter-european-council/> (Accessed 2018-01-05)

Tusk Statement 26 - 2015-12-17

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Tusk Statement 27 - 2015-12-17

European Council. 2015. *Remarks by President Donald Tusk ahead of the European Council meeting*. <http://www.consilium.europa.eu/en/press/press-releases/2015/12/17/tusk-doorstep-before-european-council/> (Accessed 2018-01-05)

Tusk Statement 28 - 2016-01-19

European Council. 2016. *Report by President Donald Tusk to the European Parliament on the outcome of the December European Council*. <http://www.consilium.europa.eu/en/press/press-releases/2016/01/19/tusk-december-euco-report-european-parliament/> (Accessed 2018-01-05)

Tusk Statement 29 – 2015-12-02

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