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LEGITIMISING EU FOREIGN POLICY:
THE EU-TURKEY MIGRANT READMISSION DEAL

MA thesis

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Authorship Declaration

I hereby declare that I have prepared this thesis independently. All contributions and views of other authors, as well as data from literary sources and elsewhere, have been referenced. The thesis has been written in accordance with the requirements for final theses at the Johan Skytte Institute of Political Studies.

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Abstract

The 2015 migration surge in the European Union marked a pivotal moment in its history, prompting urgent action in response to a great number of illegal entries and revealing vulnerabilities in the EU's asylum system and external borders. In the context of this situation, the EU negotiated an agreement with Turkey to improve border management and limit immigration. This thesis investigates the legitimisation of the EU-Turkey deal in political discourse. The research puzzle arises from the discrepancy between the EU's initial welcoming stance towards migrants and its criticism of Turkey's human rights record, both of which were contradicted by a deal that included sending migrants to Turkey and obliging Turkey to prevent migrants from setting out to the EU. This thesis bases its understanding of the standards and dimensions of EU legitimacy on Beetham and Lord's (1998) concept of legitimacy and Vivien Schmidt's (2013; 2020) theory of input, output, and throughput legitimacy. Using the method of Critical Discourse Analysis, the study analyses speeches by key EU actors between 2015 and 2019, focussing on Commission President Jean-Claude Juncker, European Council President Donald Tusk, and German Chancellor Angela Merkel. The findings reveal a predominant emphasis on output arguments, highlighting the perceived successes and justification of the EU-Turkey deal. Noticeably, throughput legitimacy emerged as a significant theme, with EU officials emphasising governance processes and interactions. However, input legitimacy was notably scarce in the discourse, and reflected a conflicted approach to democratic participation within the EU framework. This raises questions about the potential for legitimation through public support and the capacity for the construction of a united *demos*. Despite the EU's value-based community aspirations, the discourse suggests a struggle to garner genuine democratic support, revealing challenges in crisis resilience and legitimacy in comparison to individual nation-states. Overall, this research contributes to the understanding of EU foreign policy legitimacy and the complexities of legitimising controversial policy decisions in a normative power context.

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1. Introduction

The 2015 migration surge in the European Union (EU) sent shockwaves across the continent, marking a turning point in its history. More than a million people made the perilous journey across the Mediterranean to reach the shores of the EU, and tragically, an estimated 3,700 lives were lost in the process (European Commission 2024; Clayton and Holland 2015). The crisis thus prompted an urgent need for concerted action. The surge of illegal entries overwhelmed the EU asylum system and exposed the vulnerability of the Schengen area's external borders (European Parliament 2017). In response to the crisis, the European Union negotiated a significant agreement with Turkey in 2016 aimed at easing the pressure of the influx and halting the flow of illegal immigration. However, building consensus within the EU and among its Member States proved to be a major challenge as diverging views emerged on how to tackle the crisis. The events of 2015 not only tested the EU's capacity to handle humanitarian emergencies but also prompted a critical reevaluation of its approach to migration management and the balance between solidarity and sovereignty among its member states.

The deal with Turkey, often referred to as the EU-Turkey deal or the Readmission Agreement, was published as joint statements which outlined various goals and obligations (European Commission 2015; European Council 2016). The main purpose of the deal was to put an end to the illegal flow of migrants via Turkey to Europe. The deal established that all new irregular migrants and asylum seekers that have made their way from Turkey to Europe shall be returned to Turkey. It introduced the one for one principle, meaning that for every Syrian refugee who arrived irregularly and is returned to Turkey, another Syrian refugee will be resettled to the EU via regulated means. With the deal, Turkey took the obligation to take measures to prevent illegal sea or land routes from opening for illegal migration. In turn, the EU took on the obligation to support Turkey's refugee facilities with 3 billion euros, with the promise to mobilise further funds once those are used up in full. The deal also included various commitments aimed at revitalising Turkey's accession process to the EU.

The objective of this thesis is to examine how the EU-Turkey deal was legitimised in political discourse at both the national and European level. This is a research puzzle because at the beginning of the increased migration movements, many important EU actors emphasised the need to receive the migrants. This is perhaps best exemplified by Angela Merkel's famous stance of *Wir schaffen das* (we can do this), emphasising both the capabilities of the EU and

the human rights commitments (Die Bundesregierung 2015). It is also important to note that Turkey's prospective membership, pending since 2004, had been opposed by various EU actors in the early 2010s. Most importantly, during their presidential campaigns for the 2014 European Parliament elections both Jean-Claude Juncker and Martin Schulz promised that Turkey's accession will be prevented under their administration, stressing Turkey's distance from democratic values, which Juncker reaffirmed after his triumph (Sarmadi 2014; Juncker 2014). Therefore, the rapid change of viewpoints in 2015 as the negotiations on the migration deal with Turkey started, presents a contradiction and begs questions about how it was legitimised.

The main research questions are: *How has the EU legitimised the migrant readmission deal with Turkey? What implications does it have for the EU as a foreign policy actor?* The questions shall be answered through a discourse analysis of high level speeches by important EU actors. It includes speeches by Commission President Jean-Claude Juncker, European Council President Donald Tusk and German Chancellor Angela Merkel, from the time period between 2015 and 2019.

The EU-Turkey deal has been subject to criticism due to the alleged deficits in the legitimacy of EU policy-making and loyalty to EU values. It is important to note that the process of reaching the deal was informal in nature. A result of informal negotiations, the deal was formalised as a Joint Action Plan and a Joint Statement between the EU and Turkey (Smeets and Beach 2020:129). From a policy making viewpoint, the deal highlighted some loopholes in EU foreign policy conduct. The EU's focus on human rights is also codified in EU law, and hence, striking a readmission deal is only allowed with a country that is considered a safe destination (EUR-Lex... 2013). Therefore, scholars have questioned the EU's adherence to its own laws in the case of this deal. In addition, the informal nature and closed-door negotiations of the deal have also raised doubts about its legitimacy. As it was formalised as joint statements and not codified as a treaty or legal agreement, the deal left a certain liberty of interpretation where it was convenient about who is responsible for it. It was most clearly illustrated in 2016-2017 when three migrants located in Greece challenged the deal in the Court of Justice of the European Union (CJEU) and institutions that had previously taken responsibility for the success of the deal (the councils and the Commission) all managed to evade responsibility for it and shifted it to the Member States (Carrera, den Hertog and Stefan 2017:2).

There is also existing literature that covers some aspects of the legitimization of the EU-Turkey deal. Kayleigh Rijnbeek (2018) argued that the EU was de-securitising Turkey to make the deal palatable, while Léonard and Kaunert (2021) have focused on the securitisation of migration. This thesis will provide further insights into EU legitimacy and foreign policy, with the EU-Turkey deal serving as an example that is used to open up this more general and increasingly important topic. The thesis makes several contributions. It contributes to the literature on the EU-Turkey deal, which in turn is part of the literature on the shift in narratives about migration on the one hand and on the EU's foreign policy towards Turkey on the other hand. However, from a wider perspective, the motivation to study the EU-Turkey deal as an instance of a controversial foreign policy phenomenon comes from a perceived need to better understand the nature of the problems the EU is facing as a new type of foreign policy actor and the institutional and ideological origins of these problems. Thereby this research shall most importantly contribute to the literature on EU foreign policy legitimacy and the EU as a normative power, which is becoming increasingly relevant as the liberal democratic world order faces more challenges.

The thesis contributes to the literature on EU foreign policy legitimacy and the EU as a normative power by analysing the legitimization of a specific international agreement. Legitimacy is strongly connected to political order and the sustenance of obedience and therefore influences the support a polity enjoys and the prospective vulnerabilities it has (Beetham and Lord 1998:1-2). The EU clearly directly impacts its citizens to a great degree (Beetham and Lord 1998:13), which also is demonstrated by the fact that national politics often shifts blame to the EU, clearly being subject to public scrutiny (Beetham and Lord 1998:14). As the EU impacts its citizens and also relies on their cooperation for its success, it is clear that legitimacy could be seen as a priority. Therefore looking into the legitimacy deficit through this concrete example can provide very useful insights that could have policy relevance.

Assessing legitimacy always entails both a normative and an analytical component. The EU as an aspiring normative power should therefore be especially interested in the normative implications of research for its policy planning. Here, it is important to pay attention to technocratic legitimacy claims. The EU is characterised by a bureaucratic lead in its decision-making and has undergone a process of depoliticisation (Beetham and Lord 1998:17). The EU is also prone to using depoliticised, 'reasonable' language in its justifications (Schmidt 2013:18). However, the fact that a depoliticisation process has

happened does not make it a legitimate way to justify further steps. For finding the appropriate measure for legitimacy, normative arguments are a requirement (Beetham and Lord 1998:18). Therefore, as the EU tries to be seen as a normative power, these considerations should be recognized and normatively more desirable ways of justification and legitimation should drive the process. This is especially relevant in foreign policy.

This thesis has three main chapters. The first one provides the theoretical framework of legitimation, making the case for applying a liberal-democratic standard of legitimacy and emphasising the distinction between input, output, and throughput legitimacy by Vivien Schmidt (2013; 2020). The second chapter will explain the approach and method of the analysis, a poststructuralist Critical Discourse Analysis, including the coding method. It will also explain the research design and case selection. The third chapter provides the empirical analysis of the selected body of texts: it tests the expectations and provides answers to the research question. It presents the results on output-, throughput-, and input-based argumentation in the selected speeches and reflects on how the EU-Turkey deal was justified in a combination of those. It will also reflect on the implications of the presented argumentation on the EU as a foreign policy actor.

2. Theoretical Framework: Legitimation

This thesis examines the question of how the EU legitimised the EU-Turkey migrant readmission deal as a part of legitimation of its foreign policy and itself as a foreign policy actor. The first subchapter of the theoretical framework clarifies the meaning of legitimacy. Building on Beetham and Lord (1998) and Ehin (2008), it emphasises normative justifiability, as opposed to popular support, as the basis of legitimacy. It also makes the case for applying the liberal-democratic standard of legitimacy to the EU, as opposed to adopting the technocratic or indirect intergovernmental model. The second subchapter introduces a framework proposed by Vivien Schmidt (2013), which distinguishes between input, output and ‘throughput’ legitimacy. The subchapter explains how these categories shall be employed to conduct the empirical analysis in the following chapter.

2.1. Conceptualization of EU Legitimacy: The Case for a Liberal-Democratic Standard

Before getting to the analysis of legitimation, it is necessary to elaborate on how legitimacy is conceptualised in this thesis, and what factors must be taken into account to assess EU legitimacy. Following Max Weber, a prevailing understanding of legitimacy is the notion that it is relative, dependent on the people’s belief in a political system or authority, thus essentially reducing legitimacy to a matter of public opinion (Weber 2008:160). The Weberian perspective stands in stark contrast to approaches that conceptualise legitimacy as absolute, dictated by universally applicable standards. For this thesis, legitimacy shall not be reduced to public opinion entirely, but it shall also not be regarded as absolute, with standards that apply universally and uniformly. Instead, this thesis relies on an understanding put forward by Beetham and Lord (1998), that builds on public opinion, but in a more multifaceted manner. It provides a universal framework which can exist in various forms according to the period, the society and the political system (Beetham and Lord 1998:5).

According to Beetham and Lord (1998:3-4) three dimensions of legitimacy can be distinguished: legality, normative justifiability and legitimation (Figure 1). Legality refers to political authority being acquired and exercised according to established rules (Beetham and Lord 1998:3-4). Normative justifiability refers to being in accordance with socially accepted beliefs about the rightful source of authority and the proper ends and standards of government (Beetham and Lord 1998:3-4). Legitimation refers to confirmation of the consent, affirmation

or the recognition by subordinates and from other legitimate authorities¹ (Beetham and Lord 1998:3-4). Legitimacy should always be perceived as a matter of extent, where all three of these levels contribute to legitimacy and in combination they give the subordinate moral grounds for compliance or cooperation with authority and therefore protect the regime from prospective vulnerabilities (Beetham and Lord 1998:4,7). Beetham and Lord (1998:5) argue that any analysis of legitimacy needs to start with an acknowledgement of its complexity and the full range of factors involved in making political authority rightful, to avoid the tendency to reduce the different dimensions of legitimacy to a single one.

Table 2.1. Dimensions of Legitimacy, based on Beetham and Lord (1998)

| Dimensions of Legitimacy | | |
|--|---|--|
| <u>Legality</u> | <u>Normative Justifiability</u> | <u>Legitimation</u> |
| Definitions: | | |
| Acquired and exercised according to established rules | Justifiable according to socially accepted beliefs about <ol style="list-style-type: none"> I. the rightful source of authority II. the proper ends and standards of government | Express consent or affirmation of appropriate subordinates; recognition from other legitimate authorities |
| Negatives: | | |
| illegitimacy - breach of the rules | legitimacy deficit - weak justification, contested beliefs | delegitimation - withdrawal of consent or recognition |
| Examples: | | |
| Laws, constitutions, conventions, custom, precedent, from sovereign will or decree | <ol style="list-style-type: none"> I. Divine right, tradition, the people, etc II. Fulfils accepted ends or purposes | Swearing an oath of allegiance, concluding agreements, taking part in mass mobilisation in the regime's cause, etc |
| Liberal-democratic legitimacy: | | |
| constitutional rule of law | <ol style="list-style-type: none"> I. Popular sovereignty <ol style="list-style-type: none"> A. Definition of the people: identity, inclusion B. Criteria for electoral authorisation, representation, accountability II. Rights protection <ol style="list-style-type: none"> A. Freedom, welfare, security | consent subsumed under electoral authorisation, recognition by other legitimate authorities |

¹ This does not exclude non-democratic approaches, as participating in rituals that affirm recognition is present and has a similar effect in autocratic regimes (Beetham and Lord 1998:7)

The heuristic framework proposed by Beetham and Lord (1998) is a universal one, but the threefold schema can be filled in differently according to the society and political entity in question. On the level of the contemporary state in the Western world, liberal democracy is considered to be the rightful form of authority, and that comes with its own standards that fill the threefold schema. The legality dimension manifests as constitutional rule of law, where the political authority is delimited by a written constitution, enforced by independent courts (Beetham and Lord 1998:5). The key normative justifiability elements are the belief that the only valid source of political authority lies with the people, and the view that the protection of rights such as life, liberty and property are the proper ends of government (as well as welfare and the conditions for economic growth to an extent) (Beetham and Lord 1998:6). From the principle of the people as the source of authority, a complex process of elections and representation, etc, arises, but it also begs the question of who constitutes the people, therefore bringing the issues of political identity acutely under consideration (Beetham and Lord 1998:6). Finally, the dimension of legitimation manifests as the authorization of government through the electoral process (Beetham and Lord 1998:8).

The research question requires both an analytical and a normative approach to an extent. In the EU's case, questions about what type of an entity the EU is and therefore what the appropriate criteria for legitimacy even are, go hand in hand with the controversies and conceptions of political identity. As Beetham and Lord (1998:2) point out, it is important for normative reflection, because the disagreements about the rightfulness of the EU's authority have far-reaching implications for political practice. Figuring out which conceptualization of EU legitimacy is appropriate will always require normative arguments (Beetham and Lord 1998:18). Debates about what the EU is – an international organisation, a technocratic regime, an increasingly state-like political system – and how it should be evaluated are always intertwined (Ehin 2008:623). Regarding the appropriate model of legitimacy for the EU, many approaches mainly focussing on performance have been proposed, as opposed to the liberal-democratic approach that emphasises procedural democracy as well as political identity in addition to performance. Those performance-focussed approaches make the case for indirect legitimacy characteristic to international organisations (described in Beetham and Lord 1998:12) and for technocratic legitimacy (described in Beetham and Lord 1998:17). In order to evaluate their applicability, it is important to normatively question their assumptions and implications.

The argument supporting indirect legitimacy rests on the assumption that the EU is an international organisation that derives its legitimacy from the member states (Beetham and Lord 1998:13, Moravcsik 2002). The technocratic model of legitimacy builds on the argument that being led by experts and professionals avoids biases created by electoral pressures (Beetham and Lord 1998:17). Technocracy is a form of a more general type of legitimacy that has been seen throughout history, where the right to rule is based on having access to special knowledge (Beetham and Lord 1998:17). This can include for example traditional wisdom, divine revelation, or in the case of technocracy, scientific knowledge or expertise (Beetham and Lord 1998:17). These types of legitimacy often exclude ordinary people from politics as they claim privileged knowledge for a particular group. (Beetham and Lord 1998:17). In the EU's case, a process of depoliticisation has been empirically detected, as bureaucratic autonomy has taken over (Beetham and Lord 1998:18). In order to justify this, it has been said that the EU reflects a broad political consensus, where the key goal has instead become a practical one – maximising wealth (Beetham and Lord 1998:18). Lastly, some writers, such as Majone (1997) have defined the main purpose of the EU to be regulatory in nature. Following that logic, the technocratic model could be considered appropriate as it can enhance the effectiveness of the experts by alleviating the electoral pressure (Beetham and Lord 1998:18).

Performance-based approaches, such as the indirect or technocratic model, have been extensively criticised. Beetham and Lord (1998:13-16) argue that the EU relies too heavily on active citizen participation and has overly prominent supranational elements alongside its intergovernmental ones for an indirect form of legitimacy to be applicable. They argue that a purely technocratic model can be excluded as in both liberal and democratic thought that the EU and the member states subscribe to, it is a basic assumption that a choice between competing goods or understandings of desirable outcomes is irreducibly evaluative in nature (Beetham and Lord 1998:19-20). Even with agreed-upon goals such as maximisation of wealth, there are many value-choices included in their implementation (Beetham and Lord 1998:20). It is also worth noting, that since then, the EU has inched closer to a federal state-like system by transferring more powers to the supranational level, and emphasises democratic policymaking in the Treaty of Lisbon to a heightened extent (EUR-Lex... 2007). This further underlines the inapplicability of indirect or technocratic legitimacy, that disregards democratic input.

Therefore, for the conception of legitimacy, this thesis subscribes to a liberal-democratic form of legitimacy, where the three dimensions (legality, normative justifiability and legitimation) are achieved in appropriate ways according to the convictions shared in the EU and the member states' societies. Beetham and Lord's central argument is that the general criteria of liberal-democratic legitimacy are indeed appropriate for the EU, even though the institutional structures that represent them may vary from those of individual states (Beetham and Lord 1998:3). Piret Ehin's (2008:634) empirical analysis of Eurobarometer data also confirms that the citizens' expectations for the EU coincide with the general principles of liberal-democratic legitimacy. Beetham and Lord (1998:10) also point out the relative strength of liberal-democratic legitimacy, as regimes which rely primarily on performance instead, are especially vulnerable as soon as the performance falters, due to their weak base for authority and rules for replacing failure. For addressing legitimacy in the European Union specifically, Beetham and Lord (1998:22-30) highlight the implications of liberal-democratic standards specifically on the aspects of democracy, identity and performance, and their interaction. In addition, they draw attention to the legitimacy interacting between the EU and the member state levels (Beetham and Lord 1998:30-31).

Subscribing to the liberal-democratic standard of legitimacy, the emphasis on identity heightens some questions about the European demos, as a European identity is not generally considered consolidated, and it is unclear how a consolidation could be achieved. Beetham and Lord (1998:10) point out that in the case of the EU, it is an important question whether there is a direct link between EU governance and the citizens. They describe the lack of commonalities between the EU nations and only a shared high culture, which does not measure up with the monopoly of the nation states on media, culture and education (Beetham and Lord 1998:29). However they recognise that the Commission's practice of addressing key publics directly constitutes direct exercise of political persuasion and embodies the essence of democracy (Beetham and Lord 1998:26). They conclude that it is impossible to analyse legitimacy on the EU level alone, but the interrelationship between the national and Union levels makes a significant difference (Beetham and Lord 1998:32). Piret Ehin (2008:624) also identifies a shared identity as a key element to EU legitimacy, as democracy requires the existence of a demos to be constructed around. She concludes that there is a popular demand for a supranational democracy and therefore the possibility of a European demos deserves attention (Ehin 2008:634). Ehin (2008:625) also notes the significant fusion among the levels of authority, requiring consistent legitimacy standards across them.

2.2. Input, Output and Throughput Legitimacy

The second important framework that helps the understanding of legitimacy in the EU is the input, output and throughput framework forwarded by Schmidt (2013; 2020). Scholarship on EU legitimacy has often distinguished between input legitimacy and output legitimacy, but Vivien Schmidt has added a third category to this: throughput legitimacy (Schmidt 2013;2020). Input refers to the participative processes by the people in a polity, but also the polity's responsiveness to them (Schmidt 2013:2). It most importantly entails participation through elections and representative politics, ensured by majoritarian institutions (Schmidt 2013:4). It is also concerned with the constructive preconditions of majoritarian institutional inputs, which requires a collective identity that constitutes a *demos* (Schmidt 2013:4). Output refers generally to performance - effectiveness and results (Schmidt 2013:2). It is concerned with the policy decisions and their outcomes, focussing on their problem-solving ability (Schmidt 2013:4). Throughput concentrates on the various processes in between, which can include a variety of aspects. In brief, it opens up the various methods by which policymaking processes function institutionally and constructively as to ensure effective governance, accountability of decision-makers, transparency of information, and openness to interest intermediation with the people (Schmidt 2013:7).

Table 2.2. Input, output and throughput legitimacy, based on Schmidt (2013; 2020)

| Input | Throughput | Output |
|---|---|--------------------------|
| participation representation responsiveness | efficacy accountability transparency inclusiveness openness | results effectiveness |
| <i>political</i> | <i>procedural</i> | <i>performative</i> |

Turning the focus to the EU, looking into the dynamics of input, output and throughput within the specific context reveals important aspects of how these elements manifest, interact, and shape the union's legitimacy. Input refers to the EU's responsiveness to citizen participation (Schmidt 2013:2,4) and identity (Schmidt 2013:4). Input legitimacy poses a challenge for the EU, as it lacks the traditional majoritarian institutional inputs in the form of direct elections for a government, and also does not possess the constructive precondition of a clear *demos* that could self-govern via electoral representation (Schmidt 2013:4). This is why

in scholarship operating based on the input-output distinction, the output-oriented legitimation has received much more attention and credit in the EU's case (Schmidt 2013:4). The output-focussed approach concerns itself with the EU's ability to govern effectively and produce policies that perform well but also resonate with citizen values (Schmidt 2013:4-5). In addition, the output dimension entails the arguments that support the survival of the polity and its long-term success, which in the EU's case highlights its reasons to exist as a union and also its capacity to heighten the region's global power or cast it as a normative power (Schmidt 2013:11; 2020:32).

Throughput focuses on the processes of EU governance and the quality of interactions of all actors engaged in those processes (Schmidt 2013:5). It is a valuable addition to the analytic categories, because it is revealing about some elements that constitute legitimacy and it broadens the analytic capabilities. Schmidt (2013:3; 2020:55) argues that the EU focuses mostly on the output and throughput of its processes to heighten legitimacy. This is where the intertwining of the normative and analytical becomes apparent once again, as it raises questions about the legitimacy of trade-offs between different dimensions of legitimation. Schmidt distinguishes throughput from output and input in normative terms, claiming that it interacts with the public's sense of legitimacy differently than output and input do with each other (Schmidt 2013:14). She finds that output and input can to an extent make up for each other, as "weak citizen input may appear to be offset by good policy output, a lot of citizen input may legitimate a policy even if it is ineffective" (Schmidt 2020:38). However, she finds that throughput does not allow trade-offs with input and output in a similar manner and good throughput in no way makes up for any legitimacy deficits associated with minimal input participation or bad policy output (Schmidt 2020:38). Therefore, the EU's attempts to refute claims of a legitimacy deficit with elements that are associated with throughput, can be considered normatively undesirable (Schmidt 2020:38).

Despite the lack of a clear *demos* (Schmidt 2020:56), a *demoi* or a thin identity of European-ness has been acknowledged, which does allow for an input level to an extent but not one that can be separated from the national level, leading Schmidt to describing the EU as a split-level system (Schmidt 2020:66). She points out that input (voting) takes place at the national level, while output (policy, performance) happens at the EU level (Schmidt 2013:9; 2020:56). In cases of supranational governance such as there is in the EU, the input politics is distanced from the policymaking, and even operates on a separate level in a separate context

(Schmidt 2020:39)². Despite the frequent focus on output, it is important to note that it can be embodied in policy results that require time to manifest, may be reinterpreted and are dependent on the implementation on the level of the member states (Schmidt 2020:39). With this it becomes clear why throughput encompasses some of the main areas of focus where the EU counters assertions of legitimacy deficits - it is where it can do so independently. However, the Commission's intense focus on internal accountability has not resolved external accountability issues. This perpetuates the EU's lack of visibility and perceived unaccountability to the public (Schmidt 2013:18).

In conclusion, all three dimensions - input, output and throughput - contribute to the legitimacy of the system. Although they all have a separate and important role to play, output and input can compensate for each other to an extent. Throughput however, remains separate in that sense, and perfecting governance processes cannot compensate for overly weak citizen participation or ineffective policy output.

2.3. Theoretical Expectations

Based on the above discussion, efforts to legitimise the EU-Turkey readmission deal are expected to predominantly emphasise output arguments, focussing on the social and economic well-being of the EU, as well as the outcomes for migrants. In the case of the EU-Turkey deal, emphasising output could include claiming that it will limit the number of migrants and restore control over the borders, for example. Given the EU's commitment to human rights and its normative power aspirations, narratives solely driven by self-interest are unlikely, which is why reflections on the migrants' interests can be expected. This might, for example, involve discussions on the ways in which lives are saved by providing alternatives to perilous migration routes. Being a value-based community is a pillar of EU identity, so justifying the EU-Turkey deal will likely be based not only in terms of its practical outcomes, but also its alignment with EU values. Therefore, this expectation includes output arguments on the survival of the polity, as the events of the migration flows (and also other crisis trends of the era) had set some EU principles into question, like the logic that had led to the weakness of the borders and openness.

Input and throughput arguments are expected to be more scarce, to keep the focus on the output and possibly to hide the other dimensions from public scrutiny. While input arguments

² Beetham and Lord's (1998:29) observations on the monopoly that the nation states have on media, culture and education are worth noting here, as that describes the separate context the input materialises in.

are less anticipated due to the EU's limited control, there may be some reflections on how promised outputs align with input interests of the public. Based on the ideas behind the split-level system (from Schmidt 2020:66) and the legitimacy of international organisations (from Beetham and Lord 1998:12), it could be expected that member states' interest and support could be expressed as a placeholder for direct citizen input. Even though the greater control that the EU has on throughput on the supranational level, throughput-oriented arguments can be expected to have less prevalence in the political speeches, due to the type of sample they form. Even though the heightened scrutiny of this part of EU governance has been pointed out in the literature and the multiple crises could have further amplified that (like the euro crisis that is the topic of Schmidt 2020), accusations of poor governance are more likely to be countered by institutional measures, than by speeches. The reflections on throughput could be expected to be limited to vague assurances of good governance and also some descriptions of the governance processes for transparency reasons.

Although normally, national discourse could be expected to differ from the supranational and involve blame-shifting, it is less likely in the case of Germany, that represents the member states level in this analysis. This is because Germany does not have the luxury to claim to be far from decision making and subject to what greater powers in the EU decide. Therefore, the underlying rhetoric is expected to coincide across the two levels to a great extent. However, the national level can be expected to have more precise arguments due to the stronger connection with the public and a more comprehensive understanding of their potential qualms or narratives that resonate with them. EU discourse in comparison is anticipated to be broader (catch-all) to leave room for different audiences to put their own spin on it (terms such as "moderacy" or "national interest" that can be seen as empty signifiers that can be filled with appropriate meaning). Also it can be expected to lean more on technocratic logic, reflecting the EU's tendency to justify decisions in such terms. A national politician speaks to their electorate and therefore can be expected to display more interest in citizen level ideas, and respect for the input from their electorate, so a somewhat greater focus on input legitimacy can be expected.

3. Research Design, Data, and Methods

The third chapter of this thesis will explain the research design, data and methods used in the empirical analysis. First, it will provide the research design and elaborate on the choice of focusing on speeches of Jean Claude Juncker and Donald Tusk on the EU level and Angela Merkel on the member state level in the timeframe of 2015-2019. The choice of including the member state level and Germany as an example of the member state shall be explained in detail. Finally the methodical assembling of the body of texts will be provided.

3.1. Research Design

The empirical section of the thesis examines how the EU legitimised the migrant readmission deal with Turkey and what implications the deal has on the EU as a foreign policy actor. To study legitimisation, the analysis builds on the distinction between input, output and throughput legitimacy (Schmidt 2013; 2020). Understanding legitimisation as a discursive process, this analysis focuses on how all three types can provide arguments to build legitimacy (Figure 4.1).

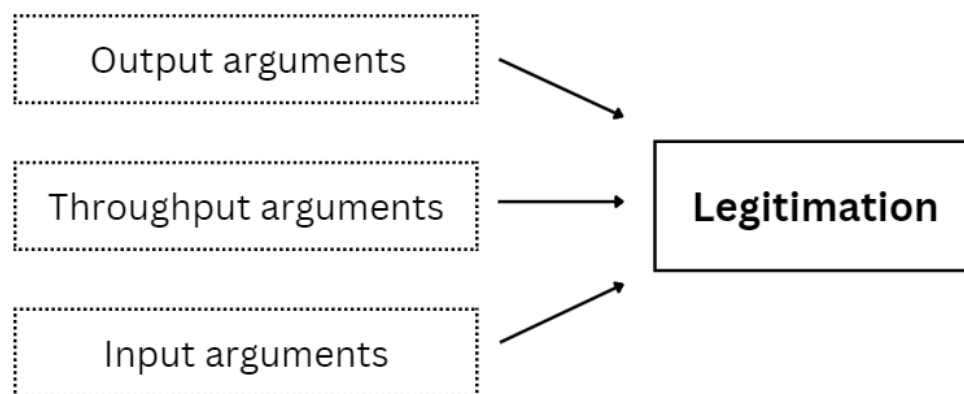


Figure 4.1. Output, throughput and input arguments contribute to legitimisation

In order to examine how the EU-Turkey deal was legitimised in political discourse, the established theoretical framework will be applied in a single case study. For investigating discourses and arguments, a case study allows for a greater depth in this one discourse. It also follows the rationales of an unique case, and of a longitudinal case, from the rationales for deciding on a single case study from Robert Yin (2003:40-42). The thesis will explore the representation of the EU-Turkey migrant readmission deal in discourse, starting from its conception until the actors who played a central role in forging the agreement remained in office – a period of about five years. With this long-term perspective, the unique aspects of

the deal become apparent, as it started with a turn in the discourse on both migration and Turkey, and the deal continued producing results in terms of limiting migration, while the EU's relations with Turkey worsened over time, further highlighting the tensions and controversies that were present since the deal's conception. In addition, Smeets and Beach (2020) declare the EU-Turkey deal unique in terms of substance and process, because of the level of intensity of inter-institutional cooperation. While the deal was effective in dramatically reducing irregular immigration to the EU, its negotiation lacked transparency, and hence, it is unlikely that comparable deals would be negotiated in the future (Ibid). The relative uniqueness of the EU as a polity further speaks for a single case study, limiting the possibilities for comparison.

Another aspect that justifies the preference for the single-case study is the need for a meticulous and in-depth approach that arises from the complexity of multi-level governance and legitimacy in the EU. As outlined in the literature (Beetham and Lord 1998:29; Schmidt 2020:66), the multi-level legitimacy element is central to understanding legitimacy dynamics in the EU. Therefore, the legitimization of the EU-Turkey deal will also be analysed on two levels - the supranational and the member state level. The discourse by a national politician can be expected to be based on a better understanding of their audience, following the postpositivist logic of discourse analysis which attributes great importance to the audience and the common history of meaning creation (Dunn and Neumann 2016). Therefore it is a valuable element to be added to the analysis, and adds a comparative element to the single-case study.

3.2. Case Selection: The EU-Turkey Deal

The case under analysis is the EU-Turkey readmission deal of 2015-2016, which was negotiated under circumstances of a significant migrant inflow. 2015 marked the beginning of what is known as a major migration crisis in Europe, with over a million people attempting to gain entry to the EU in that year (Lehner 2019). This revealed weaknesses in the management of EU's external borders (Nedergaard 2018) and lack of solidarity (Crawley 2016). According to Smeets and Beach (2020:138), by September 2015, there was a common understanding between some important EU actors such as Chancellor Angela Merkel, Council President cabinet, Commission President cabinet that there is a need to cooperate with Turkey. It was formally acknowledged in the European Council of 23 September 2015 (Smeets and Beach 2020:138). Around the same time, Germany met with Turkey bilaterally

and the commission held some meetings with Turkey as well (Smeets and Beach 2020:138). The negotiation and frequent meeting period lasted for about six months and materialised as the EU-Turkey Joint Action Plan of 15 October 2015 and the EU-Turkey statement of 18 March 2016 (Smeets and Beach 2020:129, 138). These events mark a political agreement between the EU and Turkey, which does not constitute a formal legal act or a binding agreement under the purview of international public law (Lehner 2019:177).

As a controversial policy phenomenon, the EU-Turkey deal has received some academic attention (Smeets and Beach 2020; Carrera, den Hertog and Stefan 2017; Rijnbeek 2018; Léonard and Kaunert 2021). Scholars have been interested in the evading of responsibility about the deal once its problematic parts became more evident. Smeets and Beach (2020) provide an in-depth process tracing analysis of the preparation for the deal, showing the activities of different players and the clear involvement of the European Commission and the Councils, calling the deal a proverbial orphan. Despite acknowledged involvement and instances of taking credit for the reduced numbers of migrants thanks to the deal, none of the actors or institutions now claim ownership (Smeets and Beach 2020). Sergio Carrera, Leonard den Hertog and Marco Stefan provide an overview on the ways the deal sets EU legal standards into jeopardy due to its informal nature and evasion of legal responsibility, looking at the case the three migrants brought to the CJEU and how it was handled (Carrera, den Hertog and Stefan 2017). Even though the Councils and the Commission were all involved in the negotiations and implementation, and also praised the deal as an European solution, in front of the Court, they evaded responsibility for the deal's authorship and legal effects, presenting the deal as a result of an international dialogue between the Member States and Turkey³ (Carrera, den Hertog and Stefan 2017:2,4).

The aspects under scrutiny regarding the deal are a good fit to the theoretical frameworks proposed by Beetham and Lord (1998) and Schmidt (2013; 2020) for two main reasons. Firstly, the deal fits well with Beetham and Lord's (1998) claims regarding the normative desirability of depoliticisation. Their argument was that both in the Member States and the EU, the conviction is that all kinds of decision making involves value-judgements, even when the main goals have been agreed upon. For foreign policy and relations with controversial

³ "The European Council argued that "to the best of its knowledge, no agreement or treaty [...] had been concluded". It added that the Statement was merely "the fruit of an international dialogue between the Member States and [the Republic of] Turkey and — in the light of its content and of the intention of its authors — [was] not intended to produce legally binding effects nor constitute an agreement or a treaty"." (Carrera, den Hertog and Stefan 2017:4)

regimes, depoliticized decision-making must therefore be rejected. The different and changing opinions on migrant admission and the different relationships the member states enjoy with Turkey clearly demonstrate that these are not questions with a wide consensus on the main goals where it is just a neutral course of action to be determined by experts, which a depoliticised or technocratic model would require. The issue of readmission of migrants to a country whose human rights situation the EU itself has criticised calls the legality and normative justifiability of the deal into question. This is more generally about the legal standards that the EU has set for itself and actively preaches in the world and here it is important to point out that living up to its own standard of established rules is not only relevant for liberal-democratic legitimacy, but legitimacy of any type of any regime (Beetham and Lord 1998:3).

Secondly, Schmidt's (2013; 2020) focus on throughput legitimacy, as well as her elaboration on the split-level legitimacy, appears to be highly relevant in the context of the EU-Turkey migrant readmission deal. Looking at how Smeets and Beach (2020) deem the deal unique due to both the efficiency and transparency related aspects, the need for taking throughput into account becomes clear, as the concept entails both. The focus and criticisms regarding legality (Carrera, den Hertog and Stefan 2017; Lehner 2019:177), following the law in spirit and in the letter, are also within the scope of Schmidt's approach. In addition, it is the multi-level governance dynamic, which allowed the EU actors to drive the process as outlined in Smeets and Beach (2020)⁴, while escaping responsibility as shown by Carrera, den Hertog and Stefan (2017)⁵. Therefore the multi-level aspect appears to be the reason behind the lack of accountability in the case of the Eu-Turkey deal and thus, the throughput category is analytically promising.

In order to add the member state level to the analysis, Germany was chosen for two main reasons. Firstly, Germany is one of the biggest EU member states and is widely perceived to be one of the most influential ones, especially during the office of Angela Merkel, often referred to as the de-facto leader of the EU (Engelen 2018). This can be expected to create a sense of responsibility and duty to explain measures to her own people to a greater extent than in member states, that are further from the top in EU decision-making. As Schmidt points out, there is a problem of blame-shifting for unpopular policies in the EU which leads

⁴ They deemed it as active inter-institutional cooperation with a lot of non-codified and behind-closed-doors elements, but show a clear involvement by the European Commission and the Councils

⁵ All EU institutions managed to deny their responsibility in front of the CJEU and claimed it was conducted by the 28 member states.

to a lack of explanations and legitimation of the policies (Schmidt 2013:11). Other member states, such as France and Spain were considered in addition to Germany, in the initial stage of planning for this thesis, but the level of depth in the mentions of the deal was too superficial, which suggests a lack of a need to explain the measures, allowed by the distance those member states could allow for themselves from EU actions at that point in time. For Germany however, it would have been impossible to deny significant involvement in creating the deal which is therefore expected to create a greater pressure for explanations that would make such an analysis possible with a rich source material.

The second reason for choosing Germany is Angela Merkel's personal involvement as she had previously played the role of one of the main advocates for migrant admission into the EU, which can have been expected to create an effect of rhetorical entrapment. Her statement "Wir schaffen das" (we can do this), became a slogan for welcoming migrants during the migrant crisis in 2015 (Meckel and Schmitz 2016). In a speech from August 2015, she portrays accepting migrants as a responsibility of Germany and the EU and emphasises the strength and capability of the civil society and economy, therefore rejecting the idea that they would be the referent object for threats posed by migration (Die Bundesregierung 2015). EU values are mentioned as the reason why Germany and the EU have the responsibility to accept migrants, and she goes as far to say that it is in fact the rejection of migrants, which would compromise these values and the grounding principles of the EU (Die Bundesregierung 2015). Therefore, as a politician under electoral pressure, she could have been expected to be under considerable personal pressure to justify decisions that could be seen as incompatible with previous, not to mention recent, claims. A few years prior, Merkel had also personally spoken out against Turkey's membership of the EU (Welt 2011).

To explore legitimation on the EU level, identifying a primary speaker becomes less straightforward given the complex institutional makeup of the EU. Many aspects of the EU's structure are intricate and often challenging to communicate to the public, leading to diminished public interest (Bijsmans and Altides 2007; Lloyd and Marconi 2014:2-3). To initiate this investigation, I looked into which actors and positions are most prominently represented in the media, aiming to identify the most significant avenues of communication for EU legitimation. It is to be kept in mind that for the homogeneity of the corpus, as Angela Merkel has been chosen for Germany, it is logically consistent to limit the number of speakers in the EU case as well. This is further justified by the constructivist approach and the assumed personal motivation for the speakers to be consistent in one's messages, as there

is the possibility to be subject to rhetorical entrapment (Schimmelfennig 2021). This also allows to keep the material for the analysis manageable while the representability is maximised as the analysis also focuses on only the main “faces” of an organisation.

First of all I noticed that academic research that came up on the topic of EU legitimation has predominantly focused on the European Commission (Bijmans and Altides 2007; Rauh 2023; Meyer 2009; Fotopoulos and Morganti 2021). It has also been identified as the most frequently cited European-level organisation, followed by the councils (Koopmans 2010:102). The Commission is described as making efforts to maintain an open attitude towards journalists, proactively engage in media communication, and strategically reach a broad audience (De Beus 2010:26). Despite its proactive stance, research indicates that the Commission is often portrayed negatively and used as a scapegoat (Alarcón 2010), potentially explaining both heightened media interest and the Commission's pressure to be proactive in its communication strategies. Consequently, the Commission stands as the first source for the materials I have chosen. As Jean-Claude Juncker served as the President of the Commission during this period and represented the face of both the Commission and arguably the EU, only his speeches will be included from the Commission materials. His claims during his presidential campaign for the 2014 parliament elections that Turkey's accession will be prevented under his administration is also worthy of note here (Sarmadi 2014), as they add to the context of his positions and attempts to maintain a cohesive ideology.

Another important figure at that time was Donald Tusk, the President of the European Council. In their study on the media spotlight on the EU, where they look into how the EU is covered and how reporters understand the EU and their task of making it understandable to their public, Lloyd and Marconi (2014) make some interesting points about the ‘faces’ of the EU. They point out that regarding a public understanding, the Lisbon treaty made things more confusing as the central role of the Commission diminished. The creation of the position of the President of the European Council created what they refer to as a ‘diarchy’ between the Presidents of the Commission and the European Council, where the President of the Commission was no longer the clear most authoritative voice and the two presidents would give comments in turn which could be either identical or conflicting ⁶ (Lloyd and Marconi

⁶ ““This new scheme of power also altered one of the most common narrative devices of EU reporting: to identify the EU with the President of the Commission, widely seen as the most authoritative voice in Brussels. When Herman Van Rompuy was elected as President of the EU Council, it created a sort of diarchy which was complicated to explain to the wider public. One of the most basic exercises of EU journalists, looking for

2014:45). Juncker also describes the situation of the two presidents as a ‘biarchy’ in one of his speeches, claiming that the two positions being unified would constitute a clear head for the EU (Juncker 13.09.2017). Therefore, it is justified to focus the analysis of the EU level on Jean-Claude Juncker and Donald Tusk, the presidents of the Commission and the European council respectively.

3.3. Selection of Speech Acts

This thesis will analyse high-level political speeches by Jean-Claude Juncker, Donald Tusk and Angela Merkel between 2015 and 2019. In all of the cases, the requirement for a speech to be included, was the presence of the keywords “Turkey”/”Türkei”/”Turquie” and “migration”, as well as the presence of at least one meaningful paragraph on at least one of those two general topics. Using these two words for the initial search allowed for a manageable amount of results to be analysed. Including both of the words had the advantage of offering the appropriate amount of specificity, as it allows for the corpus to be representative of how Turkey and migration were framed more generally, not too specifically speaking on the topic of the EU-Turkey deal alone, but at the same time not have overflowing material of these subjects in less related contexts. In addition, collecting the speeches based on mentions of the deal specifically would have been complicated due to the fact that the deal is referred to by different names, and search motors of used data sites did not offer advanced searches which would have restricted the results to combinations that would certainly include all mentions of it. Moreover, the country name “Turkey”/”Türkei”/”Turquie” has a great level of equivalence between the English, German and French meanings. The word “migration” is spelled identically in all three languages and was widely used on this topic during the 2014-2015 increased migration⁷. Therefore, using these two keywords facilitated adhering to principles of corpus building, especially the principle of homogeneity (Bauer and Aarts 2000:31).

I chose the beginning of the timeframe for my analysis to be the year 2015. The selection of 2015 aligns with the migration crisis period, as well as the emergence of discussions regarding a potential deal with Turkey in 2015. According to Smeets and Beach (2020:153), cooperation with Turkey regarding the situation in Syria and Iraq first came up in April 2015

comments from the EU institutions on all sorts of national or international news, became confusing. A comment by President Barroso would be followed by one by Van Rompuy, sometimes showing little unity, sometimes repeating the same words.”(Lloyd and Marconi 2014:44-45)

⁷ This became clear as I worked with the sources for this thesis. In Merkel’s speeches, other German equivalents for the word migration yielded no results.

in the European Council conclusions, and the meetings and negotiations with Turkish counterparts started in September 2015. The endpoint is 2019, as all the speakers chosen for the analysis remained in office until then and the filters came up with some speeches, although less frequent, until the last year of their terms. This timeline is also supported by the principle of synchronicity of corpus building. As explained by Bauer and Aarts (2000:32), the materials under study should be chosen “from within one natural cycle”, as the normal cycle of change defines the interval within the material is relevant and homogeneous. The endpoint of both the Presidents of the European Council and European Commission therefore can be considered a natural cycle in analysing high-level political discourse in the EU.

In the case of Germany, exemplifying legitimation at the state level, I conducted an analysis using speeches delivered by Chancellor Merkel. She was the most prominent German politician at the time and one of the main spokespeople on German migration policy (Traynor 2015; Connolly and Henley 2018). The Bulletin of the German federal government offers a comprehensive collection titled '*Sammlung autorisierter Reden der Bundespräsidenten, der Bundeskanzler/in und von Mitgliedern der Bundesregierung*' (Collection of Authorised Speeches by the Federal Presidents, the Federal Chancellor, and Members of the Federal Government). To access relevant content, I applied filters on the website, specifically selecting Angela Merkel under the 'Name' filter and incorporating the search terms 'Türkei' and 'Migration.' Subsequently, I meticulously reviewed the 48 speeches delivered from 2015 to 2019, and excluded those with less than one meaningful paragraph on either migration issues or Turkey. After this, 44 speeches remained in the selection for the material for the empirical analysis of legitimising discourse on the EU-Turkey deal at the state level. However, due to their length (around ten pages each), the material was too plentiful for the method of manual in-depth analysis that was chosen. To narrow down the analysis to a quantity that would be more feasible and also more comparable in size to the level of the EU, I conducted a word search of “Türkei” and “migration” in all speeches, and started by analysing the speeches where the key words were most prevalent from each year, and continued until I achieved saturation of data. I also added the two very first speeches that came up in the search, identifying the start of the discourse as relevant regardless of the prevalence of the keywords. With this method, I analysed a total of 13 speeches by Merkel, with at least two speeches from each year from 2015 to 2019.

For the EU, the analysis will be conducted on speeches by Commission President Jean-Claude Juncker and European Council President Donald Tusk. Utilising the advanced

search feature in the press corner of the Commission, I searched for the keywords 'migration' and 'Turkey' within the document type 'Speech' for the years 2014 to 2019, yielding 202 search results. I manually counted and identified 15 speeches by Juncker from the search results. Familiarising myself with the material, I realised that Jean Claude Juncker often holds speeches in French and German, or even in some combination of these languages in the same speech. Therefore I repeated the process with the search words 'Turquie' and 'Migration' and added the 7 previously not present speeches to the sample. The combination of 'Türkei' and 'migration' offered no additions. This forms my initial pool of EU-level materials. Similarly to the process with Merkel's speeches, I reviewed these 22 speeches, and excluded those with less than one meaningful paragraph on either migration or Turkey. The remaining 21 speeches are included in the analysis.

To collect speeches from Donald Tusk, I used the search engine of the European Council and the Council of the EU press releases search engine, choosing the keywords "migration" and "Turkey", ticking the "European Council President" from the menu of council configurations and "Speech" from the Filter by type menu. This yielded 38 results. However, this search engine was not configured to search by keywords in combination so I went through all the results and used Ctrl+F to exclude the ones that did not include both of the keywords ('Turkey' and 'migration'). After that I was left with 18 speeches, which, as I confirmed, all had at least one meaningful paragraph on either topic.

In summary, from collections of German Government and EU institutions I collected material from Angela Merkel, Jean-Claude Juncker and Donald Tusk according to the following rules

1. 2015-2019
2. Speech
3. Containing both "Turkey"/"Türkei"/"Turquie" and "migration"
4. Includes at least one meaningful paragraph about either Turkey or migration.

The process I described above is summarised in the following table (Table 3.1), with the differences between different search engines pointed out.

Table 3.1. Summary of the process of assembling the corpus of speeches.

| | | | |
|--|---|---|---|
| Speech holder | Angela Merkel, German Chancellor | Jean-Claude Juncker, President of the European Commission | Donald Tusk, President of the European Council |
| Collection of speeches | Bulletin of the German Government | Press Corner of the European Commission | Press releases and statements of the European Council |
| Search words | “Migration”, “Türkei” | “Migration”, “Turkey” “Migration”, “Turquie” “Migration”, “Türkei” | “Migration”, “Turkey” |
| Additional filters | Speaker: “Angela Merkel” | Document type: “Speech” | Council configurations: “European Council president” Filter by type: “Speech” |
| Manual search in the results by heading | | There was no filter to search by speaker, so I went through all the search results and picked only the speeches that were delivered by Jean-Claude Juncker (using ctrl+f) | |
| Excluding process based on words in text | None, as the filter already searched for speeches that had both search words in combination | None, as the filter already searched for speeches that had both search words in combination | The filter searched for either Turkey or Migration, so I went through all the results using Ctrl+f and excluded the ones that did not have both keywords present. |

3.4. Method

3.4.1 Discourse-Based Approaches

The research will be conducted on the basis of a constructivist epistemological perspective, under the assumption that discourse constitutes society. It builds on the conceptual framework of Policy as Discourse and Critical Discourse Analysis (CDA). Policy as Discourse is useful for this thesis in order to put the focus on the meaning-making that is involved in policy debates (Bacchi 2000:46). The main assumption of the framework is the constructivist idea that policies are not created as a response to an objective reality, but instead the issues are given shape through the policy proposals that claim to offer a solution to them (Bacchi 2000:47). Similarly, CDA functions under the base assumption that social realities are reflexive, the way people see, represent, interpret and conceptualise them, is a part of these realities (Fairclough 2013:9). This approach is well-suited with the

conceptualisation of legitimacy and legitimation that this thesis works with, as they both put the main focus on the way legitimacy is constituted in a communicative process, and which standards to apply and how to apply them is negotiated and justified. We see this both in how Beetham and Lord (1998:3-4) have come up with the standards and justify them and how Schmidt (2013;2020) analyses input, output and throughput, their interplay and the ways in which they are augmented or diminished.

This approach also emphasises the historical conditions that meanings are bound to. The audience is often portrayed as the main meaning-maker, and the speaker is bound to the limits of what can be said that the society recognises as a whole (Bacchi 2000:46-47). On the one hand, this understanding is relevant for this research regarding the framing of policies to national audiences. On the other hand, it also matters for the global audience, keeping in mind the research understanding that the European Union is under increased pressure to justify its role as a foreign policy actor in global governance (Michalski and Nilsson 2018). Therefore, the discourse based approach is a good fit with the research question and the theoretical framework, because it can be revealing about the two-level system, where the connections between national politicians and EU officials have connections and shared cultural contexts with their respective audiences to widely differing degrees and manners (Beetham and Lord 1998:29). This aspect of it also justifies the data selection, as the corpus consists of speeches of a small number of people that are under heightened public attention which can be expected to create pressures to justify one's actions but also be constrained by one's own earlier statements and positions. This is especially relevant to this research question which has the context of a somewhat rapid change of position on migration and Turkey.

Apart from the previously mentioned analytical strengths that discourse based approaches possess, CDA is also especially well suited with the normative aspects that lie close to the topics discussed in this thesis. The 'critical' part of it engages with power relations and underlying ideologies that are relevant for the bigger questions about understandings of EU legitimacy. CDA draws attention to social problems and political issues, as opposed to a study of discourse outside of its social and political context (Van Dijk 2015:467). It can be understood as normative and explanatory critique, which goes beyond description and can be used to evaluate and assess the extent to which realities match up to various values upheld in society (Fairclough 2013:9). As this is precisely what has been set into question by the critics of the deal, this framework is very promising for the analysis of its legitimation. In addition,

the framework of legitimation supports such an analysis because it implores on the values the EU claims to uphold and therefore allows the analysis to have a context against which the discourse and the underlying ideologies can be “tested”, to see how the realities match up.

3.4.2. Coding

The analysis of chosen texts will be conducted by the technique of coding. Coding is a widely used method in qualitative data analysis and it serves this research as a conceptual device. This type of coding is analytical, not purely descriptive, as it provides a means to establish links between data and concepts, which can be a basis to building a theory (Schreier 2012: 37-39). It is an interpretative act, which can summarise, distil or condense data in a way that adds value to the research (Saldaña 2013:4). The analysis will be data-driven, without previously determined coding categories. This approach to qualitative data analysis is best suited for this research because of its analytical qualities which facilitate a more in-depth understanding of the texts and allow to draw more general conclusions not only about the framing of Turkey regarding the deal but on the EU’s self-image as a foreign policy actor. The coding process will start by reading the speech, to gain a general understanding. Thereafter, significant parts of the text shall be retrieved and a code will be attributed to them. There will be two cycles of coding. The second cycle permits to go further in filtering the text and highlighting salient features which facilitates generating categories and themes and grasping meaning (Saldaña 2013:8). The emerging categories guide the writing of the analysis. Although there are no previously determined categories, the framework by Schmidt serves as a guide for which segments to extract and what to pay attention to about them

Even though based on the theory by Schmidt (2013; 2020), the classification of arguments to input, output and throughput seems simple at first glance, there are complex ideas at work and adapting the framework for coding takes some deliberation. Therefore I have meticulously gone through Schmidt’s work (2013; 2020) to gather details about each and find keywords to classify codes in the analysis of this thesis. The following table depicts keywords and -phrases taken from the Schmidt sources, categorised into input, output and throughput. The keywords provide a good overview of each, but their adaption will be elaborated on further. In the text, the keywords are often mentioned together or in a specific context, but for this paper, separating them permits to focus on them individually as each new detail can help with picking them up during the discourse analysis.

Table 3.2. Classification for coding based on Schmidt (2013;2020)

| Input | Throughput | Output |
|--|---|---|
| <ul style="list-style-type: none"> • collective self-government • majoritarian institutions • elections • representative politics • the formation of a collective political will • citizen ideas and concerns • citizens expressing demands • responsiveness to people's preferences | <ul style="list-style-type: none"> • policymaking processes • efficacy • accountability • transparency • deliberation • interest intermediation • trust-based relationship of all participants • quality of interaction • definitions of ethics • arguing, persuasion • justifications, explanations • promotion of pluralist politics • fair application of rules (in spirit and law) • official misconduct (incompetence, corruption) • depoliticised, 'reasonable' language | <ul style="list-style-type: none"> • results • norms of the community • common good • survival of the polity • effectiveness • economic and social outcomes • resonating with citizens' values, and identity • problem-solving ability • build identity • cast the EU as a 'normative power' • foster certain kinds of EU norms and values |

First of all, input is described in terms of collective self-government, majoritarian institutions, elections and representative politics, but also the formation of a collective political will, citizen ideas and demands and finally, the responsiveness demonstrated to people's preferences. Some important elements of this include a political debate in a common public space (Schmidt 2020:31) and representation of citizen demands through elections (Schmidt 2013:5). An electoral pressure that holds politicians accountable by citizens is also relevant here (Schmidt 2020:37). The public's sense of identity and community provides constructive support here (Schmidt 2013:7), which is why discursive interactions with the public are important and it must be analysed in terms of how and whether they contribute to a sense of common identity and a political will on the citizen level (Schmidt 2013:5) This means that for the analysis, mentions of elections, representative politics, etc shall be coded as input.

More importantly however, it shall be noted how citizen ideas, and more generally, citizen level concerns are framed and how much they are brought to attention at all. Responsiveness to people's preferences shall also be attempted to analyse as it is expressed in discourse, whether there is an understanding of it and how relevant it is depicted to be.

Regarding throughput, some of the more relevant aspects include policymaking processes, public justifications, trust and quality of interaction and also plurality and interest intermediation. With policymaking processes, most importantly the elements of efficacy, accountability and transparency are emphasised (Schmidt 2013:6-7; 2020:41-42), with special focus on the fair application of rules both in spirit and in the letter of the law (Schmidt 2020:25). For the discourse analysis, it is only possible to see how events are framed with those elements in mind. Secondly, justifications, but also explanations, deliberation, arguing and persuasion is brought out for throughput legitimacy (Schmidt 2013:7,17). That is relevant for the discourse analysis and it means that the presence or lack of justifications and explanations is significant, as well as the depth of explanation or its underlying logic. For example, Schmidt points out the prevalence of using depoliticised, 'reasonable' language as a delegitimizing factor (Schmidt 2013:18). This could be interpreted as an underlying technocratic logic, legitimacy deficits of which have been discussed in terms of legitimacy models as well. Schmidt also describes a trust-based relationship of all participants and quality of interaction as important compounds of throughput legitimacy (Schmidt 2013:5-6), so descriptions of that shall be looked for. Lastly, interest intermediation (Schmidt 2013:6) and promotion of pluralist politics (Schmidt 2013:18) or their rejection will be counted for throughput legitimacy.

Focus on results will be most clearly a sign of output based argumentation, but different norm-related aspects are also considered here. Output most straightforwardly embodies aspects such as problem-solving ability (Schmidt 2013:4), effectiveness (Schmidt 2013:7)⁸, economic and social outcomes (Schmidt 2020:32), which is all about policies working well, producing results and/or desirable outcomes of any sort. Claims about desirable economic and social outcomes and fulfilling people's desires will therefore be coded as output. There is another related facet to this, the output goals of policymakers are also about long-term fulfilling of the "major purposes for which people live together in polities" (Schmidt 2020:32) and solving the polity's own problems and functioning. Therefore attention will be

⁸*Effectiveness* - policy that produces results (output), not to be confused with *efficacy* - carried out in an efficient and competent manner (throughput)

paid to both short-term and long-term goals and also justifications of continuing to exist as a Union. Next to the goals, there is also the norms, values and identity of the citizens and the community, upholding which will also be considered an output goal. Statements that reflect well on the output can therefore be expected to describe results, which resonate with these norms and values, especially relevant for the EU as it bases its existence and identity on these aspects. Lastly, a connected but slightly separate output goal that can be expected to be found is casting the EU as a normative power or gaining international scale and scope for the EU (Schmidt 2013:11; 2020:59-61).

As the different categories, especially output and input, are connected and dependent on each other, there are some complicated aspects that might belong to either category. Most importantly there is the idea of values, norms and identity, which on the one hand is a prerequisite for a public to generate input (Schmidt 2020:43), but conforming to which and even unifying which can be seen as a goal of output (Schmidt 2013:7). As the material to be analysed is composed of political speeches, such instances will most likely be coded as output, as it will be seen as a promotion of certain values and norms that keep the community together. However the analysis must be approached with an open mind for cases where the context might produce mentions of this that fit better in the input category. Secondly, responsiveness can be connected both with the input and the throughput category, as responsiveness to citizen concerns shows respect for input (Schmidt 2013:2) on the one hand, but doing it well and balanced reflects well on the throughput (Schmidt 2013:6). Therefore, the empirical analysis will take into account whether such statements seem to mostly show respect and interest for the input from the people, or the focus is to describe a process of intermediating with them.

4. Empirical Analysis

The analysis is divided into four sections. The first focuses on how arguments based on output legitimacy appear in the discourse. This includes the different themes identified and how they were connected, and how the claims reflect on the EU's relationship with output legitimacy. The second part discusses similar aspects on how arguments based on throughput are presented, and how the speeches reflect on throughput as they form part of the throughput dimension. Reflections on the dynamics of the EU level and the member state levels will be discussed along with the other ideas in the respective sections when and how applicable. The third part reflects on how different aspects of input are reflected on, and how that portrays the EU's relationship to it. Finally, the findings will be discussed in light of the theoretical framework and research question.

4.1. Output Legitimacy in Speeches

As anticipated, prioritising output-based arguments and recognizing their significance emerged as the prevailing theme in the selected speeches when categorised through Schmidt's framework of input, output, and throughput legitimacy. This encompasses not only result-oriented rhetoric but also themes related to norms, as well as justifying the establishment and sustainability of the political system, which Schmidt emphasises in the framework. In the discourse, emphasising output arguments uncovers a web of objectives interconnected in a logical manner, depicted in the figure below (Figure 4.1).

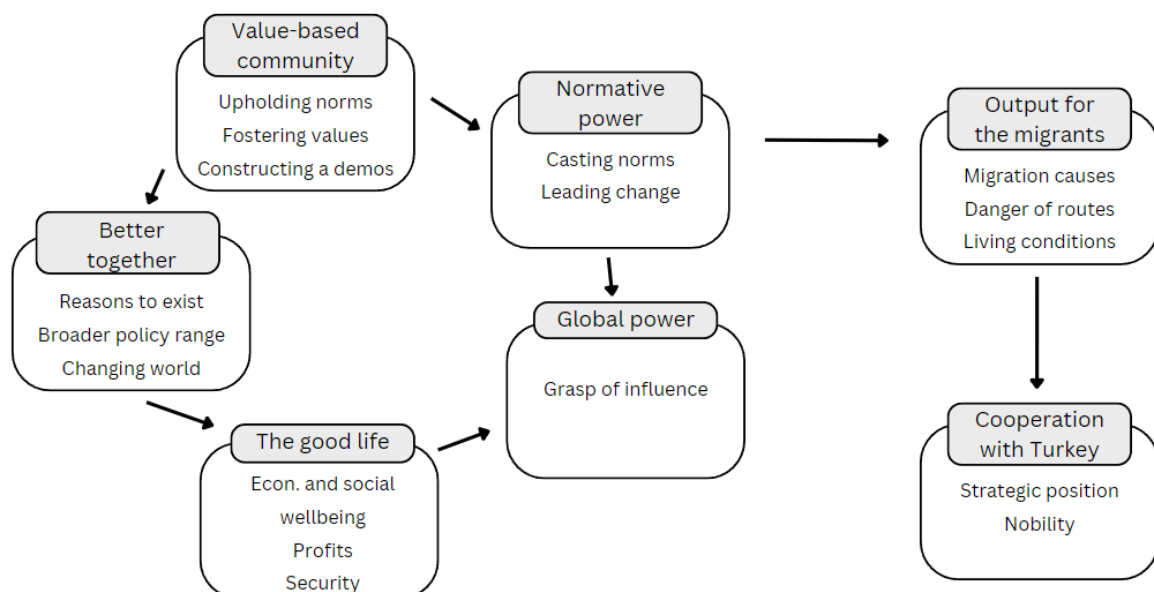


Figure 4.1. Interconnected output goals

4.1.1. The Good Life in the EU

As previously noted, the EU's legitimacy often hinges on its ability to deliver favourable economic and social outcomes to its citizens. This was a recurring topic throughout the analysis, with each speaker offering unique perspectives and emphasis on various aspects of well-being. While some aspects of social and economic welfare may not seem directly related to migration or the EU-Turkey deal, such rhetoric played a crucial role in framing these events positively and building upon Europe's successes in the argumentation for further measures. In the case of Angela Merkel and Jean-Claude Juncker, previous accomplishments and obstacles that ultimately strengthened the EU were utilised in a manner that could be interpreted as a reflection of current challenges and endeavours (Merkel 07.10.2015; Juncker 13.10.2016). This approach suggests that history may repeat itself in a positive manner in the new context. The speakers also emphasise the continuity and priority of the good life and reframe the migration movements with a more positive spin on that basis.

Merkel reassures that this good life is still a priority, unchanged by the events, for example by saying “Of course, we will continue to focus on improving our competitiveness”⁹ (Merkel 07.10.2015). She even connects it back to the current issues, saying “Now more than ever, we need an economically strong Europe that takes advantage of the opportunities offered by the single market”¹⁰ (Merkel 07.10.2015), which suggests that the current issues are also a reason to keep working on a good economy, which in addition to reassurance, can be seen as a legitimisation of continuing to focus on internal prosperity, no matter the context. She makes similar points later on, for example, “Even if other issues are currently at the forefront in Europe, it is important to further strengthen the economic foundations of the European Union”¹¹ (Merkel 16.03.2016), identifying the economy as a “foundation”. This narrative persists uniformly across the timeline. For instance, in 2017, she underlines that six decades of European integration consistently represent 60 years of peace, prosperity, and stability (Merkel 09.03.2017), reinforcing once more the notion that the quality of life remains uncompromised.

Juncker alludes to the good life in Europe and also uses it to generate some more positive connotations with the events of the migration wave. He uses the migration wave to underline

⁹ “Natürlich werden wir uns weiter mit der Verbesserung unserer Wettbewerbsfähigkeit beschäftigen.” (my translation from German, here and onward).

¹⁰ “Gerade jetzt wird ja ein wirtschaftlich starkes Europa, das die Chancen des Binnenmarktes nutzt, mehr denn je gebraucht.”

¹¹ “Auch wenn in Europa derzeit andere Themen im Vordergrund stehen, ist es wichtig, die wirtschaftlichen Fundamente der Europäischen Union weiter zu stärken.”

the economic and social output provided by the EU, saying that despite the “self-perceived weaknesses” of the EU, it is clear now that in the eyes of many others, it is a “sought place of refuge and exile” and “represents a beacon of hope, a haven of stability” (Juncker 09.09.2015). With these statements, he puts a positive spin on the situation, as he emphasises that it “is something to be proud of and not something to fear” (Juncker 09.09.2015). Reiterating similar points later, he adds: “Do we now have to apologise for being the world's best place to live?”¹² (Juncker 06.10.2015). This is again a reframing in the face of accusations to the EU about the refugee inflow, wherein it's spun as a mark of quality. The rhetoric makes the notion of apologising for it seem absurd. He also connects the good life and refugee flows positively later on: “We have the highest levels of social protection in the world and provide shelter for the most vulnerable” (Juncker 08.06.2017). Thereby he is establishing a positive connection between the two, suggesting that both of these aspects can be seen as marks of quality, side by side.

In his speeches, Donald Tusk adeptly sets the stage for his arguments by emphasising the merits of life in the EU. This approach seemingly establishes a common ground, thereby providing him with a stronger foundation from which to advocate for broader unity or specific initiatives. “Surely the European Union is not the best of all possible worlds. But for sure it is the best of the existing ones, and in my view, the best among those that humankind has seen across the centuries” (Tusk 07.09.2015). By framing this statement with a degree of ambiguity, Tusk makes his claim difficult to contest. By presenting his view as a personal opinion, he positions himself in a way that's difficult to dispute, given his entitlement to his own perspectives. He also outlines safety, prosperity and rule of law in general terms as the EU's strengths (Tusk 07.09.2015). As he advocates for solidarity and collaboration with third countries, he does not emphasise the concept of the good life in the same manner. This implies that the notion was utilised as a basis to justify any action taken by the EU, as it already provides a satisfactory standard of living. Additionally, the concept is broad enough to make it difficult to dispute. This emphasis on collective action and unified policies underscores the importance of cooperation among EU member states to preserve the benefits of Schengen, highlighting how interconnected and reliant the countries are on each other for their economic prosperity and social stability.

¹² “Est-ce que maintenant il faudrait que nous nous excusions d’être aux yeux de la planète entière la place où il fait mieux vivre ?” (my translation from French, here and onward)

4.1.2. Value-Based Community to Build Identity

The concept that the narrative of the good life in the EU establishes is further enhanced by assertions of being rooted in values as a community. This encompasses justifying actions that endorse the community's norms, such as underscoring the advantages for its citizens of living in a place that values tolerance, freedom, and democracy, among others. Conversely, politicians' statements can reflect an intention to nurture specific norms and values, representing a focus on outcomes. Emphasising and nurturing particular norms are inherently linked activities; with a constructivist perspective, there's no clear distinction between the two—highlighting the benefits of certain norms inherently promotes them. In the context of the EU, this dual approach contributes to shaping a collective identity or demos within the EU as a community grounded in shared values. This rhetoric often sets the stage for advocating collective action.

The value-based community as something that delivers for Europeans is often emphasised by Juncker: “An integral part of our European way of life is our values. The values of freedom, democracy, the rule of law. Values fought for on battlefields and soapboxes over centuries” (Juncker 21.09.2016). He also connects this to being an accomplishment during challenges: “In times of upheaval, our Union has always provided answers. Our institutions have upheld the values we hold dear” (Juncker 13.10.2016). After discussing measures of migration systems and partnership, in that speech he also concludes going back to that logic, showing how it is an underlying thread holding it all together: “So that we continue to enjoy what is most precious – our way of life,” (Juncker 13.10.2016). Tusk also emphasises something similar: “Hundreds of thousands of refugees go to Europe because they know that our community is still the most open and tolerant of all” (Tusk 23.09.2015).

There are also cases highlighting the importance of the value-based community as it comes under threat, for example by Merkel in the context of terror attacks in 2015, which she sees as “an attack on the freedom of all of us, on our values and convictions, an attack on everything that is important to us and for which generations before us have fought and struggled in Europe” (Merkel 25.11.2015). She defines these values as: “Democracy and human rights, equality and an open, friendly and tolerant civil society”¹³ (Merkel 25.11.2015). Presenting this as under threat also has the effect of reinforcing its importance and fostering these norms.

¹³ “Es ist ein Anschlag auf unser aller Freiheit, auf unsere Werte und Überzeugungen, ein Angriff auf all das, was uns wichtig ist und wofür Generationen vor uns in Europa gestritten und gekämpft haben: Demokratie und Menschenrechte, Gleichberechtigung und eine offene, freundliche und tolerante Zivilgesellschaft.”(Merkel 25.11.2015)

It is also presented to be under threat in the context of the challenges in general, as she says: “despite all the challenges, we must never forget what we fundamentally have in Europe: this unique community of peace and values”¹⁴ (Merkel 17.10.2019). She presents herself as a holder of these values “I will continue to do my utmost to ensure that we can live our core values and live them as we see fit, because they are what define our nature and our lives.”¹⁵ (Merkel 09.03.2017). Juncker (13.10.2016) also presents it as under threat, seemingly to empower it, in the context that “violent extremism has brought insecurity to our streets”, which according to him is “testing our commitment to an open society”, the wording of which comes across as a common challenge, a call to action.

The instances of emphasising the value-based community go hand-in-hand with creating European demos. By building a community centred around shared values and norms, individuals can find a sense of belonging without compromising their national identity. As stated by Juncker and Merkel, peace, democracy, tolerance, and solidarity are the fundamental values that unite the European Union (Juncker 08.06.2017; Merkel 14.09.2017). Furthermore, there is an emphasis on the virtues of the European people, presenting them as open and tolerant, which is often connected to welcoming the refugees:

Europe is the baker in Kos who gives away his bread to hungry and weary souls. Europe is the students in Munich and in Passau who bring clothes for the new arrivals at the train station. Europe is the policeman in Austria who welcomes exhausted refugees upon crossing the border. This is the Europe I want to live in. (Juncker 09.09.2015)

This is a good example of how the refugee agenda is the main theme, but the underlying point is creating ties between Europeans without challenging their other identities. In many ways, this is similar to how other nations have rallied around shared struggles to form a cohesive identity.

Donald Tusk also has contributions to a demos-building narrative, emphasising the growing together through difficulties, but in his case it is also notable that he portrays the demos in a more exclusive manner. He asserts that to be considered a true European, one must remain open and tolerant while also being tough and effective (Tusk 13.04.2016). While this statement is positive in nature, it suggests that being part of the group comes with certain obligations and that European values must be upheld to remain included. Tusk makes this

¹⁴ “wir dürfen bei allen Herausforderungen niemals vergessen, was wir ganz grundsätzlich an Europa haben: diese einzigartige Friedens- und Wertegemeinschaft”

¹⁵ “Ich werde mich weiter mit ganzer Kraft dafür einsetzen, dass wir unsere Grundwerte so leben können und so leben, wie wir das für richtig halten, denn sie machen unsere Art und unser Leben aus.”

even clearer later on: “We will not sacrifice values like civic liberties, the rule of law, and decency in a public life on the altar of security and order (...) Whoever is unable to accept it, is de facto placing himself outside our family” (Tusk 20.11.2019). This statement highlights the element of exclusion while also portraying those who share these convictions as a family. It is possible to draw similarities to the historic building of nations, where contrasting with others strongly contributed to unity and a shared identity.

Angela Merkel displays an additional approach to these ideas of identity, which is in line with her position as a national politician. She already has the backing of a consolidated *demos* of Germans, so the creation of the European *demos* comes with tying it to the German *demos*. Therefore, it is not only rooted in being a value-based community but also in equating German and European interests and goals, visible in statements, where she says things such as “This is precisely what will then serve Europe and - I am deeply convinced of this - also the good of Germany”¹⁶ (Merkel 17.02.2016), and “about our future, about Germany's future, about the future of Europe”¹⁷ (Merkel 04.07.2018). The well-being of Germany is equated with the well-being of Europe. These differences from Juncker and Tusk perhaps illustrate that for Merkel, speaking in German, addressing her listeners just as “Europeans” to build identity would not offer as good a connection to the listeners. Instead, it makes sense for her to emphasise the commonalities and the compatibility of being German and European. This can be seen as an inclusive approach, in the sense that being European comes automatically with being German.

4.1.3. Better Together: Rationale for EU Continuation and Policy Expansion

A great deal of the discourse centres on the EU being better together, which is connected to Schmidt's points on how the output goals of policymakers are also about the long-term fulfilment of the “major purposes for which people live together in polities” (Schmidt 2020:32), and solving the polities own problems and functioning. Therefore, the justification for the EU's continued existence and operations is a crucial output goal. Additionally, the analysis revealed a storyline that promotes broadening the scope of EU-level policymaking, which can be viewed as an extension of Schmidt's earlier point and an essential argument in the output dimension. In that case, the justifications for existing in the form of the EU and doing things through the EU serve as a basis for arguing that even more should be done

¹⁶ “Genau das dient dann nämlich Europa und – davon bin ich zutiefst überzeugt – dann auch dem Wohle Deutschlands”

¹⁷ “es geht um unsere Zukunft, um Deutschlands Zukunft, um die Zukunft Europas”

through the EU, most relevantly for this thesis, foreign policy. Evoking reasons to exist and referring to ensuring the survival and unity of the EU were highly prevalent in all speech acts. This emphasis on unity and survival through expanded policymaking roles, particularly in foreign policy, underscores the EU's adaptive strategy towards ensuring its relevance and effectiveness on the global stage, the topic of the following section.

To illustrate how the EU is better together, sometimes also past successes are emphasised and the general ideas behind being united are reminded (Juncker 08.10.2015; Juncker 15.04.2016). However, this narrative is also very often directly commented on and argued in relation to the increased migration flows, for example, showing the commitment to the idea by saying: “Together, we will handle this crisis. Otherwise, I do not want to think of the alternative” (Tusk 27.10.2015). Juncker also projects this as an inherently Europe-wide problem, where only a collective answer can succeed, whereas individual action will fail and destroy the internal market in the process (Juncker 03.03.2016; Juncker 15.04.2016). In Merkel’s case, this idea is not expressed as clearly, at least not in terms of state-based solutions being unthinkable, possibly because as a national politician, going so directly against the national level is not as desirable for her. In her speech acts, it is just about the common action being preferable, based on different arguments, such as competitiveness, crisis-proofing, common border protection and common responsibility (Merkel 15.10.2015).

The migration-related challenge is in a way also put into an overarching context of a changing world, which is brought into question as a reason for working together. Different global tendencies are framed in a way that would support the idea of the EU offering a better chance at output than states individually. This can also be seen as a way to promote the EU without challenging the nation-states in a way that sets their successes into question, but instead framing European integration as an ever-growing need. For example, Merkel illustrates these tendencies by saying “We are experiencing more directly than ever before that in our globalised world, wars, conflicts and a lack of prospects, which are supposedly only very far away from us, are increasingly reaching our doorsteps”¹⁸ (Merkel 15.10.2015), which offers some grounds for reevaluation of the political systems. She further reflects on how a world that is highly interconnected, no single country can shape its own destiny (Merkel 04.07.2018), which also challenges the state-based system and emphasises the EU's role as the new leader in output.

¹⁸ “Wir erleben so direkt wie nie, dass in unserer globalisierten Welt Kriege, Konflikte und Perspektivlosigkeit, die es vermeintlich nur sehr weit von uns entfernt gibt, immer häufiger bis vor unsere Haustüren gelangen”

As mentioned, this logic of being better together allows building up a narrative of increasing the EU's policy range as well. For example, Donald Tusk builds onto the changing world narrative: "The last European Council took place in a deteriorating geopolitical context. This is why I appealed to the leaders that the EU must get its act together" (Tusk 03.07.2018). He also builds on this to justify broadening the EU's policy range: "For me, this means increasing military cooperation, preparing for worst-case scenarios in terms of trade, and – above all – looking for unity in every aspect of European cooperation, including migration and Euro area reform" (Tusk 03.07.2018). Similarly, Juncker asserts that bold action must be taken as soon as the situation requires it: "We cannot wait until the next crisis to finish the job" (Juncker 13.10.2016). Merkel also highlights the need for Europe's role in the world to evolve, as supporting it with the situation at its outer borders: "More and more tasks are approaching us"¹⁹ (Merkel 17.10.2019). This can be viewed as a rationale for supranational decision-making and the transfer of more areas of authority to the EU in the context of foreign policy.

More often, these references to broadening the EU's policy sphere are more directly connected to the current migrant inflow. For example, Merkel's claim that "as a result of this crisis and these developments, the foreign and domestic policy will certainly grow much closer together"²⁰ (Merkel 20.09.2015) very early on in the crisis can be seen as laying the groundwork for the development of this rhetoric. Juncker also advocates for assertiveness and unity in European foreign policy early on (Juncker 09.09.2015). Although that does not necessarily go against an intergovernmentalist approach, it also hints at the benefits of a more supranational and output-oriented approach. This is even more clearly illustrated in the following claim:

Europe and our Union have to deliver. While I am a strong defender of the Community method in normal times, I am not a purist in crisis times – I do not mind how we cope with a crisis, be it by intergovernmental solutions or community-led processes. As long as we find a solution and get things done in the interest of Europe's citizens. (Juncker 09.09.2015)

This demonstrates a clear tie between the crisis and broadening the EU policy sphere and also the overwhelming prioritisation of output.

¹⁹ "Gerade die Lage an Europas Außengrenzen zeigt, dass sich Europas Rolle in der Welt zunehmend verändern muss. Immer mehr Aufgaben kommen auf uns zu."

²⁰ "Insofern werden als Folge dieser Krise und als Folge dieser Entwicklungen mit Sicherheit Außen- und Innenpolitik sehr viel stärker zusammenwachsen."

Juncker also makes similar points later, with a more general wish for broadening the EU's powers in foreign policy. He praises the High Representative for doing a fantastic job but suggests that she becomes the European Foreign Minister, allowing all diplomatic services to pool their forces for greater leverage in international negotiations (Juncker 21.09.2016). Later, he calls the member states to action: "to have more weight in the world, we must be able to make foreign policy decisions quicker. This is why I want Member States to look at which foreign policy decisions could be moved from unanimity to qualified majority voting" (Juncker 13.09.2017). He reiterates in 2019, emphasising that sticking to unanimity in foreign affairs entirely, means that "we are lost" (Juncker 24.10.2019). For Juncker, the migration situation also illustrates the need for further integration in other ways (Juncker 08.10.2015). He uses the context to call for broadening the EU's policy range in other fields. According to him, the underdevelopment of social and political dimensions is evident in countries like Greece, which are impacted by the influx of refugees in various ways that could be addressed through attention to those areas (Juncker 26.04.2018).

4.1.4. The EU's Role in the World: Global Power and Normative Power

As also visible from a lot of previously discussed segments, many of the arguments allude to the EU's power and effect on the rest of the world. Casting the EU as a normative power or gaining recognition as a global power is yet another facet of output that played a central role in the analysed speeches. The global aspirations in various fields are displayed: "Only together are we and will we remain a force to be reckoned with" (Juncker 21.09.2016). These aspirations to shine in multiple fields are shared by Merkel and Tusk as well and both of them emphasise that economic capabilities form the foundation of global power (Merkel 09.03.2017; Tusk 24.10.2018). The global aspirations also shine through on the topic of Turkey: "We need Turkey, because its influence in the Turkish-speaking, Asian world is enormous, but we can't give in on our main principles"²¹ (Juncker 08.11.2016). Even though the second part of this raises concerns about Turkey, this statement still clearly makes the output of casting the EU as a global and normative power a part of the legitimisation discourse.

Juncker addressed the topic of the EU's progress in comparison to recognized global powers, specifically the USA and China, stating that the 28 national fragmentations in Europe are hindering its progress (Juncker 28.10.2015). However, in 2019 his personal anecdote from meeting Donald Trump tells a different story already. Juncker claimed to feel empowered

²¹ "Nous avons besoin de la Turquie, parce que son influence dans le monde turcophone, asiatique est énorme, mais on ne peut pas céder sur nos principaux principes."

“speaking with the force of 28 Member States” and “ with an exclusive EU competence – that of the Commission – in trade matters”(Juncker 24.10.2019). This emphasises the output arguments for legitimating the existing system for its capabilities to bring more power together and also by transferring competencies, both of which are portrayed as tipping the global power dynamics in the EU’s favour. He continues by saying that Donald Trump expressed a wish to make a deal with him personally, not the EU, and Juncker felt empowered: “Then I said: ‘No, I am Europe. L’Etat, c’est moi !’ For a Luxembourger, to sit in the Oval Office, telling the President of the United States that I have to be taken seriously, c’est du jamais vu!” (Juncker 24.10.2019). This emphasises the unique offering the EU can provide to nations, particularly as Juncker brings attention to his belonging to a small member state.

Again, Angela Merkel’s national position displays a slightly different angle with this topic as well. Keeping in mind the German audience, she can approach this even more directly and highlight the global power backing that Germany can benefit from in the EU: “seldom have we experienced such a close connection between our German actions and conduct and the global stage”²² (Merkel 25.11.2015). She also brings up Germany and Europe being active participants on the global stage again, this time placing Germany and the EU together in this discourse: “We are risking the future of Germany and Europe as active participants in the world”²³ (Merkel 04.07.2018). However, similar ideas are conveyed by Tusk and Juncker too, just with less focus on a single member state. Tusk uses the negative example of Brexit, as he underlines that only as a part of a united Europe can the member states play a global role and confront the greatest powers of the world. Juncker’s discussions on demographics also contribute to these narratives, as he uses numbers of demographic decline all over the EU (Juncker 13.10.2016; Juncker 08.06.2017) to contribute to the idea that any European state can have influence in the world only thanks to the EU.

Europe’s global role is strongly connected to the aspirations of being a normative power. Arguments of wanting to see European values dispersed are often brought up to justify unity or certain measures. Alluding to normative power, the speakers say they want to see the EU be a leader (Juncker 21.09.2016), shape the world (Juncker 21.09.2016), be listened to (Juncker 08.10.2015), as it has much to offer like values and interests (Merkel 15.10.2015);

²² “Liebe Kolleginnen und Kollegen, selten haben wir so hautnah erlebt, wie unser eigenes deutsches Handeln und Tun in eine globale Welt eingebettet ist.”

²³ “Es geht um die Zukunft Deutschlands und Europas als Agierende in der Welt.”

knowledge and leadership (Juncker 09.09.2015); protection of human rights, territorial integrity and international law (Juncker 21.09.2016); and ambitions and talents (Juncker 28.10.2015). As examples of the EU's efforts and success at achieving this, the speakers refer to the action against climate change (Juncker 09.09.2015), investing in other parts of the world (Juncker 08.06.2017), fighting to preserve the rules-based international order (Tusk 27.09.2018), and "providing over half of the world's development and humanitarian aid" (Juncker 24.10.2019). This also encompasses all measures aimed at tackling the root causes of migration, which will be addressed in the following section.

The speakers all share a deep commitment to the topic of normative power, and they also challenge and advocate for it. Other players are seen as a potential threat to setting norms, for example, Juncker asks if, in the face of the migration situation, the EU can remain a leader in the fight for good, or if it will fade away and let others shape the world (Juncker 21.09.2016). This highlights the seriousness of the issue, which is further emphasised by Tusk's warning "Otherwise, before long, theocracies will start to lecture us what religious tolerance means, dictators will tell us what democracy means, and those who are responsible for this massive exodus, will tell us how to treat refugees" (Tusk 23.09.2015). Juncker also brings up the other global players, the USA and China up here as well "If tomorrow we want the rules and standards to be set by the United States and our Asian friends, let's abstain from engaging"²⁴ (Juncker 28.10.2015). Merkel argues that aspiring for normative power is consistent with EU's norms and values, which extend beyond Europe's borders (Merkel 14.09.2017). In addition, Tusk casts the EU as "a continent that cares deeply about respect, mutual understanding and solidarity between nations" (Tusk 27.09.2018).

Juncker displays some serious doubts about the EU's normative power because of the events of the migration crisis:

What has become of us? The richest continent in the world, with 500 million inhabitants, and yet to say from the outset that we would be unable to accept one or two million refugees. Talking to the King of Jordan and the Lebanese Prime Minister, as I do on a regular basis, leaves me feeling ashamed. Jordan, a country with 8-9 million inhabitants, has taken over 630 000 refugees from Syria, a figure which excludes the 500 000 Palestinian refugees. In Lebanon, 25 % of the population are refugees, newly arrived from Syria. And we, as Europeans, say we can't manage. What must the others think of us? This is 'reputation damage' we are inflicting on ourselves: people around the world who have always looked at Europe with great hope are suddenly

²⁴ "Si demain, nous voulons que les règles, que les normes soient fixées par les Etats-Unis et par nos amis asiatiques, abstenons-nous."

discovering that we are mired in our own egoism, unable to agree with one another in order to tackle the refugee crisis decently. (Juncker 03.03.2016)

A few months later, he cites the same reasons, recommending looking at Jordan, Lebanon or Turkey, to say that the Europeans have good reasons to be more modest and not try to give lessons to others (Juncker 09.06.2016). Merkel displays a similar sentiment, although more modestly, for example by saying:

When you then see that a country like Lebanon is taking in 1.5 million Syrians, a country like Jordan almost a million, a country like Turkey - with 75 million inhabitants - 2.7 million, then the question of whether 500 million Europeans living in the Schengen area could perhaps also take in a million is of course not completely out of reach.²⁵ (Merkel 19.04.2016)

Donald Tusk also launches a softer criticism in connection with the normative power rhetoric:

We have heard so many times that the only way to stem irregular migration is by solving the root causes of this crisis, namely by stabilising the world around us. I want to state very clearly that this had too often sounded like an alibi not to do anything at all, here in Europe. (Tusk 13.04.2016)

All this portrays the EU's normative power as deeply problematic in the light of the reaction to the migrant inflow and therefore reflects negatively on the EU's output legitimacy. However, despite the overt criticisms, there is actually an element there of legitimising the deal, as it portrays Turkey, the partner, in a positive light, more positive than the EU even.

4.1.5. Turkey for the Migrants: Safety and Better Conditions Closer to Home

As expected based on the EU's normative power aspirations, the discourse also emphasised output for the migrants, not only for the EU. The output arguments regarding outcomes for the migrants are often connected with being a normative power. Firstly, there is a focus on fighting migration causes, which is mostly to prevent further migration. Secondly, there are a lot of mentions of the dangers of the migration routes, emphasising the high death counts and the evilness of the smugglers. This contributes to casting the measures the EU takes to limit migration, such as the EU-Turkey deal, as altruistic and life-saving and additionally, cutting the smugglers' paycheck is preached as anti-crime. Thirdly, measures that are aimed at improving the living conditions of the migrants are emphasised, especially for migrants who are in Turkey. Lastly, allowing migrants to stay closer to their home country, by supporting

²⁵ "Wenn man dann sieht, dass ein Land wie der Libanon 1,5 Millionen Syrer auf-nimmt, ein Land wie Jordanien fast eine Million, ein Land wie die Türkei – mit 75 Milli-onen Einwohnern – 2,7 Millionen, dann ist die Frage, ob 500 Millionen Europäer, die im Schengen-Raum leben, vielleicht auch eine Million aufnehmen können, natürlich nicht völlig außerhalb aller Reichweite."

other countries like Turkey, is portrayed as a positive outcome for the migrants. Additionally, all measures aimed at reducing migrant inflows are justified as a means of providing better assistance to war refugees, contrasting them somewhat with economic migrants.

The danger of migration routes and counteracting those casualties is the most dominant of these themes. Tusk and Juncker emphasise the importance of collective action by the EU at sea, which has already saved thousands of lives. (Juncker 09.09.2015; Tusk 10.11.2015). Merkel stresses the urgent need to combat criminal traffickers who often put refugees in fatal situations and according to her, this in combination with the protection of external borders and the fight against the causes of flight “saves lives, very concretely and every day”²⁶ (Merkel 09.03.2017). The EU-Turkey Deal is often touted as a means of providing safe and legal paths for those in need of protection while freeing them from the dangers of smugglers and their deadly trade (Juncker 15.04.2016). Merkel and Juncker also highlight the deal's contributions to creating safe and legal access opportunities for refugees and helping to assist them closer to their homes (Merkel 14.09.2017; Juncker 12.10.2016; Merkel 09.03.2017). Merkel notes that agreements with countries of origin and transit are essential to fighting irregular entries, emphasising that even the best EU solidarity would not make a difference without these kinds of deals (Merkel 09.03.2017).

Taking into account the aforementioned factors, the speakers highlight Turkey as the final piece of the puzzle in achieving these output goals and priorities. They mainly emphasise Turkey's strategic position and certain virtues as the reasons. Turkey's position as a key state in the migration situation is explained by the fact that the main relevant migration routes pass through Turkey, and because it has already hosted a significant number of refugees from the start: “There is no doubt that Turkey is playing a key role in this situation; with over two million people seeking protection, it is currently bearing the brunt of the movement of refugees from Syria”²⁷ (Merkel 15.10.2015). The fact that Turkey is a neighbour of the EU is also emphasised: “Turkey is our neighbour. It lies on the other side of our external border”²⁸ (Merkel 25.11.2015). This emphasis may be unclear, as the EU has many neighbouring states. However, it serves as a reminder for member states that are further from that border that, as the EU and particularly Schengen form an entity, Turkey is a neighbour for the entirety of the

²⁶ “Der Kampf gegen die kriminellen Schlepper und Schleuser muss deshalb unverändert allerhöchste Priorität haben. (...) Schutz der europäischen Außengrenzen und die Bekämpfung von Fluchtursachen – das alles rettet Leben, ganz konkret und jeden Tag.”

²⁷ “Ohne Zweifel: Eine Schlüsselrolle in dieser Situation spielt die Türkei; denn mit über zwei Millionen Schutzsuchenden trägt sie derzeit die Hauptlast der Fluchtbewegung aus Syrien.”

²⁸ “Die Türkei ist unser Nachbar. Sie liegt an der anderen Seite unserer Außengrenze”

member states. The sea border is also particularly mentioned, as it has implications for border protection (Merkel 16.03.2016).

The EU's efforts to improve the living situation of refugees are focused on housing, education, healthcare, and job opportunities. Tusk outlines the goal of "developing safe and sustainable reception capacities in the affected regions and providing lasting prospects and adequate procedures for refugees and their families, including through access to education and jobs, until return to their country of origin is possible" (Tusk 27.10.2015). Merkel also explains why financial assistance to Turkey is important, as it provides safe conditions and opportunities for refugees, reducing the need for dangerous smuggling routes. She stresses the importance of funding sensible projects such as accommodation, schools, and medical care (Merkel 16.03.2016). Juncker emphasises that the Joint Action Plan with Turkey will not simply hand over €3 billion, but will fund projects to help Syrian refugees in Turkey, including building schools and hospitals, emphasising that there are "hundreds of thousands of Syrian children currently living in Turkey who are not going to school despite being of school age" (Juncker 03.03.2016).

On the other hand, Turkey's virtues, and with that the output that Turkey itself provides for the refugees, is how the output-based legitimacy of cooperating with Turkey is argued for. As Merkel puts it, countries that go above and beyond in providing aid to refugees should be recognized and supported with concrete measures (Merkel 15.10.2015). Merkel also highlights some specific achievements of Turkey with refugees: "Turkey, for its part, has issued work permits for Syrians in Turkey - to varying degrees, but at least there is now a prospect that Syrian refugees or guests, as Turkey says, will also have work opportunities"²⁹ (Merkel 17.02.2016). This gesture, as well as Turkey's use of the term "guests" to describe refugees, is used to highlight its compassionate and welcoming attitude toward the refugees. Furthermore, since Turkey already hosts more refugees than any other country, supporting it rather than simply accepting refugees into the EU is portrayed as the more viable solution (Juncker 06.10.2015; Merkel 25.11.2015). Turkey's virtues are also connected with advancing relations: "Last month, we opened a new chapter in our relations with Turkey, a country that already hosts 2.2 million refugees – more than any other country in the world" (Juncker 16.12.2015).

²⁹ "Die Türkei ihrerseits hat eine Arbeitserlaubnis für Syrer in der Türkei vergeben – zwar in unterschiedlicher Ausprägung, aber immerhin gibt es jetzt eine Perspektive, dass syrische Flüchtlinge oder Gäste, wie die Türkei sagt, auch Arbeitsmöglichkeiten haben."

The narrative on the output for the migrants remains similar throughout the timeline, with the results in the mentioned areas being well-perceived and Turkey's refugee-related merits being praised despite other qualms. Merkel deemed the EU-Turkey agreement a success, stating that it led to regulated migration for the first time and saved refugees from the dangers of smugglers and traffickers (Merkel 21.11.2018). Juncker emphasises output for them in the fields of healthcare and education (Juncker 24.10.2019). Merkel acknowledged possible criticisms but continued to advocate for the agreement, emphasising the importance of providing financial resources "by the European Union and additionally by Germany"³⁰ to help refugees lead a dignified life close to their homeland (Merkel 17.10.2019). This also highlighted Germany's support for the refugees, setting Merkel apart as a national politician. Even as Turkey's relations with the EU and its member states deteriorated, hosting refugees continued to be praised by Merkel and Juncker: "We have a lot to criticise about Turkey. But what Turkey is doing for Syrian civil war refugees is a huge contribution and deserves everyone's recognition"³¹ (Merkel 04.07.2018). This is echoed by Juncker, as he says that Turkey welcoming millions of Syrian refugees is "A fact we can only applaud"³² (Juncker 26.03.2018).

Ultimately, the portrayal of the deal with Turkey as unavoidable appears to be of utmost importance, despite any potential arguments against it. "Crucial in this matter will be cooperation with third countries. This is the reason why I am going to visit Turkey and organise a summit on migration in Malta with the African countries" (Tusk 07.09.2015). Juncker also stresses that despite Turkey certainly being a difficult partner, "without Turkey, there is no solution to the crisis" (Juncker 03.03.2016). "Ending the EU-Turkey agreement would not make things one iota better, but would exacerbate the situation on the backs of the most vulnerable,"³³ emphasised Merkel (17.10.2019). Tusk and Juncker used strong, inarguable language like "crucial" and "no solution" to achieve their message, while Merkel made a more forceful argument by highlighting that the opposite offered no hope either.

³⁰ "Ich werde mich weiterhin für dieses Abkommen einsetzen, damit die Menschen, die in der Türkei Zu-flucht gefunden haben, ein würdiges Leben nahe ihrer Heimat führen können dank der dazu bereitgestellten finanziellen Mittel durch die Europäische Union und noch zusätz-lich durch Deutschland."

³¹ "Wir haben viel zu kri-tisieren an der Türkei. Aber das, was die Türkei für syrische Bürgerkriegsflüchtlinge leistet, ist ein Riesenbeitrag, und das verdient die Anerkennung aller."

³² "C'est d'abord le mérite de la République turque, qui a su accueillir sur son territoire entre 3,5 millions et 4 millions de réfugiés venant de Syrie, ce qui prouve que la Turquie, lorsqu'il s'agit de donner l'exemple en matière de solidarité internationale et surtout de solidarité entre son pays et l'Union européenne, a su consentir des efforts extraordinairement importants. Ce à quoi nous ne pouvons qu'applaudir."

³³ "Ein Ende des EU-Türkei-Abkommens machte die Dinge kein Jota besser, sondern verschärfte die Lage, und zwar auf dem Rücken der Schwächsten."

Although in the throughput section we may discuss such communication in more depth, all this demonstrates unwavering commitment to output, and its main role in the legitimation.

4.1.6. Limiting Migration: Unclear Narratives and Lack of Clear Basis

Although output gets a lot of prime news time, the discourse does display some issues with it as well. In the Juncker and Tusk's case, a lot of the more ideational output aspects are described in very general terms. Merkel in contrast can speak of more concrete successes with the German people. In addition, the determination of output goals and what resonates with the listeners does appear to be complex for the EU level. As Schmidt outlined, another difficulty is in fact that the member state implementation is what a lot of the output depends on in the end. Some qualms about this are also apparent in the discourse. However, the main issue is the arrival at the conclusion that limiting migrant numbers is an output goal in itself, apart from fighting the irregularity and illegal means of entry. This is presented partly in connection with the good life in the EU, mainly security and stability and also output for the migrants.

This showed no clarity and this analysis was not able to determine a cohesive connection with the other main themes of the analysis. One common way of bringing it up was creating a soft dichotomy between legal and illegal migration, categorising the illegal aspects and also non-refugee status as the undesirable element (Merkel 25.11.2015; Juncker 09.09.2015; Juncker 28.10.2015; Merkel 16.03.2016). However, in the analysed discourse, this was not done by drawing a harsh line between them, demonising economic migrants or illegal migration. This was most strongly illustrated by Juncker:

Yes, there are economic refugees. Wouldn't you be if you lived in their circumstances? Yes, it's true, they don't have the right to stay in Europe. But let's not talk about these unfortunate people as if they were barbarian hordes, and gangsters and organized gangs. This is not the case. They are all unfortunate people.³⁴ (Juncker 06.10.2015)

A lot of the mentions of the illegal and legal migration distinction, as well as the refugee and economic migrant distinction, coincided with mentioning the goal of limiting the number of entries, but the connection was kept hazy, probably purposefully, to achieve a more of a

³⁴ “Oui, il y a des réfugiés économiques. Est-ce que vous ne le seriez pas si vous viviez dans les circonstances qui sont les leurs? Oui, il est vrai, il n'ont pas le droit de rester en Europe. Mais ne parlons pas de ces malheureux comme s'il s'agissait de hordes barbares, et de gangsters et de bandes organisées. Ce n'est pas le cas. Ce sont tous des malheureux.”

catch-all narrative, hinting at the same time at wanting fewer entries, but also being helpful and accepting.

Angela Merkel defines limiting numbers as a goal on its own, but in Juncker and Tusk's case it is visible because they present the reduction of numbers as an achievement. Merkel explicitly stated her desire to reduce the number of migrants coming into Germany, as she says, after discussing other goals, “reducing the number of refugees arriving in our country. That is also our goal”³⁵ (Merkel 25.11.2015). Even more, she states that “how we can succeed in reducing the number of refugees not just for some, but for all of us, sustainably and permanently” is the “all-important question”³⁶ (Merkel 16.03.2016). She does occasionally provide her reasoning for reducing the number of refugees, such as how it allows for better assistance to the most vulnerable individuals (Merkel 17.02.2016). In their presentations of the reduction of numbers as an achievement, Juncker and Tusk often also frame it as a victory against illegal and irregular border management, but their statements also reflect the fewer entries being an achievement on its own. For example, Tusk stated, "The flows to the Greek islands are down by 98 per cent compared to this time last year" (Tusk 26.10.2016). Juncker also highlighted the success of the agreement between Turkey and the EU, stating that "the number of refugees coming from Turkey to the European continent has fallen by 97%" (Juncker 21.06.2017). However, Juncker has also expressed his disagreement with this reduction-based approach, stating that "we are duty-bound to offer a new home to those fleeing war and violence" (03.03.2016). He has also acknowledged the benefits of migration, albeit sporadically (Juncker 06.10.2015; Juncker 09.06.2016).

4.2. Throughput Legitimacy in Speeches

The speeches given by the EU officials contained a stronger emphasis on throughput legitimacy than was expected. Throughput is typically associated with institutional procedures, so it was surprising to find that it was frequently alluded to in the speeches, for example commenting on the quality of interaction. This supports Schmidt's argument that the EU places a significant value on throughput, even in its speeches. It is worth noting that the

³⁵ Zweitens– auch das gehört dazu – wird es darum gehen, wie wir auch durch legale Kontingente einen Beitrag dazu leisten können, dass die Türkei entlastet wird. Deshalb sind solche europaweit zu vereinbarende Kontingente ein Weg, aus Illegalität Legalität zu machen, aber auch die Prozesse besser zu ordnen und zu steuern und in Kombination mit der Bekämpfung der Fluchtursachen dann auch die Zahl der bei uns ankommenden Flüchtlinge zu reduzieren. Auch das ist unser Ziel.

³⁶ “Deshalb lautet die alles entscheidende Frage unverändert, wie es uns gelingen kann, die Zahl der Flüchtlinge nicht nur für einige, sondern für uns alle zu reduzieren, und zwar nachhaltig und dauerhaft und ohne dass wesentliche Errungenschaften unseres Lebens in Europa geschwächt werden.”

speeches themselves also demonstrate throughput, in terms of the level of argumentation and persuasion they employ. Therefore, we should also consider the completeness of the narratives presented as an element of throughput.

4.2.1. Policymaking Processes: Comments on Quality and Pleas for Efficacy

In the expectations I stated, that the reflections on throughput could be expected to be limited to vague assurances of good government and also brief descriptions of the governance processes. Such instances were far more prevalent than expected, although they were indeed relatively vague for the most part. All of the three speakers casually describe policymaking processes although Merkel does so noticeably most often, just providing a lot of overviews of where she is going with what proposals, and what kind of information has been published where (Merkel 15.10.2015; Merkel 16.03.2016; Merkel 04.07.2018). This approach could be interpreted as an effort to connect with her audience and highlight her role as a public servant reporting on her responsibilities. Juncker, on the other hand, discussed the interaction quality more specifically, while Tusk made fewer references to the interaction overall. Good quality of interaction in the EU was most often displayed as the speakers thanked or congratulated other actors and institutions of the EU for their support or proposals (Merkel 15.10.2015; Juncker 16.12.2015; Tusk 03.07.2018).

In stark contrast with the ideas that the EU often relies on throughput for its legitimation because it is the area where it has the most control, the quality of interaction was also frequently portrayed negatively. Most prevalently, this happened with the quality of interaction between the supranational level and the member state level. Tusk and Juncker expressed their displeasement with painting the EU as a scapegoat quite frequently and sometimes projected the member states as the ones responsible for the bad quality of interaction: “I do not understand why countries, governments and parties are opposed to a compulsory relocation system in Europe. I have no wish to play down the issue, but this is not something we should find so difficult,” says Juncker (08.10.2015), displaying discord and frustration. Emphasising the issues on the member-state level, he pleads: “don't criticise my friend Tusk. (...); if certain member states prevent the President of the European Council from moving forward with the speed he would like the European Council to adopt, (...), criticise the member states that prevent him from doing so”³⁷ (Juncker 06.10.2015). This creates a

³⁷ “Et ne critiquez surtout pas mon ami Tusk. (...) si certains Etats membres empêchent le Président du Conseil européen d'avancer avec la rapidité qu'il voudrait que le Conseil européen adopte (...), critiquez les Etats membres qui l'empêchent de ce faire.”

dichotomy between the member state and supranational level. However putting the blame on the member states does not reflect well on the supranational level either, as the EU is made up of both and in the end, this just displays a bad quality of interaction.

He even displays the dichotomy in quite clear terms, however, he does not always attribute the blame to the member state level and portrays the quality of interaction negatively in general: “Never before have I seen representatives of the EU institutions setting very different priorities, sometimes in direct opposition to national governments and national Parliaments. It is as if there is almost no intersection between the EU and its national capitals anymore” (Juncker 21.09.2016). Despite his qualms, he does acknowledge that “Europe can only be built with the Member States, never against them” (Juncker 21.09.2016). In Tusk’s case, hints to this issue are more general and therefore do not reflect quite as badly on the quality of interaction. For example: “Let us not let Europe become a scapegoat due our quarrelling and blaming each other with no restraint” (Tusk 23.09.2015) simply expresses a warning and a wish, which ends up having a more positive and aspirational outlook on the quality of interaction.

The issue of efficacy has been recognised by the speakers on various occasions. This has resulted in calls for more efficient handling of matters, including, but not limited to the dealings with Turkey. Juncker places a high value on efficacy when dealing with issues related to the quality of interaction. He expresses his belief that getting angry and blaming others does not serve any purpose and urges everyone to focus on what has been agreed upon and swiftly move forward (Juncker 09.09.2015). In line with this goal, Juncker communicates a new approach he has taken for the commission: “being big on the big things and small on the smaller things” (Juncker 03.03.2016). That includes withdrawing over 80 draft legislations and limiting launching new initiatives, as he states that the Commission should not revolve around matters such as “how fast Christmas candles should burn” (Juncker 03.03.2016). Tusk acknowledged this concern in his otherwise positive paragraph about the EU, stressing that Europe is worth protecting, “the way she is now, together with all her problems, the ‘decadent Europe’, as she is called by her enemies, without a strong ideology, diverse and very difficult to govern, with her never ending negotiations” (Tusk 07.09.2015).

Merkel also mentioned the general trend and its implications for cooperation with Turkey: “Turkey asks for this to happen as quickly as possible. However, the mechanisms within the

European Union can sometimes be difficult”³⁸ (Merkel 16.03.2016). Similarly, Juncker highlighted the recurring theme and its significance: “Slow delivery on promises made is a phenomenon that more and more risks undermining the Union's credibility” (Juncker 21.09.2016). Given the concerns raised about the efficacy of proceedings, the speakers have called for improvements across areas connected to the EU-Turkey Deal. Merkel, for instance, stressed the need for decisive action, stating that “the necessary decisions must be made quickly”³⁹ (Merkel 07.10.2015). Similarly, President Juncker urged Member States to act more swiftly and effectively in addressing the crisis, while also emphasising the importance of preparing for the future, by agreeing to certain mechanisms. Notably, both leaders highlighted efficacy as a critical factor in expanding EU policy. Following the deal's implementation, Merkel also acknowledged issues with excessive bureaucracy that slows down the processes: “We have a readmission agreement between Greece and Turkey, which works poorly as it is very bureaucratic. We are working on de-bureaucratizing this”⁴⁰ (Merkel 17.02.2016).

Mentions of openness and interest intermediations are scarce in the discourse, which can partly be attributed to the medium of the high-level speeches. The instances that are there, include Juncker’s mentions of public action and citizens’ dialogues, but also the intermediation within the EU institutions. Juncker emphasises the deliberation process and its openness in the search for solutions to the migration question (Juncker 06.10.2015). He puts a lot of focus on underlining European Public action, and therefore identifies the intermediation as an aspect of building a demos: “ I said (...) that the Commission over which I preside would be the Commission of the last chance. I say this (...) to underline (...) the urgency of seeing European public action and the sensitivities of our peoples come closer together”⁴¹ (Juncker 28.10.2015). Its paramount importance is further highlighted, as he states that intermediation is what leads Europe in the right direction: “I can't stress enough how much Europe depends on the daily performance of those who work and till the soil. Europe needs your Council, which is a good source of advice”⁴² (Juncker 28.10.2015). He also refers to the

³⁸ “Die Türkei bittet darum, dass dies möglichst schnell geht. Um das zu erreichen, sind die Mechanismen in der Europäischen Union aber manchmal etwas schwierig.”

³⁹ “Die hierfür notwendigen Entscheidungen müssen schnell getroffen werden.”

⁴⁰ “Wir haben ein Rückübernahmeabkommen zwischen Griechenland und der Türkei, das hinreichend schlecht funktioniert, weil es sehr bürokratisch ausgestaltet ist. Hier wird an einer Entbürokratisierung gearbeitet.”

⁴¹ “C'est la raison pour laquelle j'avais dit, lorsque j'ai pris mes fonctions, que la Commission que je préside, serait la Commission de la dernière chance. Je ne le dis pas par immodestie, mais pour souligner l'importance, oui, l'urgence de voir l'action publique européenne et les sensibilités de nos peuples se rapprocher.”

⁴² “je ne dirais jamais assez à quel point l'Europe est dépendante de la performance quotidienne de ceux qui travaillent et labourent la terre. L'Europe a besoin de votre Conseil qui est de bon conseil.”

importance of the representatives of civil society, emphasising that with them is where explanations should take place (Juncker 28.10.2015).

Merkel and Juncker frequently emphasise the importance of upholding values and adhering to the law in all of their proceedings. Merkel invokes this as a justification for relocating migrants within the EU, arguing that the migrants have to be distributed “fairly”, because “Otherwise, Europe will not keep the promises it has made. And otherwise Europe will not live up to the legal status it has created”⁴³ (Merkel 20.09.2015). Juncker also uses the standard set by laws to argue for migrant relocation, that many member states refused to implement: “the Commission had to start a first series of 32 infringement proceedings to remind Member States of what they had previously agreed to do” (Juncker 09.09.2015). The laws and values emphasis is particularly evident in their discussions surrounding Turkey. Merkel and Juncker both acknowledge a potential conflict between being led by principles (throughput) or goals (output): “I understand that some of us are concerned about whether Europe will succeed in its negotiations with Turkey not only in expressing current interests in the refugee issue, but also in upholding our values”⁴⁴ (Merkel 15.10.2015). “We need Turkey, (...), but we can't give in on our main principles”⁴⁵ (Juncker 08.11.2016).

4.2.2. Throughput and Turkey: From Arguing for Turkey to Arguing with Turkey

In the earlier stages, the speakers introduced some elements that emphasised Turkey’s commonalities and compatibility with the EU which can be seen as enhancing the potential throughput legitimacy. This predominantly included Turkey’s candidacy to the EU, the EU and Turkey being partners in the NATO framework, and common foreign policy goals between the EU and Turkey. Already in the early stage, however, the narrative of “managing” Turkey was present to an extent. Later on in the timeline, the tendency to argue for Turkey was almost completely replaced by a narrative describing the arguing with Turkey instead. This still existed in combination with emphasising Turkey’s continuing output for the migrants despite other issues, as outlined in the previous chapter on output.

⁴³ “Ansonsten löst Europa nicht die Versprechen ein, die es gemacht hat. Und ansonsten wird Europa nicht dem Rechtszustand gerecht, den es geschaffen hat”

⁴⁴ “Ich verstehe, dass manche von uns besorgt sind, ob es Europa in den Beratungen mit der Türkei gelingt, nicht nur aktuelle Interessen in der Flüchtlingsfrage zum Ausdruck zu bringen, sondern immer auch unsere Werte zu behaupten.”

⁴⁵ “Nous avons besoin de la Turquie, parce que son influence dans le monde turcophone, asiatique est énorme, mais on ne peut pas céder sur nos principaux principes.”

In the early stages, Turkey's candidate status was used to underline its connection with the EU. This narrative suggests that throughput is enhanced by these pre-existing connections, but also that strengthening the ties with Turkey contributes to throughput because it means that earlier promises are fulfilled. For example, Merkel emphasises this by bringing up the principle that agreements must be kept: "Let us bear in mind that negotiations are taking place with Turkey on its accession to the European Union. It goes without saying that the principle of *pacta sunt servanda* applies: treaties are respected"⁴⁶ (Merkel 15.10.2015). Juncker creates a strong parallel between Turkey's position as a candidate state and considering it a safe destination: "But you cannot officially be an accession country – you cannot put all accession countries on the list of safe countries and leave out Turkey. We need a consistent policy on safe countries of origin, and we will work towards this" (Juncker 08.10.2015) - emphasising consistency, which can also be seen as an attempt to contribute to throughput legitimacy. He elaborates more in another speech:

If Turkey does not belong on the list of safe countries, as some people think, then a request must be made here to break off accession negotiations with Turkey. But as long as we are also dependent on Turkey's help and as long as Turkey is also dependent on harmonious, joint action with the European Union and as long as the accession negotiations are not stopped, Turkey also belongs on the list of safe countries. (Juncker 06.10.2015)

In this statement, he ties different throughput-related aspects together, like the candidate status meaning that Turkey is a safe destination, but also connecting this all with harmonious joint action, projecting good quality of interaction.

Common foreign policy goals also play a role in projecting a good quality of interaction, with the connection highlighted for example by saying: "We are working on a common agenda based on the idea of good neighbourly relations"⁴⁷ (Merkel 25.11.2015). The shared empathy is highlighted, and the common goals are implied through that: "None of us can remain indifferent to the fact that the wrong people are making a business out of the misery and suffering of refugees. That is why we must replace illegality with legality. This is in our interest and in Turkey's interest"⁴⁸ (Merkel 25.11.2015). Emphasising the NATO partnership

⁴⁶ "Führen wir uns dazu vor Augen: Mit der Türkei finden Verhandlungen über den Beitritt zur Europäischen Union statt. Es gilt – das ist selbstverständlich – das Prinzip: *Pacta sunt servanda*, Verträge werden eingehalten. Die Verhandlungen der EU mit der Türkei werden ergebnisoffen geführt."

⁴⁷ "Donald Tusk hat zu einem EU-Türkei-Gipfel am Sonntag eingeladen. Wir arbeiten an einer gemeinsamen Agenda, die aufbaut auf dem Gedanken guter nachbarschaftlicher Beziehungen"

⁴⁸ "Es kann uns alle nicht kaltlassen, dass die falschen Leute aus dem Elend und dem Leid der Flüchtlinge noch ein Geschäft machen. Deshalb müssen wir Illegalität durch Legalität ersetzen. Das liegt in unserem Interesse und im Interesse der Türkei."

is also provided as proof of common foreign policy interests and therefore as a ground to expect good throughput with Turkey: “Given the illegal nature of most migration (...) between two countries like Turkey and Greece, both of which belong to NATO and therefore actually share common values, how can we manage this politically in such a way that it works better (...)?”⁴⁹ (Merkel 19.04.2016). These examples are used to underline the importance of shared empathy, common goals, and the pre-existing partnerships in fostering a strong and mutually beneficial cooperation with Turkey, therefore displaying throughput-focussed argumentation.

It should be noted that early on as of 2015, there was a tendency of "managing" Turkey and portraying it as a country that could be (and will be) reasoned with. For instance, Merkel underscored that Turkey's issues would also be on the negotiation table: “On Sunday, all issues - such as the situation in Syria, visa-free travel, safe countries of origin and third countries, the common fight against terrorism and the human rights situation in Turkey - will be on the table”⁵⁰ (Merkel 15.10.2015). Similarly, Juncker admitted to having discussions with Erdogan on the same issues: "I know it's not a very popular idea because human rights, freedom of the press, yes I often talk about it with Erdoğan, but we have a problem that we have to solve together (...) and we will" (Juncker 28.10.2015). In 2016 more concrete examples of discussion topics with Turkey emerge, including journalistic freedom, the Kurds, chances for the youth and a balanced fight against terrorism (Merkel 17.02.2016; Merkel 16.03.2016). Juncker talks about this arguing with Turkey as a dialogue, resulting in specific commitments that he expects Turkey to stick to (Juncker 26.05.2016). Tusk keeps his claims more open-ended, he first acknowledges that “the deal with Turkey is not perfect and we are fully aware of its risks and weaknesses” (Tusk 13.04.2016). This is followed by efforts on the EU side, that resemble the idea of managing Turkey: “We did everything we could to ensure that the agreement respects human dignity but I am conscious of the fact that everything depends on how it will be implemented” (Tusk 13.04.2016).

Gradually, the narrative of arguing with Turkey almost wholly replaces the tendency of arguing for Turkey, with the exception of emphasising Turkey's continuing output for the

⁴⁹ “Wie können wir angesichts der Illegalität, die in der Migration zumeist stattfindet – illegaler Grenzübertritt wird von Schmugglern und Schleppern sozusagen stimuliert –, zwischen zwei Ländern wie der Türkei und Griechenland, die beide zur NATO gehören, also eigentlich gemeinsamen Werten verbunden sind, das politisch so steuern, dass es besser funktioniert, den illegalen zu einem legalen Vorgang ohne Schlepper und Schmuggler umzuwandeln?”

⁵⁰ “ Am Sonntag werden alle Fragen – wie die Lage in Syrien, Visafreiheit, sichere Herkunfts- und Drittstaaten, der gemeinsame Kampf gegen Terrorismus und die Situation der Menschenrechte in der Türkei – auf den Tisch kommen.”

migrants despite other issues, as outlined in the previous chapter on output. As an example, Merkel stresses the severe and profound differences of opinion on fundamental questions of democracy and law, including freedom of the press and freedom of opinion, displaying concerns “on the fate of so many arrested journalists, including the journalist Deniz Yücel⁵¹, for whose release the entire German government is doing everything in its power”⁵² (Merkel 09.03.2017). Similarly, Juncker displays putting pressure on Turkey to follow international law in their interventions on Syrian territory, saying “this is a requirement we impose on ourselves, and one we must impose on our allies” (Juncker 26.03.2018) Tusk also displays how Turkey is being argued with, and also comments on continued cooperation in some fields: “We expressed clearly different views on democratic standards, Turkey's involvement in Syria and its illegal actions in the Eastern Mediterranean as well as the Aegean Sea. However, we decided to keep the lines of communication open” (Tusk 18.04.2018). These cases show that they portray themselves as actors working to improve the situation.

Turkish accession is still mentioned, but no longer in a way that would project legitimacy onto the cooperation. A visible shift can be identified here “I note with bitterness that Turkey is moving further away from Europe every day. (...) Everything the Turkish authorities are doing today leads me to believe that Turkey does not want to be in a position to comply with European standards”⁵³ (Juncker 08.11.2016). This shift is further deepened here: “This rules out EU membership for Turkey for the foreseeable future. Turkey has been taking giant strides away from the European Union for some time” (Juncker 13.09.2017). Tusk provides a softer, but not opposing reading of the situation, as he describes a recent discussion on Turkey in the European Council, where they tasked the Commission to reflect on fund allocation “It was a substantive discussion, we want to keep the door open to Ankara, but the current reality in Turkey is making this difficult” (Tusk 20.10.2017). Juncker also claims to still be hopeful about a future accession, opposing the “superficial, sometimes demagogic and populist idea” (Juncker 26.03.2018) of abruptly ending negotiations.

⁵¹ German-Turkish journalist, detained in Turkey on charges of supporting terrorism

⁵² “Die tiefgreifenden und ernsten Meinungsunterschiede mit der Türkei berühren ganz grundsätzliche Fragen von Demokratie und Recht: zum Zustand der Presse- und Meinungsfreiheit in der Türkei, zum Schicksal so vieler verhafteter Journalisten, auch des Journalisten Deniz Yücel, für dessen Freilassung sich die ganze Bundesregierung mit allen in ihrer Macht stehenden Mitteln einsetzt.”

⁵³ “Je constate avec amertume, moi qui suis un ami de la Turquie, que la Turquie chaque jour s'éloigne de l'Europe. (...). Tout ce que font les autorités turques aujourd'hui me fait croire que finalement la Turquie ne veut pas être à même de respecter les normes européennes.”

Highlighting the continued NATO partnership is still present in the light of later events, possibly to make the case for the necessity of some level of cooperation with Turkey, and to highlight complexity of the relations. Merkel argues for ongoing efforts with Turkey, stating:

And that is why I would like to stress - as difficult as it all is at the moment, as unacceptable as some things are - that it cannot be in our foreign, security and geopolitical interests for Turkey, a NATO partner after all, to distance itself even further from us. It is therefore worthwhile for us to do our utmost to promote German-Turkish relations, but on the basis of our values, our ideas and in all clarity.⁵⁴ (Merkel 09.03.2017)

This type of narrative is still present in 2019 as well: “Above all, we will of course be talking about Turkey today and tomorrow. Our relations with Turkey are complex. It is our European neighbour and NATO partner”⁵⁵ (Merkel 17.10.2019). This can be seen as a way of rejecting a black and white narrative that unequivocally condemns any collaboration with Turkey.

4.2.3. The Speech Acts as Elements of Throughput Legitimacy

As throughput refers to processes that constructively ensure effective governance, accountability of decision-makers, transparency of information, and openness to interest intermediation, high level speeches also embody a constructive mode of throughput, in addition transmitting throughput arguments. Communication is an important means for transparency of information, but also promoting demonstrating openness and accountability. Even more, arguing and persuasion, justifications and explanations to the public are important communicative acts that contribute to throughput legitimacy. Therefore the depth of the arguments, the language used, and the completeness of the presented narrative are analysed as a part of throughput legitimacy. Since this is connected with the completeness of the narrative, this will be tackled speaker by speaker.

Jean-Claude Juncker builds a lot of his argumentation on empathy, humanity, and tolerance to advocate for migrant acceptance. His emphasis on human empathy and appeals to the ethos can be seen in statements like: “Do not underestimate the urgency (...) What will become of

⁵⁴ “Und deshalb ergänze ich – so schwierig das alles derzeit auch ist, so unzumutbar manches ist –: Unser außen-, sicherheits- und geopolitisches Interesse kann es nicht sein, dass die Türkei, immerhin ein Nato-Partner, sich noch weiter von uns entfernt. Es lohnt sich also von unserer Seite, sich nach Kräften für die deutsch-türkischen Beziehungen einzusetzen, allerdings auf der Basis unserer Werte, unserer Vorstellungen und in aller Klarheit.”

⁵⁵ “Vor allem werden wir heute und morgen natürlich über die Türkei sprechen. Unsere Beziehungen zur Türkei sind vielschichtig. Sie ist unser europäischer Nachbar und Nato-Partner.”

them on cold, winter nights?”⁵⁶ (Juncker 09.09.2015). He also calls for respect for all the migrants, trying to foster positive sentiments towards them in general by projecting empathy: “Those who leave their homes do not do so for pleasure. Those who leave, as a rule, are not the laziest”⁵⁷ (Juncker 28.10.2015). He portrays the desperation of the refugees that come from war zones and uses it to show his logic on why isolation is not going to be effective, but also hinting at how it is not normatively desirable:

We can build walls, we can build fences. But imagine for a second it were you, your child in your arms, the world you knew torn apart around you. There is no price you would not pay, there is no wall you would not climb, no sea you would not sail, no border you would not cross if it is war or the barbarism of the so-called Islamic State that you are fleeing. (Juncker 09.09.2015)

Juncker also uses guilt-inducing rhetoric, as he criticises Europe's limited efforts compared to other nations: “I am then embarrassed to tell them that we in Europe are accepting to relocate just 160,000 refugees” (Juncker 08.10.2015). He compares the 0.11% that refugees amount to in the EU population with other countries and shames the EU’s attitude in light of that: “Lebanon has more than half the population, Jordan the same, Turkey is home to 2.5 million refugees on its territory, and we tell them, come on, do everything you can to keep the refugees at your place”⁵⁸ (Juncker 28.10.2015). This can be seen as a tactic to influence opinions by emphasising inconsistencies in actions, even though it may come across as accusatory. Juncker occasionally adopts depoliticised language and technocratic reasoning, as seen in his laments about the lack of common sense in Europe (Juncker 08.10.2015; Juncker 03.03.2016). Depoliticisation can also be observed in some cases of a lack of explanations and presenting things with political content as neutral facts, such as “The situation demands that we work together” (Juncker 16.12.2015). The claim: “Since I had long discussions with President Erdoğan last week, I know what is possible in Turkey” (Juncker 08.10.2015) also displays an underlying technocratic logic, as the lack of elaboration comes together with presenting his personal perceptions as politically sound argumentation.

While Juncker’s discourse offers insights into the definitions of ethics relating to refugee acceptance, his narrative sometimes lacks coherence, which is evident in his contradictory

⁵⁶ “Do not underestimate the urgency. Do not underestimate our imperative to act. Winter is approaching – think of the families sleeping in parks and railway stations in Budapest, in tents in Traiskirchen, or on shores in Kos. What we will become of them on cold, winter nights?” (Juncker 09.09.2015)

⁵⁷ “ceux qui viennent chez nous méritent le respect. Ceux qui partent ne le font pas par plaisir. Ceux qui partent, en règle générale, ne sont pas les plus paresseux.” (Juncker 28.10.2015)

⁵⁸ “Le Liban plus que la moitié de la population, Jordanie de même, la Turquie abrite sur son territoire 2,5 millions de réfugiés et nous leur disons, allez, faites tout ce que vous pouvez faire pour que les réfugiés restent chez vous.” (Juncker 28.10.2015)

statements about refugee proportions. A very clear lack of a complete narrative on behalf of Juncker is apparent in a speech where he makes two claims, with one paragraph in between them, that are hard to see as logically consistent:

People are on the move. In West Africa alone, 8.5 million refugees are on the road. Around Europe, there are 25 million refugees. They will not all come to us. That would not be possible. Not for us. Not for anyone.

(...)

Lebanon is a small country, a poor country, but the ratio of refugees within its borders to its native population is one in four, or 25 per cent. The "wave" of refugees we are now witnessing is 0.11 per cent of the population of Europe. (Juncker 08.10.2015).

These claims can be seen as contradictory. None of the numbers he mentions does not even come close to 25% of the rich and sizable EU population, but it is possible for a small, poor country like Lebanon. This inconsistency challenges the completeness of his narrative and raises questions about the underlying motivations driving EU policies.

Donald Tusk's discourse is mainly built around moderation, pragmatism, and common sense, which can be seen as a reflection of a technocratic approach, at least to an extent. These arguments also show signs of depoliticisation, suggesting a course of action that professionals can better determine. They are the opposite of calls for pluralist politics and openness to interest intermediation. For example, a questionable basis can be seen here: "Tonight, I am making a plea for pragmatism and moderation. These are the very same principles that should guide our response to the other challenge facing Europe: the huge and increasing number of refugees" (Tusk 07.09.2015). This presents pragmatism and moderation as guiding principles, which can be seen as a way to oversimplify politics and suggest that the best course of action must be determined non-politically. Tusk's emphasis on moderation as a guiding principle underscores his preference for balanced approaches, as he states, "Wise politics doesn't mean having to choose one value over the other"⁵⁹ (Tusk 07.09.2015). Although his argumentation might be sound on the fact that the two extremes can be reconciled more than many think, it is the use of the phrase "wise politics", that suggests a technocratic logic for finding the right

⁵⁹ "Compassion is one of the foundations of solidarity, but in order to be able to help others we ourselves must be pragmatic at the same time. We are now experiencing one of the most classical political dilemmas, that is a conflict between the protection of our borders and solidarity towards the refugees. Wise politics doesn't mean having to choose one value over the other, but to reconcile the two to the degree possible." (Tusk 07.09.2015)

course of action, further illustrated by him later calling the argument between the two extremes “completely unnecessary”⁶⁰ (Tusk 27.10.2015).

Tusk also builds some of his argumentation on his experience of living under a Communist regime. To argue for defending Europe even with its imperfections, he says: “As a historian and a man with a painful personal experience of ideological experiments, (I lived under a Communist regime for the first half of my life) I am driven by very firm convictions in this regard” (Tusk 07.09.2015), and later elaborates: “Democratic capitalism is still the best model of organising the economy (...) The best proof of this is the unique experience of my country and its clear success in the last twenty five years” (Tusk 07.09.2015). This line of argumentation can be seen as reflecting positively on throughput legitimacy. He emphasises that his arguments are rooted in his personal convictions and provides background to support his stance. This approach exemplifies a more authentic form of argumentation and explanation, as it does not shy away from these topics but rather enriches the discussion.

Donald Tusk’s narrative can generally be considered as relatively cohesive, however, that is partly because he tends to be more superficial and vague in his statements, so it does not necessarily mean that the narrative can be considered very complete. He does bring some of the more complicated questions into focus at times, for example here: “The deal with Turkey and closing the Western Balkans route raise doubts of an ethical nature, and also legal, as in the case of Turkey. I share some of these doubts, too” (Tusk 13.04.2016), but he does not elaborate much further and once again relies on the idea of a pragmatic solution, as he continues: “They can only be dispelled by putting the solutions, as they were agreed in every detail, into practice” (Tusk 13.04.2016), highlighting detailed implementation. It could be said that Tusk’s discourse sometimes lacks nuance, particularly in advocating for pragmatic solutions at the expense of ideological considerations. His focus on practical outcomes risks sidelining ethical and moral dimensions, potentially undermining the legitimacy of EU policies.

Angela Merkel’s communication strategy emphasises empathy, personal conviction, and strategic pragmatism. Merkel’s narrative foregrounds the humanitarian imperative of refugee assistance, fostering empathy and solidarity. In her cases of persuasion and explanations, she takes more facets into account and structures the reasoning better, with reasons and

⁶⁰ “We must end at once this completely unnecessary argument between the proponents of protecting external borders and the advocates of solidarity and openness. We need both. We need to restore effective external border control to start managing the situation on our borders” (Tusk 27.10.2015)

implications present. For example, only after giving credit to Turkey, Lebanon and Jordan for all their help to the refugees who are fleeing from civil war and saying that they deserve more support, she concludes: “This requires us to make a greater financial commitment than before”⁶¹ (Merkel 15.10.2015), and follows with a plan of action for that financial help. This can be seen as well rounded, and thoroughly explained. The well-roundedness is also visible for example when she demonstrates that she is taking into account different issues that might arise: “Of course, we now also have to be careful (...) that we do not end up with competition between those who have not found their way into the labour market here for years and those who are refugees”⁶² (Merkel 25.11.2015). This also demonstrates that a connection with the public and understanding their issues can contribute to the construction of a more complete narrative, as the common basis of society provides support.

Moreover, Merkel integrates personal convictions into her discourse, asserting, “I am convinced that we must focus our foreign and development policy much more strongly on resolving conflicts and combating the causes of flight”⁶³ (Merkel 07.10.2015). By framing her arguments within a framework of personal conviction, Merkel enhances the authenticity and credibility of her narrative. This is relevant for throughput legitimacy, as it does not project political processes as something that can be governed by common sense or have any generally applicable right answers, but instead, it shows a greater acknowledgement of a plurality of opinions. This reflects positively on throughput legitimacy in her communication. When it comes to Merkel, a mostly complete narrative can be seen in her communication. Perhaps unexpectedly, a factor that contributes to this is precisely the fact that she acknowledges the lack of certainty when it comes to output, and therefore prioritises doing the right things in the now, which reflects well on throughput. For example: “But we don't know what the future holds, and that's why I urge us to start with integration quickly because everything one learns here can be used in later life - both here and in Syria.”⁶⁴ (Merkel 25.11.2015) A notable case of persuasion can also be seen here:

⁶¹ “Das verlangt, dass wir uns finanziell stärker als bisher engagieren.”

⁶² Wir müssen jetzt natürlich auch aufpassen – das haben wir oft besprochen –, dass wir nicht Konkurrenzen zwischen denen bekommen, die den Weg in den Arbeitsmarkt bei uns über Jahre nicht gefunden haben, und denen, die Flüchtlinge sind. Das ist auch ein Beitrag zum gesellschaftlichen Frieden. Deshalb müssen die Anstrengungen bei denen, die schon viele Jahre bei uns sind, im Grunde genauso verstärkt werden, wie die Anstrengungen bei der Integration der Flüchtlinge.

⁶³ “Ich bin überzeugt: Wir müssen unsere Außen- und Entwicklungspolitik deutlich stärker darauf ausrichten, Konflikte zu lösen und Fluchtursachen zu bekämpfen.”

⁶⁴ “Aber wir wissen nicht, wie die Zukunft ist, und deshalb plädiere ich dringend dafür, schnell mit der Integration zu beginnen; denn alles, was man hier lernt, kann man in jedem Leben nutzen – sowohl bei uns als auch in Syrien.”

If one day we are asked: “Did you try an EU-Turkey summit, did you try to protect your external borders, did you try to set up an interim government in Libya, did you try to set up hotspots?” and we answer: “We didn't have the strength for six months, six months was too long for us, we didn't do it”, then I would say that we made a huge mistake. That's what isn't acceptable.⁶⁵ (Merkel 25.11.2015)

Interestingly, this can be seen as a notable case of prioritising throughput over output, as the focus is completely on making an effort in the here and now, not attempting to predict or promise if and how it bears fruit.

Merkel's narrative completeness is however slightly challenged by the unclear arrival at the goal of reducing the number of refugees to be received, which was already discussed at the end of the output section. While advocating for pragmatic solutions, she occasionally glosses over ethical considerations, as seen in her support for the EU-Turkey agreement “I am aware of all the criticism that has been levelled at the EU-Turkey agreement since 2015 and especially since spring 2016. However, I will continue to work to ensure that this agreement remains in place”⁶⁶ (Merkel 17.10.2019). This displays acknowledgement of political pluralism. Again, her personal convictions are not automatically assumed to be ‘common sense’. She adds that “Ending the EU-Turkey agreement would not make things one iota better but would exacerbate the situation on the backs of the most vulnerable”⁶⁷ (Merkel 17.10.2019). Although it provides an argument, it is not as well-rounded as her claims tend to be on other topics. This opacity undermines the completeness of her narrative and leaves questions unanswered about the underlying motivations driving EU policies.

In conclusion, each leader has distinct tendencies emerging in their narratives, and a great part of it is most likely explained by the personal choice of the speaker. However, the results do reflect a more catch-all and also underlying technocratic narrative in the case of Donald Tusk and Jean-Claude Juncker, while Merkel offers more specific and well-rounded arguments. This supports the ideas from split-level legitimacy, that the EU uses more general or open-to-interpretation argumentation and national politicians can fill this with more

⁶⁵ “Wenn wir eines Tages gefragt werden: „Habt ihr einen EU-Türkei-Gipfel versucht, habt ihr versucht, eure Außengrenzen zu schützen, habt ihr versucht, in Libyen eine Interimsregierung aufzubauen, habt ihr versucht, Hotspots aufzubauen“, und wir antworten: „Ein halbes Jahr hatten wir nicht die Kraft, ein halbes Jahr lang war uns zu lang, wir haben das nicht gemacht“, dann würde ich sagen, dass wir einen Riesenfehler gemacht haben. Das ist das, was nicht geht.”

⁶⁶ “Ich kenne all die Kritik, die seit 2015 und besonders seit dem Frühjahr 2016 am EU-Türkei-Abkommen geübt wird. Ich werde mich jedoch weiterhin dafür einsetzen, dass dieses Abkommen bestehen bleibt”

⁶⁷ “Ein Ende des EU-Türkei-Abkommens machte die Dinge kein Jota besser, sondern verschärfte die Lage, und zwar auf dem Rücken der Schwächsten.”

specific meanings that are appropriate for them. It also suggests that Merkel's stronger connection with her public supports stronger and clearer narratives, while also creating additional pressure for good political explanation.

4.3. Input Legitimacy in Speeches

As expected, references to input were noticeably the least prevalent in the speakers' argumentation, although various aspects were mentioned occasionally. This included references to democratic institutions and democratic discussion, although there was some ambivalence expressed. I expected that input from the member state level could serve as a substitute for democratic citizen level input in relation to the literature on split-level legitimacy and legitimacy of international organisations, but this did not happen. In fact, the member state level was depicted negatively at times, which raises interesting points regarding the relation of the EU level with input for further discussion in this thesis.

4.3.1. Ballots and Beyond: Elections, Representation, and Majoritarian Institutions

Ideas connected to input legitimacy, such as elections, majoritarian institutions and representative politics, were usually portrayed as important, however the speakers also expressed some qualms with them on occasion. This section's categories did not apply to Merkel, as there were no instances identified where she utilised these themes in her justifications similarly to Juncker and Tusk. This is understandable as these aspects are considered inherent to her role as an elected politician in majoritarian institutions and representative politics, and therefore not up for debate. This helps explain why input legitimacy references in her speeches fell under democratic discussion, as it becomes more important in her role to demonstrate being in the loop.

Tusk had cases of displaying the importance and respect for majoritarian institutions. For example, he uses the idea of the strength of majoritarianism as a reassurance in times of doubt during the refugee flows and also Brexit: "Finally, I want to warn against the increasingly alarmist rhetoric on the future of Europe. (...) Europe is stronger than some may think, and we still have the power and the public mandate to do what is necessary" (Tusk 19.01.2016). In another instance, in front of the European Parliament he says: "Almost all of you have expressed your disappointment with the lack of decisions on migration policy (...) I know that the will of the majority in this house was to establish mandatory quotas" (Tusk 24.10.2018). This can be seen as using the idea of majoritarianism to back his views, but it

also has the important implication of underlining the majoritarian institutions of the EU and their importance. As the lack of decision that is criticised, was in the European Council, which has state-level politicians, perhaps it serves as a reminder, that the member states are not the only level in the EU that can enjoy the backing of majoritarian institutions for their arguments. The EU has them as well.

Juncker also displays some of his qualms about national politics, which embodies elected, majoritarian and representative politics in a widely recognised way in the EU's societies. For instance, he highlights that the Commission proposed a list of safe countries in 2001, but the Member States rejected this as a matter of national sovereignty (Juncker 08.10.2015). This reflects the tension between the EU's right to conduct foreign policy and the member states' opposition. Juncker evokes it in which can be seen as an attempt to hint that many problems could have been prevented by broadening the EU's scope of policy earlier, without acknowledging the right of the member states to keep it in their national sovereignty. The importance and even desirability of national politics is also undermined here: "Never before have I heard so many leaders speak only of their domestic problems, with Europe mentioned only in passing, if at all" (Juncker 21.09.2016). He continues to show this as a weakness of the member states in general: "Never before have I seen national governments so weakened by the forces of populism and paralysed by the risk of defeat in the next elections" (Juncker 21.09.2016). This can be seen as a downplaying of the self-government of the member state level and even as a questioning of electoral democracy, which is still mostly in the stronghold of the member state level.

The importance of elections was mentioned sometimes by Juncker as a "rendez-vous with democracy" (Juncker 21.09.2016), and the way it is the people that should be "doing the talking" about the future of Europe and out of different possibilities for it, "the ballot box is one" (Juncker 08.06.2017). However, the cases did not show a clear connection with justifying the EU foreign policy or the deal with Turkey and these instances were not prevalent enough to establish whether we could talk about a pattern in connecting them.

4.3.2. Voices of the People: Citizen Expectations and Democratic Discussion

When it comes to citizen ideas, concerns, and expectations, Merkel stands out among all the speakers as the one who truly addresses the voices of the people. This coincides with the expectations, as derived from the discourse based approaches, the common background provides support and allows for a higher level of specificity. When it comes to fostering

democratic discussion, it is also Merkel that most positively catches attention. One of the factors that contributes to this positive impression was already discussed in the throughput section: presenting ideas as her own opinions and offering arguments, therefore acknowledging a plurality of opinions and arguments to consider for people that oppose. This provides a much more realistic basis for a discussion, than general claims that are characteristic to Juncker and Tusk.

Merkel demonstrates her understanding of citizen viewpoints often in very specific terms, also showing empathy for the citizen's problems, and reassures for cases of possible worry:

“Nevertheless, we must not forget the 2.79 million unemployed people in Germany, even in the face of the refugees, and that cannot let us rest. We cannot say to the many people who are under 30 or even under 35: Watch out, the only option we still have for you is many years of Hartz IV [unemployment]. - That's why I support all efforts not to lose sight of this and to keep looking at how we can help people who have been living with us for a long time to get into work.”⁶⁸ (Merkel 25.11.2015)

This also shows her priority and inclusion in the worries of her citizens, which is not put on the back burner for other issues. Her national role also allows her to rely on polls for specific knowledge of what resonates with her population: “I want to add that, despite all the critical surveys, over 90 percent of the German population still say that anyone fleeing terror, war and persecution should be able to be received and protected in Germany. I think that's wonderful”⁶⁹ (Merkel 17.02.2016). To contrast, the only time identified that Juncker or Tusk referred to an opinion poll, was also when Juncker was talking to a specific nation in the Czech Republic (Juncker 08.06.2017). Perhaps it is the lack of a *demos* in the EU that manifestly is difficult to conclude on just on the basis of an opinion poll.

In Juncker's case, there are references citizen ideas in his State of the Union Speech:

Because Europeans are tired of the endless disputes, quarrels and bickering. Europeans want concrete solutions to the very pertinent problem that our Union is facing. And they want more than promises, resolutions and summit conclusions. They have heard and seen these too often.

⁶⁸ “Trotzdem dürfen wir auch angesichts der Tatsache der Flüchtlinge die 2,79 Millionen Arbeitslosen in Deutschland nicht vergessen, und das kann uns nicht ruhen lassen. Gerade den vielen, die unter 30 oder auch unter 35 sind, können wir nicht sagen: Passt mal auf, die einzige Möglichkeit, die wir für euch noch im Blick haben, sind viele Jahre Hartz IV. – Deshalb unterstütze ich alle Bemühungen, auch das nicht aus dem Blick zu nehmen und immer wieder zu schauen, wie wir Menschen helfen können, in den Arbeitsprozess zu kommen, die schon lange bei uns leben.”

⁶⁹ “Im Übrigen will ich darauf hinweisen, dass trotz aller kritischen Umfragen über 90 Pro-zent der deutschen Bevölkerung nach wie vor sagen: Wer vor Terror, Krieg und Ver-folgung flieht, soll in Deutschland die Möglichkeit der Aufnahme und des Schutzes ha-ben. Ich finde das wunderbar.”

Europeans want common decisions followed by swift and efficient implementation. (Juncker 21.09.2016)

In comparison to the examples from Merkel, this remains very vague, and therefore can be seen as a sign of a lack of a strong common background to provide support. In addition, this is reminiscent to framing a problem in a way to offer the wanted solution in a very obvious way, as he first discusses very general issues that one might have easily heard about the EU, and directs it very boldly to ‘common decisions’ which might be seen as a way to warm up for suggestions of broadening EU policy area, which is what the speech eventually leads up to.

Juncker also comments on the lack of interest that citizens tend to have in EU matters according to his impression: “Europe cannot go on dealing with everyone and everything; it gets on people's nerves. We prescribe, we demand, we sanction, things that no one is interested in” (Juncker 03.03.2016). In this way, he acknowledges a lack of input. He also hints to the lack of the connection to EU politics that would even allow for an input element to materialise: “I had and still have the impression that the more we interfere in people's everyday lives, the greater the already very considerable distance becomes between European citizens and European policies, and thus also the European Commission” (Juncker 03.03.2016). He emphasises the responsiveness on the part of the Commission, by setting goals for better regulation: “it is us listening that motivated my Commission to withdraw 100 proposals in our first two years of office, to present 80% fewer initiatives than over the past 5 years and to launch a thorough review of all existing legislation” (Juncker 21.09.2016). He defines one of the goals of this to be increased trust by the citizens: “Because only by focusing on where Europe can provide real added value and deliver results, we will be able to make Europe a better, more trusted place” (Juncker 21.09.2016).

Donald Tusk provides an interesting take on citizen’s views, which demonstrates specificity in its generality:

Just one comment on migration: I am absolutely sure that the people of Europe expects us to show determination in our actions to rebuild their sense of security and order. People want this not because they have become xenophobic and they want to live in a sort of European splendid isolation with walls against the rest of the world. They want to have a political authority able to enforce the law, to protect our territory and our borders. In fact, this is the first and most important obligation of every government. (Tusk 03.07.2018)

As Tusk has the tendency to build his narrative up on moderacy, this can be considered a part of this pattern. Here, he uses the ideas of the very extreme, contrasting it with moderacy, and in that way constructs a more specific sounding narrative, which is still very catch-all in its core. Connecting it back to aspects that are seen as the most important obligations of every government even makes use of this generality, as it is provided as proof for its validity. As an extra perk, this can be seen as a contribution to the construction of a demos, as it connects the citizenships interest (presented as an entirety) to the obligation of every government (presented as the EU's government in this case).

When it comes to fostering democratic discussion, Merkel prompts it in specific ways:

But now I also ask: What is our role, the German role? Is the German role to be the first to say: 'That won't work'? Or is Germany's role, as the largest economy in the centre of Europe, to say: 'We'll try again and again'? We have been experiencing the refugee movement in this dramatic way for less than six months. ⁷⁰ (Merkel 25.11.2015)

She also acknowledges democratic discussion as a normal and positive thing, that she is well aware of, which is visible here "you must never wall yourself in, but you must also not act now as if the refugee task is a good reason to deviate from all the principles of the past. That will certainly still require some discussion"⁷¹ (Merkel 25.11.2015). The normality of this is even emphasised in cases that could easily be seen as negative and intimidating: "Of course, many questions arise, because the large numbers of refugees arriving have also led to polarisation in our society, to social discussions, and in some cases to major disputes"⁷² (Merkel 19.04.2016).

The aspects of normality and positivity both stand in stark contrast with the ways democratic discussion comes up in the discourse of Juncker and Tusk. For example, in talking about changes in the political landscape, Tusk presents it as extreme and possibly even inherently negative: "And what is even more dangerous, it has the potential to create tectonic changes in the European political landscape. And these are not changes for the better" (Tusk

⁷⁰ "Nun frage ich aber auch: Was ist unsere, die deutsche Rolle? Ist die deutsche Rolle die, als Erster zu sagen: „Das geht nicht“? Oder ist die deutsche Rolle, als größte Volkswirtschaft in der Mitte Europas zu sagen: „Wir probieren es immer wieder und wieder“? Wir erleben die Flüchtlingsbewegung in dieser Dramatik noch nicht einmal ein halbes Jahr."

⁷¹ "Wenn es sachliche Gründe gibt, darf man sich nie einmauern, aber man darf jetzt auch nicht so tun, als ob die Flüchtlingsaufgabe ein guter Grund ist, von allen Grundsätzen von früher abzuweichen. Das wird sicherlich noch manche Diskussion erfordern."

⁷² "Natürlich stellen sich viele Fragen, denn die vielen ankommenden Flüchtlinge haben auch zu einer Polarisierung in unserer Gesellschaft geführt, zu gesellschaftlichen Diskussionen, zum Teil auch zu großen Auseinandersetzungen"

27.10.2015). Although what he says is not unambiguous, the wording leaves an impression of him going beyond just arguing for his own views and moderation and even reflects on change as something that is generally bad. This implies a negative outlook on democratic discussion, which has a strong relationship with change. He also reflects on discussions negatively here: “We must end at once this completely unnecessary argument between the proponents of protecting external borders and the advocates of solidarity and openness. We need both” (Tusk 27.10.2015). No matter how good his argument for the compatibility of these two sides of the coin may be, it is important to note here that the way he talks about it reflects his standpoint as something that is not up for discussion.

In Juncker’s case, more overt remarks on democratic discussion are not negative, but they are very performative and in that sense don’t portray as a normal goes-without-saying phenomenon as in Merkel’s case. “But what I would like to ask you, to ask us, is: what are you, what are we doing with it? What legacy will you, what legacy will we leave the next generation? Because Europe’s future will be of your design. It is you writing the history books of tomorrow” (Juncker 08.06.2017). This has a lot of grandeur, but actually offers almost nothing to reflect on specifically. He also seems to foster democratic discussion by welcoming all kinds of feedback: “These scenarios have been discussed, sometimes superficially, sometimes violently. They have been scrutinised and partly ripped apart. That is good – they were conceived for exactly this purpose” (Juncker 13.09.2017). He continues by underlining the significance of discussions: “I wanted to launch a process in which Europeans determined their own path and their own future. The future of Europe cannot be decided by decree. It has to be the result of democratic debate and, ultimately, broad consensus” (Juncker 13.09.2017). This also implies that the existence of a democratic discussion in the EU is not something uncontested, and it seems like a lot of work has to go into fostering it.

4.3.3. The ‘Political’ Dimension: the EU’s Relationship to Input

In the Discourse of Donald Tusk and Jean-Claude Juncker, the complicated relationship that the EU has with input is exemplified in many different ways. What especially stands out, is Jean-Claude Juncker’s narrative on what he calls a “political commission” of his, which is why this will be specifically discussed. First, he connects being the first Spitzenkandidat whose nomination and election was a direct result of European Parliament elections to the idea of being a more political President to the Commission: “Having campaigned as a lead candidate, as Spitzenkandidat, in the run up to the elections, I had the opportunity to be a

more political President” (Juncker 09.09.2015). In that same speech, he repeats the importance of being political, without proper elaboration: “the immense challenges Europe is currently facing – both internally and externally – leave us no choice but to address them from a very political perspective, in a very political manner and having the political consequences of our decisions very much in mind” (Juncker 09.09.2015). The vagueness of this already raises questions. So when he starts talking about a “political commission”, questions of the meaning of this arise. “I said, in a moment of autobiographical weakness, that the new Commission (...) would be a political Commission because I had the impression, and still do, that the European project is increasingly seen as a problem rather than a solution” (Juncker 03.03.2016). He explains his process as follows:

I took care to ensure that fully mature and experienced professional politicians became Commissioners (not the way it once used to be, when the people sent to Brussels were those for whom no place could be found at home), but former Prime Ministers, four in all, and former Foreign and Finance Ministers so that in the Commission too, there is an overall understanding for the state of affairs and constraints facing the Member States. Many of those here today have, for their sins, attended Council meetings as national ministers. Now they are Commissioners, they understand better what they can propose and what they had better not propose because some governments would promptly object. To this extent, we are a political Commission in terms of our composition but also in the way we conduct political business in the Commission. (Juncker 03.03.2016)

It is also important to note that he presents this as a big contrast from a technocratic approach:

I have said that the Commission is a political institution, not a bureaucratic and technocratic association of mischief-makers - which is why I have chosen as members of the Commission politicians with a past and a future: former prime ministers, former foreign ministers, former finance ministers, seasoned parliamentarians and others. So, to give this Commission a political dimension it didn't have before. We have to be political, and we will be.⁷³ (Juncker 28.10.2015)

He also provides what could be seen as a definition: “A political Commission is one that listens to the European Parliament, listens to all Member States, and listens to the people” (Juncker 21.09.2016). Using the word “political” hints at input, especially as he connects it

⁷³ “J’ai dit que la Commission est une institution politique et non pas une association de malfaiteurs bureaucratiques et technocratiques – raison pour laquelle j’ai choisi comme membres de la Commission des hommes politiques, qui ont un passé et qui ont un avenir: des anciens Premier ministres, des anciens ministres des Affaires étrangères, des anciens ministres des Finances, des parlementaires chevronnés et d’autres. Donc, pour donner à cette Commission une dimension politique qu’elle n’avait pas auparavant. Nous devons être politiques et nous le serons.”

with listening to the member states and the people, but it remains vague. It comes across as bargaining, attempting to have a claim on the political dimension, without demonstrating a connection with the electorate. In addition, the attempt to counter claims of technocracy is questionable, as basing the claim on authority on the experience and personal merit of the commissioners is not dissimilar from a technocratic narrative. He emphasises the better connection with the institutions that the commissioners gain from it more, than a connection with the people. The high contestedness of the topic is also apparent here:

Lastly, although I am not the last to do so, I campaigned for my job as President of the Commission. (...) What I am sad about is that the European Commission, like other European institutions, is heavily criticised for being non-democratic, over-bureaucratic. We are dealt with by some – not only in Britain – as a group of putschists. I have to say here: I have been elected 11 times in my life, 7 times at national and 4 times at European level. So I do not feel like a putschist. I am an elected guy. (Juncker 24.10.2019)

Beyond this “political commission”, Juncker has other cases of highlighting the political dimension in a manner that has no clear connection to input: “This common policy between Turkey and the European Union is not a matter exclusively for civil servants (...) I believe that, in the noble sense of the word, we need to politicise the negotiations between the European Union and Turkey”⁷⁴ (Juncker 06.10.2015). What he means by that remains completely unclear.

When Juncker speaks on the topic of the Spitzenkandidaten process, he demonstrates a positive, but also weak relationship with input in EU matters. This is most clearly visible here:

“I am the first Commission President to have been elected by the European Parliament, after we came up with the idea of choosing a leading candidate for the party lists. I have to believe that I was put into office by the people of Europe. I know so. Only the people themselves don’t know this; so we need to ensure that this method of selecting the Commission President – top candidate in a continent-wide election, Parliament approval – that this method does not disappear again.” (Juncker 03.03.2016)

He explains how the method promotes input participation and speaks in favour of it, however he reflects on the lack of information and interest in it, which still weakens this connection with the voters. At the end of his mandate, he also emphasises the openness to input: “Their

⁷⁴ “Cette politique commune entre la Turquie et l'Union européenne, c'est ne pas une affaire qui concernerait exclusivement les fonctionnaires et les hauts-fonctionnaires bien qu'ils soient d'une extraordinaire compétence. Je crois qu'il faut, au sens noble du terme, politiser les négociations entre l'Union européenne et la Turquie.”

ideas – those of our citizens –, their engagement, their expectations have guided us through the mandate” (Juncker 24.10.2019). He brings examples: “For instance, we adopted the first ever EU-wide Strategy on Plastics and we set up a dedicated European Border and Coast Guard, both themes that citizens have mentioned in almost every single Citizens' Dialogue” (Juncker 24.10.2019).

However, there are a variety of ways in which Juncker's, and also Tusk's claims reflect ambivalently or negatively on their relationship with or their understanding of input. In many cases, it is visible that in case of doubt, output is put in front of input. For example: “I know it's not a very popular idea because human rights, freedom of the press, yes I often talk about it with Erdoğan, but we have a problem that we have to solve together (...) and we will”⁷⁵ (Juncker 28.10.2015). Sometimes, the people who are supposed to be the source of input are portrayed negatively, as something not to be relied on: “Now is not the time, though it is the kind of talk that generally goes down well with the public, to speak of walls and fences” (Juncker 08.10.2015). Juncker also portrays EU politics as a kind of a tit-for-tat situation:

It saddens me that the Czech Republic has only relocated twelve people last year and none since. And I was very displeased to read in the press that the Czech government is considering to halt relocations entirely. I am trying to understand national sensitivities around this matter. But more than just a principle, solidarity is a state of mind that goes to the very heart of what the European Union is about. Solidarity is also not a one-way street. Those who want to benefit from solidarity, such as in the form of EU cohesion funds, must be prepared to show solidarity. For me the Czech Republic and the Czechs are very European. So it must be European in migration too. (Juncker 08.06.2017)

This can be seen as arguing for a transactional support instead of being interested in or trying to motivate genuine input.

Similar doubts are sometimes displayed about the member state level as well. This is connected to the expectation, that deriving from the split level legitimacy and legitimacy of international organisations, the EU could refer to the member state level as a substitute for input for legitimation. Instead, when it comes to the member state level, what is more frequently reflected is a disconnect and a certain untrustworthiness of ideas that come from there. For example: “When, much to my disliking, Hungary built a fence along its border with Serbia and Croatia, this could be called external border protection (...) It is not the ideal

⁷⁵ “Et je sais que c'est une idée qui n'est pas très populaire parce que droits de l'homme, liberté de la presse, oui j'en parle souvent avec Erdoğan, mais nous avons un problème que nous devons résoudre ensemble et en commun accord avec la Turquie et nous le ferons.”

form of protection, but so be it” (Juncker 03.03.2016). Juncker talks here about Hungary, not specifically referring to it as citizen-level but member-state level, glossing over its connection with its citizens. He does not outright contest it, but he shows disagreement on a personal level.

Further, Tusk and Juncker talk about member states refusing to follow EU rules. “We have to respect commonly agreed rules. When someone says that they have no intention of observing European law, for example Dublin or quotas, they undermine the essence of solidarity and our community” (Tusk 23.09.2015), further elaborated here:

The Council of Ministers approved the scheme last autumn. And the Member States – though not all of them – are refusing to implement their own decisions. It is the first time this kind of thing has happened in the European Union, for the Council to adopt legislation and then decide a few days later not to apply it. Here, we, the Commission will not back down from calling on the Member States to do what they have themselves decided. (Juncker 03.03.2016)

This reflects on a wider issue of EU policy-making that is also connected to input. When member states change their positions, based on “new” input, they are still bound by earlier agreements and transfer of power to the EU level, which does not “come back” and previously agreed on things remain. Also that can therefore be seen as denying collective self-government of *demoses* in the face of the lack of a common demos of the EU.

4.4. Discussion, Implications and Limitations of Findings

The empirical analysis provided valuable insights into the concepts presented and the arguments made by key figures regarding the migrant readmission agreement with Turkey. Their arguments also have important implications for the EU's legitimacy as a foreign policy actor. This discussion summarises the findings from the discourse analysis of political speeches, focussing on input, output, and throughput legitimacy. The theoretical framework presented in the second chapter set the stage for understanding the discourse's main themes and facilitated finding unexpected nuances in it.

As expected, the analysis uncovered a significant focus on output-based reasoning in discussions about the EU-Turkey deal. This emphasis highlights the interconnected goals of justifying the agreement's creation and ongoing success. It's worth noting that output-based arguments encompass not only result-driven language but also delve into normative considerations. In addition to the output directly connected to the deal, a web of more general

output goals and achievements served as a background to support the EU's existence and policy control, which the argumentation of the deal was built upon. The background consisted of being a value-based community that provides 'the good life' in the EU and more power to the European states by casting its normative power but also greater influence due to being combined. Good outcomes for the migrants were also emphasised and claimed to be highlighted through the cooperation with Turkey. However, the goal, or later on achievement, of limiting the number of migrants entering the EU was also defined, with little explanation. The partial explanations of why limiting the number of migrants is an achievement were connected to the good life in the EU and output for the migrants.

The goal of limiting the number of migrants can be seen as the main area for discussion as it is strongly connected to why I saw a research puzzle in this topic. Namely, the EU and, in particular, Merkel strongly advocated for accepting great numbers of refugees, and this change of ideas can still not be regarded as clearly explained after this discourse analysis. There were two main distinctions discussed in the background of this topic, but neither provided a complete narrative. The first was the economic migrant versus refugee distinction. However, in instances where leaders mentioned limiting the number of entries as a goal or achievement, they often still referred to those whose numbers should be limited as refugees, which means that this distinction does not provide an explanation. The second distinction was legal versus illegal migration. Irregular entries were associated with many issues, such as the dangers of sea routes, the activities of smugglers and human traffickers, and the lack of control over the Schengen area. However, once again, statements by speakers where limiting the number is a goal or achievement do not always include that consideration. This suggests that reducing numbers is a goal in itself, and the speakers either assume this to be self-explanatory to their listeners or choose to gloss over it for some other reason.

The topic of output goals and limiting migrants as a goal also reveals an important limitation in this research, namely the lack of focus on migration ethics in the theoretical framework. This thesis focussed on legitimacy, considering many relevant issues for this topic, but theorising about the ethics of migration remained out of the scope. Research that would include different approaches to migration ethics and trying to unravel the narratives on that for a more extended time period both before and after 2015 to look into the consistency across time in the face of the increased migration movements could offer important further insights into this topic.

The analysis revealed a significant emphasis on throughput legitimacy in the speeches given by EU officials, which was unexpected. Although throughput is typically associated with institutional procedures, it was frequently mentioned in the discourse, indicating the EU's strong focus on the quality of interaction and governance processes, as discussed in the theory. Angela Merkel frequently provided informative claims about policymaking processes in her speeches, while all speakers occasionally acknowledged the importance of quality interaction and thanked other actors for their cooperation. Juncker and Tusk also made negative comments about the quality of interaction, particularly in relation to member states. Additionally, the speeches contribute to throughput legitimacy as a vital means of communication. Therefore, the complexities of argumentation and persuasion used by EU officials were also analysed as part of throughput legitimacy. In this regard, Juncker and Tusk often used common sense arguments and other elements suggesting a technocratic narrative, while Merkel's arguments were usually more clear and direct in expressing her own opinions and reasons, rather than relying on common sense.

The outcomes of the analysis on throughput have important implications. The bad quality of interaction displayed between the member state level and the supranational level reflects badly on the EU's legitimacy. Although it seems as if the EU leaders bring some of the blame on member states because they find that they are the scapegoat too often, it reflects badly on the EU in its entirety. In a way, it diminishes the already contested input legitimacy as well, as the EU has elements of an international organisation, and some of its legitimacy is derived from the member states. Therefore, blaming the member states for what they are doing, especially for example focussing on national issues, as Juncker does in one case demonstrates the distance the EU has from the citizens. The prevalence of technocratic logic in the speeches also reflects badly on EU legitimacy. The common view in liberal and democratic thought, that there are always value choices included in the choice of priority between competing goods or understandings of desirable outcomes, is especially relevant to foreign policy and the high contestedness in the current issue is clear to all the speakers. Therefore a 'common sense' narrative can not be accepted as legitimate.

The discourse had the least claims pertaining to input legitimacy, in line with theoretical expectations. Although there were occasional references to democratic institutions and discussions, the overall discourse showed mixed feelings towards input legitimacy, indicating a nuanced approach to democratic participation within the EU framework. Surprisingly, the discourse depicted the member states' role in a negative light, contrary to the expectation that

they would be seen as a substitute for democratic citizen-level input. The prevalence of input arguments should not be considered as an indication for the input legitimacy of the system. However, some display of knowledgeable ability on the citizen's concerns could be expected from the discourse at times.

Although input was the least prevalent in all cases, the case of Merkel was noticeably distinct. The lack of claims about elections and majoritarian institutions can be seen as a sign of a lack of contestedness of traditional input legitimacy in her case, so instead her energy could be focussed on addressing concrete concerns she knew her citizens to have, while Juncker seemed to be stuck on demonstrating the existence of legitimate input. Juncker's approach to discussing input could be interpreted as a form of negotiation. He asserts that the political dimension and input are present, but his language is vague and lacks a connection with the electorate. The way he bargains for these elements suggests that the concept of a political commission is highly contested. Additionally, his efforts to refute claims of technocracy are intriguing, as the logic he employs closely resembles technocratic arguments. He emphasises the experience and personal merit of the commissioners as a benefit, but this is not dissimilar to technocratic reasoning. He only highlights the improved connection with institutions, rather than a better connection with the people.

An important point to note is the absence of any mention of input regarding the EU-Turkey deal. While the lack of input mentions alone is not necessarily significant, it is worth considering the highly contested nature of the deal and the potential for input to serve as a strong tool of legitimation. The issue of migration polarised the continent, with various political parties and their voters expressing differing degrees of opposition to migrants. It is evident that a wide spectrum of EU citizens viewed migration as a problem and prioritised keeping migrants out, a goal that the agreement with Turkey achieved. In fact, the absence of explanations for why reducing entries is a goal and achievement in itself, as pointed out in the output section, suggests that the speakers were aware that this was a desired outcome for many. Instead of building arguments of input legitimacy on this, the speakers often blame the member states for not wanting migrants, glossing over the fact that member state policies are strongly connected to their electorate. It can be considered notable that this line of argumentation never materialised, as it could have justified the controversial policy decision using a dimension of legitimacy that the EU is often contested for.

A possible explanation to this is the idea of constructing a *demos*, which relies on the value-based community as its basis. Portraying the EU people as unwanting of refugees has the potential to undermine this rootedness in values and possibly create bigger and more important contradictions in the EU discourse than changing the narrative on migration and Turkey. Compromising the ideas of the value-based community could therefore have far-reaching implications on the EU, as many achievements portrayed in the discourse are shown to be rooted in this. It would set into question whether the member states really are better together, as their common identity would be contested. It would cast doubts over the EU's self view as a normative power and therefore global power, as the values to be dispersed are claimed to be the values that the EU is connected by internally. Therefore, this could explain why a direct display of the EU citizens as the ones that do not want great numbers of refugees was avoided, despite the strong potential of legitimation it could have provided for the deal with Turkey.

This reflects on the EU as a genuine value-based community still partly as wishful thinking. Despite its noble aspirations and widespread support in better times, it has issues with genuine democratic support to an extent that would contribute to crisis resilience comparably to the democratic legitimacy of nation-states. This is similar to performance-focused regimes that lose support when performance lags, as noted by Beetham and Lord (1998:10). Therefore, addressing all dimensions of legitimacy is crucial for effective crisis management. The poor quality of interaction between member states and the supranational level is also relevant. As Juncker emphasised, "Europe can only be built with the Member States, never against them" (Juncker 21.09.2016). The narrative that portrays EU citizens as noble and value-driven, while member states are selfish and uncooperative, should be reconsidered, and member states should be recognized for their connection with their respective publics. The EU is often seen as a grand project and conflicts with daily politics are inevitable. The collective *demos*, still under construction, should be more directly and democratically sought out, rather than relying on aspirations of what it could be.

While this study offers valuable insights into the legitimisation of the EU-Turkey migrant readmission deal, it is not without limitations. Firstly, it is confined to high-level speeches by three actors, that represent a small part of the perspectives displayed by the EU, and even more, the member states. This analysis focussed more on the EU level and only included one example of the member-state level, which was chosen based on the irrefutable connection to the emergence of the EU-Turkey deal and a strong pre-existing narrative on migration.

Although this guaranteed an abundance of material to be analysed and discussed, it most definitely cannot be considered generalisable to other member states, and it can rather be seen as a minority in that regard. Lastly, the study relies on a specific methodological approach, namely Critical Discourse Analysis, which may entail subjectivity in interpretation and coding. Therefore, while the findings contribute to the discourse on the EU-Turkey migrant readmission agreement, future research should aim to incorporate a wider array of perspectives and methodological approaches to enhance the generalisability and objectivity of the results.

5. Conclusion

This thesis aimed to investigate how the EU-Turkey readmission deal was legitimised in political discourse despite conflicting with the EU's previous welcoming stance towards migrants and its criticism of Turkey's human rights record. This research puzzle was situated within the broader context of legitimising the EU as a foreign policy actor. The theoretical framework drew on Beetham and Lord's (1998) concept of legitimacy in the EU and Vivien Schmidt's (2013; 2020) theory about input, output, and throughput legitimacy. The focus was on understanding the standards for EU legitimacy and the dimensions through which it could be analysed. The empirical analysis was conducted using the critical discourse analysis approach using coding. The material for the analysis comprised speeches by Commission President Jean-Claude Juncker, European Council President Donald Tusk, and German Chancellor Angela Merkel from the period between 2015 and 2019. The main weight of the arguments was expected to be based on output, emphasising the social and economic well-being in the EU, continued unity, and the migrants' interests. Input and throughput arguments were expected to be less prominent. Input arguments were expected to include reflections on how the EU's handling aligns with the interests of the public and possibly using member states' support as a placeholder for direct citizen input. Throughput was also expected to be limited to assurances of good governance and descriptions of governance processes. The national level, represented by Angela Merkel, was expected to have more precise arguments due to the stronger connection between the speaker and the public.

The main results of the empirical analysis included a strong prioritisation of output arguments, a surprising emphasis on throughput arguments, and a limited prevalence of input arguments. Output-based reasoning was dominant in evaluating the EU-Turkey deal, highlighting its justification and perceived successes. However, other output-based arguments were also important in the narrative, mainly promoting EU values and enhancing member states' influence. They justified the EU's existence and policy actions in a broader framework. The narrative asserts that cooperation with Turkey benefits migrants while also strategically controlling their entry into the EU, albeit with a limited explanation on why migrant limitation is deemed an achievement. The analysis revealed a significant emphasis on throughput legitimacy in the speeches given by EU officials with frequent mentions of the quality of interaction and governance processes. All speakers occasionally referenced the importance of good-quality interaction and cooperation. Juncker and Tusk also made negative

comments about interaction with member states. Looking at the speeches to enhance throughput legitimacy via communication, for Juncker and Tusk, common sense arguments and elements suggesting a technocratic narrative were often found, which reflected negatively on throughput legitimacy. In contrast, Merkel's arguments were typically clearer and based on her opinions. The discourse had minimal claims about input legitimacy. It portrayed a nuanced approach to democratic participation within the EU framework, with mixed feelings towards input legitimacy and an occasionally negative portrayal of the member states' role.

One important point to note is the lack of any mention of input regarding the EU-Turkey deal. While the absence of input mentions alone may not be significant, it is worth considering the highly contested nature of the deal and the potential for input to serve as a strong tool of legitimation. It is clear that a wide spectrum of EU citizens viewed migration as a problem and prioritised keeping migrants out, a goal that the agreement with Turkey achieved. Instead of building arguments of input legitimacy on this, the speakers often blame the member states for not wanting migrants, glossing over the fact that member state policies are strongly connected to their electorate. It can, therefore, be considered notable that this line of argument never materialised, as it could have justified the controversial policy decision using a dimension of legitimacy that the EU is often contested for. A possible explanation for this is the wish to construct a demos, united by the value-based community. Depicting the people of the EU as unwelcoming of refugees has the potential to undermine this foundation in values and could create more considerable contradictions in the EU discourse than simply changing the narrative on migration and Turkey. The common identity would be called into question, and it would cast doubt on the EU's self-view as a normative and global power. This may explain why a direct portrayal of EU citizens as not wanting large numbers of refugees was avoided, despite the potential legitimacy it could have provided for the deal with Turkey. This reflects on the EU's self-image as a genuine value-based community as somewhat aspirational. Despite its noble aspirations and widespread support in better times, it struggles with genuine democratic support to a degree that would contribute to crisis resilience comparable to the democratic legitimacy of nation-states.

This thesis on the legitimation of the EU-Turkey migrant readmission deal has both practical and academic significance. On a practical level it displays the difficulties of communicating meaningfully to a public with no solid common basis. That implies that the EU communication practices could use a re-evaluation based on their own vision of a promoter of liberal democracy, in the light of which the technocratic narratives should be avoided, and

instead, more genuine arguments that have more potential to fuel democratic discussion should be considered. It also suggests that considering more ways to foster a connection with the public and perhaps between different publics could lead to a stronger legitimacy rooted in other things besides performance, which could contribute to crisis resilience. The technocratic approach is not sufficient if the EU aspires to gain more competencies in foreign policy. Academically, this research contributes to the body of literature on EU legitimacy, examining the legitimisation of a specific international agreement and therefore adds empirical evidence to theoretical discussions on EU legitimacy, normative power and governance dynamics. It also contributes to the uses of Schmidt's (2013;2020) input, output and throughput legitimacy, having adapted the framework for coding and discourse-based approaches.

The limitations discussed in the final section provide opportunities for future research. To further the insights into the split-level legitimacy discussed in this thesis, similar research could be conducted about different member states, possibly in a quantitative study that would allow investigation of a greater number of cases at once. In this thesis, politicians were chosen who could be expected to have taken a position on the EU-Turkey deal, but a quantitative study could perhaps also look into whether the EU-Turkey deal or other significant cases of the EU conducting foreign policy even has enough relevance to garner a significant number of explanations in member-state level political arenas. The subject could also benefit from approaches that focus on matters such as the ethics of migration and could, therefore, test the consistency of narratives from that starting point. Furthermore, adopting approaches that emphasise institutional procedures could enrich the subject. By embracing a broader spectrum of perspectives and methodological strategies, the applicability and generalisability of the findings could be significantly enhanced.

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Appendix 1: Primary Sources for the Empirical Analysis

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