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Setting the 21st century EU standard: Europeanised Euroscepticism or Elite Adaptation?

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A Case-Study analysis of 'Revised' Neo-Functionalism and 'Euroscepticism's on the creation of the European Border and Coast Guard Agency

Abstract

This thesis tries to go beyond existing traditional European integration literature by creating a new theoretical synergy based on already established concepts of Euroscepticism's and Revised Neo-Functionalism. This with the goal to investigate whether the move from a 'permissive consensus' towards a 'constraining dissensus', due to increased Eurosceptic Counterforces, can be identified in the process of EU decision-making and -outcome regarding the establishment of an European Border and Coast Guard Agency as the EU's reaction to the European Refugee Crisis. The empirical part of this thesis tests the new theoretical synergy with regard to its explanatory power via a process-tracing case study research design. To investigate the EBCGA, the EU-legislative process via the EC, EP and CEU is examined as to whether this creation came about (solely) from a constellation of the mainstream 'pro EU-elite consensus' and 'External Threat' assumption, or that it was also initiated from 'Eurosceptic Counterforces', or a combined effort of both ideological camps in the EU-institutions. The main findings are that the used theoretical synergy is an useful addition as to understand the current status of EU-integration and the role Eurosceptic Counterforces play in it, making the EBCGA competencies 'spill-around'. Nevertheless, the pro EU-elite is still holding the predominant role when it comes to EU-decision making though, where the perceived EU-elite adaption to demands of Eurosceptic Counterforces makes the EBCGA look very much like a storm in a teacup.

Keywords: *Frontex, EBCGA, Revised Neo-Functionalism, , Euroscepticism's, EU decision-making (-outcomes), EU-legislative process.*

“To be, or not to be”

William Shakespeare, Hamlet, Act III, Scene I

List of Acronyms

- Alliance of Liberals and Democrats for Europe	(ALDE)
- Budgets (committee)	(BUDG)
- Civil Liberties, Justice and Home Affairs (committee)	(LIBE)
- Common European Asylum System	(CEAS)
- Council of the European Union / European Council	(CEU)
- Council Presidency	(CP)
- Europe of Freedom and Direct Democracy	(EFDD)
- Europe of Nations and Freedom	(ENL)
- European Border and Coast Guard Agency	(EBCGA)
- European Commission	(EC)
- European Conservatives and Reformists	(ECR)
- European Council for Refugees and Exiles	(ECRE)
- European Court of Justice	(ECJ)
- European Economic and Social Committee	(EESC)
- European Parliament	(EP)
- European People's Party	(EPP)
- European Union	(EU)
- European United Left-Nordic Green Left	(GUE-NGL)
- Fisheries (committee)	(PECH)
- Five Star Movement	(M5S)
- Foreign Affairs (committee)	(AFET)
- Front National	(FN)
- Justice and Home Affairs Council	(JHA)
- Member of the European Parliament	(MEP)
- Party for Freedom	(PVV)
- Progressive Alliance of Socialists and Democrats	(S&D)
- The Greens- European Free Alliance	(Greens-EFA)
- United Kingdom	(UK)

Contents

Abstract	iii
List of Acronyms	v
List of Illustrations	viii
1 Introduction	1
2 Theoretical foundations	7
2.1 <i>Neo-Functionalism</i>	7
2.2 <i>Revised Neo-Functionalism</i>	8
2.3 <i>Critiques on Revised Neo-Functionalism</i>	13
2.4 <i>Eurosceptic counterforces</i>	15
2.5 <i>Theoretical approaches on Euroscepticism(s)</i>	17
2.6 <i>Leconte's Euroscepticism's</i>	19
2.7 <i>Critiques on Eurosceptic literature</i>	22
3 Research Hypotheses	23
3.1 <i>Combining Revised Neo-Functionalism and Euroscepticism</i>	23
3.2 <i>Hypotheses</i>	27
4 Methodology	29
4.1 <i>Operationalisation</i>	29
4.1.1 <i>Pro EU-elite consensus</i>	29
4.1.2 <i>External Threat</i>	31
4.1.3 <i>Eurosceptic counterforces</i>	31
4.1.4 <i>Type of (Dis)integration</i>	34
4.2 <i>Research design</i>	36
4.3 <i>Data sources</i>	39
5 Empirical Analysis	40
5.1 <i>Ordinary Legislative Procedure</i>	40
5.2 <i>Step I: the European Commission</i>	42
5.3 <i>Step II: National Parliaments</i>	44
5.4 <i>Step III: The European Parliament</i>	46
5.5 <i>Step IV: The Council</i>	52
6 Conclusion	56
6.1 <i>Results</i>	56
6.2 <i>Theoretical expectations</i>	57
6.3 <i>Limitations and implications for future research</i>	61

References	64
Appendix	76
Table 1: <i>Eurosceptic parties holding government positions in CEU decision to establish the EBCGA</i>	76
Table 2: <i>Eurosceptic MEPs in the EP</i>	78
Table 3: <i>Voting behaviour in the CEU</i>	82

List of Illustrations

Figures

Figure 2.1: <i>Conceptual overview Revised Neo-Functionalism</i>	p.13
Figure 2.2: <i>Conceptual overview Euroscepticism(s)</i>	p.21
Figure 3.1: <i>Visualised overview of (Eurosceptic) variables and decision-outcomes</i>	p.26
Figure 3.2: <i>Causal model</i>	p.27
Figure 5.1: <i>Ordinary Legislative Procedure (COD)</i>	p.41

Tables

Table 2.1: <i>Eurosceptic typology: Kopecký & Mudde</i>	p.18
Table 4.1: <i>Aggregated table of assumptions and outcomes</i>	p.35
Table 4.2: <i>Process tracing best practices</i>	p.38
Table 5.1: <i>Amendments by Eurosceptic MEPs</i>	p.48
Table 5.2: <i>EP voting per Party-block</i>	p.52
Table 6.1: <i>Hypotheses evaluation</i>	p.58-59
Table 6.2: <i>Results of theoretical expectations</i>	p.60

1 Introduction

The process of European integration is widely seen as a process of deeper and deeper integrated cooperation between European countries, whose aim it is to overcome the horrors the two World Wars in the first half of the twentieth century brought upon them. In the second half of the twentieth century, this cooperation was slowly but steadily deepening. Also, the original cooperation between the founding-members of the European Community were joined in their integration efforts by other European states who also wanted to be part of the so called European success-story and applied for integration in the existing European structures. Until the Maastricht Treaty in 1992, the slow but steady development of giving away bits of national sovereignty remained fairly uncontested by both national governments and the mass public. This era became known by academic scholars as the “permissive consensus” (Lindberg & Scheingold, 1970; Down & Wilson, 2008). From the Maastricht Treaty in 1992 onwards though, these practices of pooling national sovereignty, in favour of a shared, European Union (EU) based, supranational authority operating from various institutions such as the European Parliament (EP), European Commission (EC) and the Council of the European Union (CEU) in Brussels, slowly came to a halt. The first sign of this politicization (Rauh, 2016) was already present at the signing of the Maastricht Treaty, due to the Danish rejection of it (Down & Wilson, 2008, p.26). The real game-changer was the rejection by France and Dutch voters in the referendum on adoption of the EU Constitutional Treaty in 2005 (Szczerbiak & Taggart, 2008a; Taggart & Szczerbiak, 2008). Lots of questions arose due to this unexpected move from the French and Dutch people. How could this phenomena be explained? Lots of academic authors see this event as the definitive move from the era of “permissive consensus” towards a new era of “constraining dissensus” (Hooghe & Marks, 2008, p.1) where public attitudes towards the EU project, for a long time uncontested, changed into a political contestation towards supra-nationalisation of state-sovereignty, which seemed no longer blindly accepted by the mass public and political parties. The slow but steadily increase in Eurosceptic or populist (radical right) party support (Mudde, 2007) can be seen as a good indicator for this trend.

In the years after the Constitutional referendum the EU encountered a wide array of other problems such as, so far, the worst crisis the EU encountered (Chalmers, Jachtenfuchs & Joerges, 2016, p.1), commonly known as the Eurozone crisis in 2008, which only furthered politicization of EU issues. Other threats are currently ranging from worsened relations with Russia on the eastern borders of the EU territory, to the influx of refugees in what is called the ‘European Refugee Crisis’ in Greece/Turkey and the Mediterranean Sea. Last but not least, the EU has been dealing with terrorist threats hitting the European nations from within. The most prominent examples are the terrorist attacks in Paris, first on Charlie Hebdo and almost a year later, the ‘Bataclan theatre’ shootings (BBC, 2016). The latest example is the ‘2016 Brussels bombings’ on Zaventem airport near Brussel and in the Brussels metro (The Guardian, 2016).

In this thesis we are going to delve deeper into one of the greatest issues the EU faced since its

founding, if not the greatest threat to existence yet. This particular issue is the European Refugee Crisis and how to deal with its problems. To be more specific, this thesis is going to investigate the creation of the European Border and Coast Guard Agency (EBCGA), based on the already existing (intergovernmental) structure of Frontex, and the role the two units of analysis, the (political mainstream) ‘pro-EU elite consensus’ and ‘Eurosceptic counterforces’ in the EP and CEU, have played in this process. With mainstream, we mean actors in the three EU institutions who can be identified over the years as actors who supported, or did not fought deepening integration efforts. I therefore define, as the main pro-EU elite consensus actors, the mainstream politicians in the EP’s political party-blocks (see Appendix Table 1 & 2 for a full overview of who this thesis identifies as being Eurosceptic or mainstream) and state representatives in the CEU as well as the EC. The main Eurosceptic counterforces are the Eurosceptic voices present in the EP (Eurosceptic party-blocks such as EFDD, ENL and partially GUE-NGL, ECR and Non-Inscrits (NI)), and in the CEU, government officials/heads of state who got elected due to Eurosceptic developments (such as with Syriza in Greece) in the countries they represent. An more ambiguous actor would be the mainstream politicians in the CEU who have to deal with a rising Eurosceptic tendency in their home countries, such as the Dutch, French and British representatives.

The timeline under investigation is the period from the initiation of the EC’s plan to create an EBCGA as an answer to secure the EU’s borders, beginning from EC President Juncker statement in his State of the Union Address on 9 September 2015 (European Commission, 2015), until merely a year later when the Regulation (EU) 2016/1624 (Frontex, 2017) establishing the EGCGA, was finally approved by the CEU on September 14, 2016 (Council of the European Union, 2016). What does the creation of the EBCGA entail? It is first and foremost an answer to the huge influx of refugees, but also to save Schengen from falling apart. This because when Schengen was initiated, individual EU Member States gave up most of their rights to control their own borders, whereas the new transnational Schengen borders were not being effectively controlled together by the Schengen members. Only the Schengen border-states were feeling the burden. Therefore, the plan was to create a supranational agency, in form of the EBCGA to strengthen Schengen’s external borders, and relieve pressure on ‘first-entry’ states as Italy and Greece (European Commission, 2015). Such a path chosen would, on the one hand, require an even greater amount of supra-nationalising former (traditional) state powers. On the other hand, we must not forget that in an age of rising Euroscepticism, a very act such as President Juncker suggested, trying to create even more enhanced supranational cooperation on migration and asylum policy which, for centuries, has been a core state-power (Genschel & Jachtenfuchs, 2016, p.42; Lavenex, 2001), is politically very sensitive and can potentially lead to repercussions threatening the entire European project. This because we already knew of the slow but steady increase in Eurosceptic party support over the European continent and the establishment of Eurosceptic- and populist parties in the national and European political sphere. Only, in the last year this process became even more salient with the recent blow for European integration caused by the

Brexit (The Economist, 2016) and rejection of Renzi's constitutional reform referendum (Elsevier, 2016). So one would expect that, given the particular internal and external circumstances the EU has to deal with, the decision-making process in the EC, EP and CEU for creation of the EBCGA would reflect at least partially influences from Eurosceptic actors, as to not alienate them even further from the EU project and its outcome would reflect some vital policy positions of Eurosceptic actors.

Based on the already presented introduction to the topic of slow but steady increase of Eurosceptic contestation towards the EU project, the research question of this thesis consequently sounds as follows:

To what extent can we identify Eurosceptic counterforces influencing the EU's institutions decision-making process and –outcome regarding the creation of the European Border and Coast Guard Agency?

To answer the research question, we can break it apart in three more distinguishable sub-questions:

- 1) Do Eurosceptic Counterforces have the capacity to alter the mandate of the European Border and Coast Guard Agency on their own?*
- 2) Does the mainstream pro EU-elite consensus adapt its decision-making to satisfy Eurosceptic policy demands regarding the creation of the European Border and Coast Guard Agency?*
- 3) Can we perceive a difference in the influence of Eurosceptic Counterforces over the decision-making process and-outcome per EU institution (EC, EP and CEU) regarding the creation of the European Border and Coast Guard Agency?*

The subject of Eurosceptic counterforces and their influence over EU decision-making processes is scientifically very interesting and also relevant to do research on. I already touched upon it a bit, but in academia, the movement from the traditional “permissive consensus” (Niemann, 2006, p.15) towards a “constraining dissensus” (Hooghe & Marks, 2008) attracted a lot of attention and debate by authors in a wide array of research-fields. In European integration theories the traditional standoff between, on the one hand, Liberal-Intergovernmentalism (Cini, 2013; Moravcsik & Schimmelfennig, 2009) where states still have the central role and, on the other hand Neo-Functionalism (Jensen, 2013; Niemann & Schmitter, 2009) arguing that competencies are automatically shifting to the supranational EU authority, seemed no longer sufficient to explain current European integration discourse. An example of this can be found in neo-functionalist thought, which seemed no longer sufficient to explain current developments in the European integration process due to its assumptions of uncontested and automatic deepened integration efforts. The problem in existing European integration literature is that, for a long time, there was no dissident voice (Manners & Whitman, 2016) in the field.

Therefore it was time, in the opinion of many authors (Genschel & Jachtenfuchs, 2016;

Winzen, 2016; Manners & Whitman, 2016; Schimmelfennig, 2016), to come with a new approach of “dissident voices” (Manners & Whitman, 2016), as a challenge to the hegemony of existing European integration theories to account for the changing nature of European politics (Winzen, 2016) seen in rising Eurosceptic or populist tendencies towards the EU project. Dealing with the “Constraining dissensus” (Hooghe & Marks, 2008), though, the scientific debate on European integration, basically came to a crossroads where the “dissident voices” part tried to pose an (anti-elite) Eurosceptic theory to complement the existing (mainstream) theories. Until today academic authors have not been able to formulate a single definition on what precisely is Euroscepticism though. This paper elaborates on the existing research done by designing a new way of defining and measuring Euroscepticism based on the already existing Eurosceptic literary developments.

The other road leads surprisingly enough towards Haas’ original theory of Neo-Functionalism (2004), which has many times been called obsolete (even by himself), but which has possibly been making a comeback due to its application in research dealing with the Euro crisis (Vilpišauskas, 2013; Niemann & Ioannou, 2015). Second, because of the alterations in the Neo-functionalist theory itself by various authors such as Schmitter (2002), who calls his revision Neo-Neo-Functionalism, and Niemann’s Revised Neo-functionalist theory (2006). Due to various reasons such as the fact that Schmitter’s chosen name is both linguistically not very pleasant and when comparing it to original Neo-Functionalism and also likely causes confusion due to the many ‘Neo’s’, this paper will, from this moment, stick to Niemann her definition of “Revised Neo-Functionalism” (2006). The basic difference between the two envisioned roads of Revised Neo-Functionalism and Euroscepticism is who they perceive as the main actors. Revised Neo-Functionalism adds “countervailing forces” as a new element to the constellation of traditional actors, but only as a countervailing force to a still “elite-dominated” process (Niemann, 2006, p.17-18), whereas authors on Euroscepticism (such as Taggart & Szczerbiak, 2008c; Kopecký & Mudde, 2002; Leconte, 2010; Kriesi, 2016) see Eurosceptic counterforces more as an existential contestation of the European (elite) project, and to change the nature of European politics for good (Winzen, 2016).

Consequently, this thesis will look at both Revised Neo-Functionalism and Euroscepticism their challenging assumptions, but most importantly, to test their variables with regard to which of the two can best explain current EU decision-making and policy-outcomes regarding the creation of the ECBGA. This thesis treats Euroscepticism only as an independent variable (as in Meijers, 2015). This thesis explicitly uses Euroscepticism also in a new way, though, as was urged by Vasilopoulou (2013), where there can be identified such a thing as different types of an Eurosceptic policy outcome (Leconte, 2010). Why the ECBGA? Because it would be one of the examples where we would expect to see Eurosceptic influences first, due to the ECBGA’s dealings with traditional (core-)state powers. Let alone that much of the nation-based Eurosceptic (rhetorical) critique is based on asylum and migration issues. Moreover, it is relevant to do some more research towards this new institution (Vasilopoulou, 2013), because, so far, existing research has only focussed on the foreign & security

policy (implications) of Eurosceptic challengers on the national level (such as Verbeek & Zaslove, 2015). The creation of the EGCBA is perfect to investigate, because on the European level, the EGCBA is bound to the ‘ordinary legislative procedure’ (Warleigh-Lack & Drachenberg, 2013), which means that both the (more supranational) EP and (more intergovernmental) CEU have a say in the EU’s decision-making process. This particular circumstance makes it possible to both investigate Eurosceptic influences from within the individual EU member-states, voiced on the European level via the CEU (Hagemann, Hobolt & Wratil, 2016), as well as Eurosceptic influences via the various Eurosceptic parties present in the EP, to show if they (also) can make a difference on the supranational level.

To conclude this part, a short summary will now be given as to what extent this thesis is scientifically relevant compared to the existing literature. This thesis does establish itself as scientifically relevant in multiple distinguishable ways. First of all, it addresses a very recent and potentially game-changing challenge towards European Union policy which is commonly seen as a very (neo)-liberal project (Larsen 2004, p.73), carried out by (EU) state-elites instead of ‘Eurosceptic’ challengers. Second, it tests recently added theoretical revisions of Neo-Functionalism. Third, it tests in a new way, based on established Eurosceptic literature, (for one of the first times) Eurosceptic theoretical assumptions which challenges the mainstream European integration literature such as (Revised Neo-Functionalism). Fourth, research done towards Eurosceptic/populist influence on Foreign Policy has been (traditionally) carried out on the (contemporary) national level (e.g. Verbeek & Zaslove, 2015). There is to my knowledge no research done yet with regard to possible influences of Eurosceptic challengers in the EU’s legislative arena.

How will this thesis handle the subject with regard to methodology? First, as was already mentioned, the case of the EGCBA is chosen, because of its value for Eurosceptic demands due to its effects on (former) core-state competencies. As Liang (2007) argues that issues with great value for Eurosceptics are, with other issues, ones centred around immigration, security and (against) globalisation, where of course the security and immigration element is very much present in this case. With regard to methods, a case-study approach will be chosen. With the help of new developments in process-tracing methods, the case of the creation of the EGCBA will be investigated. Why new developments? Recently, there have been developments in process-tracing literature which go beyond established literature, or traditional scholarly prescribed literature such as Beach & Pedersen (2013), to make it more applicable to Europeanization processes; such as Bennett & Checkel (2013) and Moumoutzis & Zartaloudis (2016), and who do also include the importance of equifinality and its importance for conducting good process-tracing. But on such matters, further elaboration takes place in the fourth chapter.

Data sources to be examined are sources which have valuable data on the decision-making processes and –outcomes of the EU institutions. Most important in this are the legislative documental

logs the EU institutions (EC, EP and CEU) provide on their respective websites. This makes it possible to process-trace the entire legislative process through the various EU institutions and look for the (possible) occasions where Eurosceptic actors possibly have influenced the legislative process or – outcome. Besides, it also allows for the examination of possible mainstream EU-elite considerations and adaptations in both processes. Another important source of data is Votewatch.eu (2017), which makes it easy to trace voting behaviour by Members of the EP (MEPs) and the CEU regarding resolutions covering the creation of the EGCBA. It makes it possible to ultimately test if voting by both mainstream and Eurosceptic party(block)’s are mirrored by their influence in the decision-making processes regarding the EGCBA.

Thesis outline

So far, this thesis has given a short but descriptive overview of the political puzzle and recent societal and scientific developments, leading up to the goal of this thesis as to give an answer to the puzzle of the strength of Eurosceptic counterforces in the arena of EU institutions. The remaining part of this thesis can be separated into four distinctive parts. First of all, in the next chapter, both theoretical assumptions of (Revised-) Neo-Functionalism and Euroscepticism’s (Chapter 2) will be elaborated on into further detail. Third will be a chapter dedicated to deduct my conceptual framework out of the used theoretical approaches accompanied by a couple of hypotheses. After that, we continue with a methodological chapter where the chosen research design will be given some more room as well as that the used data sources will be provided and justified. Also, in that chapter the variables deducted out of the two theories such as the different spillovers and forms or degrees of Euroscepticism(s), used in the empirical analysis, will be operationalized and made ready for testing. In the fifth chapter, the empirical analysis will be given, after first of all, giving the reader some additional insight in how the decision-making processes (ordinary legislative procedure) of the European Union works. This paper ends with the sixth and final chapter where we will reach a conclusion as to what extent one or both theories can explain the empirical manifestations provided in chapter five. Afterwards there will be room for discussion as to what extent some further research is deemed necessary and what the results this thesis provides, means for existing literature in the fields of European (integration) studies, as well as that of Political Science.

2 Theoretical Foundations

2.1 *Neo-Functionalism*

When debating (Revised-) Neo-Functionalism, the following structure will serve as the guide for this chapter. This chapter will be divided in two main parts, the theoretical assumptions of (Revised-) Neo-Functionalism and second, the development in literature on Euroscepticism. First of all, the historical roots of Neo-functional thought will be given. After that we proceed with offering the basic assumptions underlining Neo-Functionalism. Third, there will be given room to elaborate on recent theoretical revisions of the original Neo-Functionalism, most notably outlined by those of Niemann (2006) and Schmitter (2004). After we have elaborated further on those revisions, critiques on (Revised-) Neo-Functionalist assumptions will be given, most notably critiques focussed on the revised versions by Niemann and Schmitter.

The roots of Neo-Functionalism are to be found at the two founders of Neo-functionalist thought, Ernst Haas and Leon Lindberg (Niemann, 2006, p.13). Neo-functionalist theory itself is based on a constellation of already established theories: functionalist-, federalist- and communications theories. Its main unit of analysis is technocratic decision-making, where the focus lies at the change in elite attitudes (Ibid.). What do neo-functionalists really mean with integration? So far, theoretical developments have not led to an uniform definitional concept of integration. Originally, integration was seen by Haas and Lindberg as a process, instead of as a certain state. Integration necessarily brought with it, the creation of supranational institutions (Ibid., p.14) created out of a shifting loyalty of several national actors who decided to create a new central institution, instead of carrying out their respective policies independent from one another. This means that in addition, national governments are expected to act supportive of the supranational organization (of the EU) and ultimately comply with its decisions, even if it may not be in the interest of (one of) their national positions (Macmillan, 2009, p.790).

The most basic and well-known concepts of Neo-Functionalism are the different ‘spillovers’ arguing that there is an inherent logic and driving force behind functional-economic integration (Ibid. p.17). In essence, this means that when you choose to integrate on a certain domain, from a functionalist point of view, it makes perfect sense to choose to integrate on other domains which are interdependent with the original integration domain. This process is seen as a *Functional spillover*. Another spillover establishes itself out of socialisation processes by the different governmental elites. Due to increased occurrences where European solutions are sought for problem-solving measures, a shift in expectations and loyalties of the national elites towards the newly created centre could be observed, which is consequentially termed by the literature as a *Political spillover*. A third spillover is the *Cultivated spillover*, based on the positive role the EC fulfils by mediating between several national

parties in the bargaining process of achieving an intergovernmental decision, where they pursue governments to give in where “consensus prevails” (Ibid., p.19) and by efforts of the EC, accordingly do not feel bullied by the established consensus. In essence this means that the EC has the role to transform a traditionally perceived zero-sum game into a positive-sum game.

As with any scientific theory, Neo-Functionalism could not escape criticisms. The amount of criticism on the original theoretical assumptions of Neo-Functionalism has resulted though in Neo-Functionalism being possibly the most heavily debated –and critiqued theory today. The most well-known critiques came from their long-standing liberal-intergovernmentalist rival (such as Moravcsik, 1995 or publications like Schimmelfennig, 2015) and as already mentioned, ironically from Haas himself. Out of all the critiques, there can be made a distinction between the seven most serious ones. First of all, Neo-Functionalism was being critiqued on its pretensions of being a ‘Grand-Theory’ (Ibid., p.21) which it could not live up to. The second critique was based on the ontological determinism of the neo-functionalist concept of ‘spillovers’, which were seen as an automatic process. The third important critique centred around the sole focus of neo-functionalist thought on actors, instead of focussing beside actors, on structure(s). Fourth, sovereignty-consciousness and nationalistic influences on the integration process were being underestimated. Fifth, the concept of spillover was implicitly connected to an unlimited (capitalist) economic growth assumption. Sixth, critique came on the lack of neo-functionalist thought of taking external processes into account (Ibid., p.22). The final critique has been based on Neo-Functionalism’s lack of taking into account “domestic political processes and structures” (Ibid., p.23).

2.2 *Revised Neo-Functionalism*

Niemann

Out of the ashes of the endless canon-fire shots delivered at the address of original neo-functionalist thought, a newly revived generation of Neo-functionalist authors emerged. Several authors such as Niemann (2006) and Schmitter (2002) took the vast amount of critique by other authors on neo-functional foundations into account when trying to establish a Neo-Neo-Functionalism, or as I would call it, a ‘Revised Neo-Functionalism’. Their ontological assumptions changed drastically from the original theory Haas and Lindberg created half a century ago. In essence, the revised neo-functional ontology differs from Neo-Functionalism in the sense that it does account for a greater role of structure. To be more precise, it gives equal roles to both agency and structure, where traditional Neo-Functionalism only focused on agency (Niemann, 2006, p.25-27). Of course, also a lot of traditional neo-functionalist characteristics stayed the same with the revised version, integration, for example. First of all, is still seen as a process, which is (secondly) influenced by a diverse set of multiple actors. Third, preferences of actors are not seen as constant but are open to change in the integration process due to learning processes (Ibid., p.27). Nevertheless, a lot of the original assumptions are no longer

visible in the revised version. Revised Neo-Functionalism, for one, only provides a “partial-theory” (Tranholm-Mikkelsen & Matlary in Niemann, 2006, p.27). Second, and more important, the automatic power given to the different spillovers are dismissed and replaced by a framework which gives the conditions of how and when it is likely to lead to spillover effects. Lastly, the theoretical framework of the revised version has been strengthened due to the inclusion of the effects countervailing forces and domestic constraints bring, such as what sovereignty consciousness gives to the integration process, what can also result in a possible “spillback” force (Ibid., p.29).

When talking about the Revised Neo-Functionalism mechanism of spillover concepts, also those have not been let untouched in the revision-process. *Functional spillovers* are no longer seen as a mere economic spillover between policy areas (Ibid., p.30) as was originally envisioned by Haas . It now encompasses all “endogenous-functional” dependencies related to the European integration project and its accompanying politics and policies (Ibid., p.30). How would we identify a functional spillover in practice? According to Niemann, we can identify three options (for functional spillovers) to give pressure for new action to achieve the intended goal (Ibid., p.62). Decision-makers need to have a certain goal to achieve. The extent to which this goal is salient in the minds of those who actually make the decisions is essential to the strength of the forces favouring enhanced cooperation. Second, when a certain interdependence exists between the issue (A) decision-makers want to solve, and another issue (B) which then also requires action, in order to achieve the initial goal (A). The last example is when all other means of alternative solutions failed to achieve the objective and therefore it is logically functional for decision-makers to create further (supranational) action on the issue they want to solve (Ibid.).

Newly added to the mix of spillovers is the *Exogenous spillover*. This spillover means exactly what it is: exogenous forces which are originated outside the European integration project have to be taken into account due to their external economic and political developments which affect behaviour of both national EU-member states as well as the supranational institutions itself. In practice this would mean that, in order to see an exogenous spillover, individual member-states need to face an exogenous threat which they themselves perceive as something which they cannot tackle on their own (Ibid., p.62). The consequence of being a constellation of dissident voices would, on the other hand, be shown as a signal that national member-states perceive themselves as capable to take on the challenge on their own (based on previous experiences), which would mean that there cannot be identified such a thing as a exogenous spillover.

The concept of a *Political spillover* has been separated into a new distinction consisting of a *Political spillover* and a (new) *Social spillover*. The former still looks at the development of governmental elites (in the EU) and their attitudes based on learning processes, whereas the *Social spillover* goes beyond this and accounts for the other forces in society due to socialisation processes. The latter spillover can be found in empirical practice via indicators such as interaction patterns in the decision-making processes (especially those of national governments). Second, it is important to look

at the frequency of both formal- and informal contact and the duration of that interaction. Last, socialisation processes are important to look for, due to its capability of determining if there is such a thing as a good relation between the different actors, and if they all internalised the problem and norms to cooperate. This can be seen in data which shows that individual national positions are being shifted towards a common position (Ibid., p.65). The level at which such interaction occurs differs slightly from the original assumptions by Lindberg, who said that such processes only occurs between national civil servants within the CEU, where also often EC officials are involved (Ibid., p.37). Niemann takes this one step further, also incorporating broader structures such as exogenous or domestic ones. Those become part of the decision-makers values and norms due to the socialisation process (Ibid., p.42). To examine if there is a Political spillover present, it is important to look at to what extent we can see the consistent support for supranational solutions by organized interests in the individual member-states, seen as a solution to the problem which is at the same times in their own interests (Ibid., p.66).

The *Cultivated spillover* slightly changed somewhat from Haas and Lindberg's original ideas. Now, instead of only focussing on the High Authority and the Commission (Haas, 1961 & Lindberg, 1963 in Niemann, 2006, p.42), the list of institutions are extended with the EP, European Court of Justice (ECJ) and Council Presidency (CP). It can be identified in practice as to what extent supranational institutions such as the EC has cultivated their relations with national (and other) decision-makers to receive support for their programs. This spillover variable is also focussed on the output of the decision-process as to what extent the decision-outcome shows "the extent to which attitudes, interests or positions on the part of decision-makers have changed towards the line taken by supranational institutions" (Ibid, p.63). Both can be identified by looking towards the EC or CEU their argumentations and (general) communications.

A newly added innovation of revised neo-functionalist thought is the inclusion of (Euro-sceptic) "countervailing forces" (Ibid., p.47). Those Euro-sceptic 'countervailing forces' fill up the other side of the integration equation by providing disintegrative pressures to the European integration project. Integrative processes are dominated by those forces to an extent that when you have a strong disintegrative pressure present, while at the same time the pro-integration effort is weak, the integration effort will fail. In other occasions such as when there is only a weak disintegrative pressure, the integration effort will most likely succeed (Ibid., p.47). Examples of such countervailing forces are cases where there is great sovereignty consciousness, domestic constraints and/or a negative integrative climate (Ibid., p.47-50). With the inclusion of sovereignty consciousness, Niemann effectively separates herself (and her revised neo-functionalist framework) from the traditional 'end of ideology' assumption of traditional Neo-Functionalism (Ibid., p.48). Sovereignty-consciousness can be seen as a lacking disposition of actors, which are no longer inclined to delegate competencies over certain policy domains over to the supranational authority. Practical examples of such actions would be when (national) identities, -traditions or -ideologies are at stake. This can be seen through symbolism, which is today often seen in emblems, or election flyers of populist and Euro-sceptic

political parties such as the Dutch PVV, which used the colours of the Dutch national flag in its red, white and blue coloured dove as party-emblem, and the Front National' flaming emblem in the colour of the French flag.

The second countervailing force of domestic constraints and diversities, leaves little to the imagination of interpreters. It is all about national constraints which limits the autonomy of the government to act. Such constraining actions can come from a wide array of different actors such as (Eurosceptic) opposition parties, lobby groups, the media or even indirectly via the countries legal tradition, economy or demography. Those constraining examples can lead to disintegration, because their domestic situation simply dismisses further integration on specific policy domains due to legal problems with its national constitutions or public matters such as channelling their constituents interest. Domestic constraints can be identified in practice through popular opposition near election moments (such as national or EP elections). The second option of identifying sovereignty consciousness is by showing resistance from (important) parties or factions inside the government, parliament or political system as a whole (Ibid., p.66). The problem of 'Diversity' is closely related to this because, on a (supranational) structural level integrative policies may require of different states to adjust their customs, policies or traditions to a common position. Based on a simple cost/benefit calculation, member states can decide that, because of that reason, the whole integrative effort is not interesting anymore. It can be measured in the sense to look how 'diverse' the differences between the member-states are regarding the issue (Ibid.).

The last countervailing force (and also the least important in terms of usability for empirical measuring due to measurement problems) is the 'negative integrative climate (Ibid., p.49). Basically, this countervailing force states that situations such as economic recessions can have a negative consequence for integrative efforts which are negotiated in the same time-frame, due to its impact on decision-makers. A way of measuring it, is by looking at Eurobarometer data, which does approximate per period the integrative climate. Compared to original Neo-Functionalism, it offers an alternative to the unabated growth assumption in the original theory, whereas it also introduces the role national public opinion can play in the processes of integration (Ibid, p.49-50).

Schmitter

Schmitter offers useful complementary additions to Niemann's theoretical predications regarding Revised Neo-Functionalism. Being a former student of Haas, he rejected Haas' declaration of Neo-Functionalism being obsolete (Niemann & Schmitter, 2009, p.54). He began the revision and reformulating of neo-functionalist assumptions. Schmitter illustrates his argument by pointing towards the role of the European Court of Justice (ECJ). This supranational institution can be very notorious in the minds of (already) Eurosceptic actors due to its capability of possibly overruling state-legislation if that legislation is not in accordance with established EU-legislation to which the EU member-states have agreed to adhere (Garrett, Kelemen & Schulz, 1998). Schmitter does account a great role for

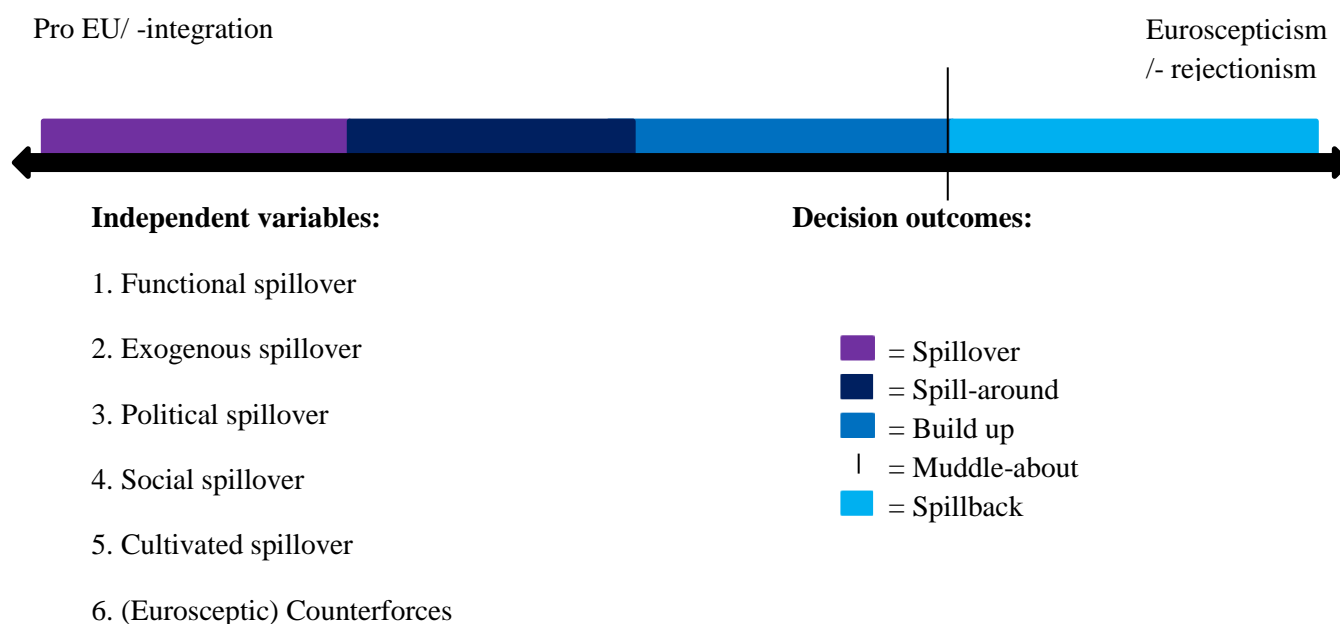
crises on the integration project. He calls this the move from ‘initiating cycles’, to ‘priming cycles’ (Niemann & Schmitter, 2009, p.54), which is the process that in times of crisis (more specific: where supranational institution-building occurred before crises), regional-level legislation or rules get more and more value which leads to, in the end, a culmination of power which begins to overshadow those powers the national governments, individuals or associations have to solve crises themselves. This development gives rise to weariness of national actors and it can make them more receptive in making decisions which change the authority and competencies of those supranational (regional) institutions.

Schmitter does renounce some traditional Neo-functionalist concepts though. He no longer recognizes spillovers as being automatic (Niemann and Schmitter, 2009, p.55). In addition to the concept of spillovers, he made room for strategic responses by actors which can be classified on the likeliness of enhanced integration as the decision-outcome of the EU’s legislative process. This classification is based on four spillover variations. The ‘spill-around’, ‘build-up’, ‘muddle-about’ and ‘spillback’. An example of a ‘*spill-around*’ would be the creation of a “functionally specialized and independent organization”, but which remains strictly intergovernmental (Ibid.). The difference with a ‘*build-up*’ is that in the concept of a build-up, member states do make concessions of giving greater authority to the supranational organization or institution, while at the same time, do not increase the scope of its mandate. Related to the ‘build-up’ is the concept of ‘*muddle-about*’ which differs with the build-up concept, regarding the regionalization of authority. A situation of muddle-about would be the case in the situation were national actors want to maintain regional cooperation, but without the adjustment or change of institutions (effectively changing nothing at all, and thereby giving credit to Schmitter’s ‘muddle-about’ definition). The last situational concept would be the ‘*spillback*’ where previous supranational commitments by national political actors are denounced by those very same actors, who then consequently withdraw from those institutions. Schmitter therefore explicitly allows for disintegration, making Neo-Functionalism also a ‘theory of disintegration’ (Schmitter & Lefkofridi, 2016), which he makes more explicit in his more recent works of the last few years. He does base his assumption of the possibility of disintegration on the core principle of original Neo-Functionalism: “the process of regional integration depends on the realization of mutual gains from cooperation in policy arenas characterized by high levels of interdependence”(Schmitter & Lefkofridi, 2016, p.3). When those mutual gains are no longer perceived by one of the actors involved, both coercive or voluntary spillbacks are possible. The coercive ones would be ones such as the (still hypothetical) Grexit which was posed as an answer by various actors and think-tanks to solve the Eurozone crisis, as being a way out for both the Eurozone as well as the Greeks, who would then, once again, have their own monetary policy opportunities to get themselves out of their financial problems. A voluntary spillback has already been seen in practice lately, when British citizens, in their 2016 referendum, favoured the ‘Brexit’ over ‘Bremain’(ing) in the EU.

Figure 2.1 on the next page shows the visualised theoretical assumptions from both Schmitter and Niemann, as to the possible outcomes of integration processes. It shows the most important

independent variables of Revised Neo-Functionalism, as derived from Niemann's (spillovers) framework. The shape of the decision-outcomes of EU policy areas, as was deducted from Schmitter's argument, are policy outcomes (dependent variable) ranging from a spillover to a spillback. The difference between the types of (dis-)integration can be traced back through the apparent strength (or absence) of spillovers, compared to the strength (or absence) of countervailing forces, targeting further EU integration. For example, where the traditional spillover would be the identification of a clear pro-EU policy outcome, a spillback would be the result of countervailing forces being stronger in the legislative process of shaping the EBCGA than the mainstream (elite) forces.

Figure 2.1: *Conceptual overview Revised Neo-Functionalism*



2.3 Critiques on Revised Neo-Functionalism

As with original Neo-Functionalism, also the revised versions of both Niemann and Schmitter received mixed reviews, ranging from rejections or scepticisms on their theoretical assumptions, to proposing useful additions to strengthen the, in their minds, yet incomplete theoretical framework of Revised Neo-Functionalism. To begin with Goetz & Meyer-Sahling (2009, p.180), they do propose that existing theories of European integration take the notion and influence of 'political time' more serious, as a variable which could possibly explain critical parts of how a political system such as the EU works. They think 'time' is a very important variable due to the different time-cycles the various EU institutions such as the EC, CEU and EP are subject to. They provide the example of comparing the CEU with the EC. Where the CEU is often seen as vary hasty due to the fact that urgency is required in proceedings of the CP, because they are bound to rotating six-month presidencies. In the little time given to them, they want to leave their mark to be recognized as a successful presidency

(Ibid., p.187). On the other hand you can see the EC whose EU Commissioners are appointed for five-year terms, while their officials are permanent (Ibid., p.188). This opens up the window of opportunity for officials to stall legislative initiatives temporarily, until a EU Commissioner (more) of their liking is appointed in the next electoral cycle. Neo-Functionalism does include 'political time' in some sense though. It might not be as a specific independent- and dependent variable as Goetz & Meyer-Sahling would like, but specific neo-functional variables such as the concept of 'spillover' would perfectly account for the difference in political time seen between the EC and CEU in this example, based on the difference in supranationalism of the institutions. This does not mean though that some authors, such as in this thesis showed with Schmitter's theoretical assumptions of Revised Neo-Functionalism do not account for time. Schmitter's inclusion of priming cycles (2009, p.54) does include some time-elements.

There are also authors who question the notion of the usefulness of traditional European integration theories altogether, arguing there is no single theory who could explain German politics, let alone that of the EU (Hix, in Haughton, 2016, p.68). This, of course is true in essence. It does of course not mean that (Revised) Neo-Functionalism has the pretensions original Neo-Functionalism had on which Hix comments. As being a partial theory, Revised Neo-Functionalism does not try to explain the whole process of European integration. It is partial in the sense that it just looks at the strength of their theoretical explanations and their influences on integration processes following out of decision-making in the EU (Niemann & Schmitter, 2008, p.55).

Menon (2007) reviewed the work of Arne Niemann's Revised version of Neo-Functionalism. He made quite some critical remarks on Niemann's book, where some of the critiques are to be taken more serious than others. Menon's critique is basically centred around conceptual vagueness of the newly included concept of 'countervailing forces' (2007, p. 362), making it analytically worthless. I, for one, do not agree with Menon's opinion. The EU being a highly complex institution, which a high level of inter-institutional variations, most characteristically viewed as in the level of supranationality - intergovernmentality of decision-making between the institutions demands a more conceptual all-encompassing vague concept of what different (Euro-sceptic) counterforces are to be. By making one uniform definition it would also very much threaten its applicability towards the EU's institutions. It is up to the various authors referring to Niemann, to make their operational definitions of what precisely countervailing forces are clear, based on the sound conceptual definition Niemann already provided.

Menon, in the end, includes the notion that Niemann still has the obvious belief, despite the inclusion of Euro-sceptic counterforces, that spillovers will prevail (Menon, 2007, p.365). This of course is not a real critique, since in the end Niemann is still an author in the neofunctionalist school of thought. It opens up the door though for the second part of the theoretical foundation of this thesis. Niemann (and Revised Neo-Functionalism) in the end think, or prefer that spillovers are still the more dominating factors in the transnational political arena (Witkowska, 2013, p.209) where now also the dissident voices of Euro-sceptic counterforces have been included. Is the silencing of dissident voices

(Rosamond, 2016, p.19; Manners & Whitman, 2016) by the mainstream European integration theories over? Are the so called '*Leitbilder*' of Neo-Functionalism still valid? The (functional) explanation of Revised Neo-Functionalism might be threatened by the so called democratic deficit of the EU on which those very same dissident voices thrive making such a cleavage possible on the European level between the mainstream EU elite and the Eurosceptic dissident voices (Wessels, p.233). We now move to this thesis second theoretical part, where the development of theories of Eurosceptic dissident voices is further elaborated on, and developed into a counterargument for revised neo-functionalist' assumptions.

2.4 *Eurosceptic counterforces*

After having elaborated on (Revised-) Neo-Functionalism, it is now time to move on to the second part of this theoretical chapter. To be more precise, this second part is dedicated towards the other 'road' of Eurosceptic counter voices, which could possibly give an answer to this paper's research question. First of all, some more room will be given to describe what exactly is the difference between government- and opposition Euroscepticism and what Eurosceptic challenger parties in the EP look like. Second, past academic literary attempts to define a (common) Euroscepticism will be given. Being the cornerstone of this chapter, Leconte's theoretical assumptions of Euroscepticism will be worked out into more detail than the others. This chapter does not end before also giving some critiques on Eurosceptic literature so far.

Government Euroscepticism

When talking about Euroscepticism at the national level one should keep in mind to differ between two different discussions, to not confuse concepts, or mixing it up altogether. On the one hand, people studying Euroscepticism should distinguish between Euroscepticism as a strategy (Leconte, 2010, p.106; Taggart & Szczerbiak, 2013), and as an ideology (Leconte, 2010, p.108). On the other hand, we should not fail to separate Eurosceptic parties who feel the burden of government participation, compared to the ones who are remaining in the opposition benches (Topaloff, 2014).

But let us start first with Euroscepticism as a strategy and as an ideology. When talking about Euroscepticism as an (party) ideology, existence of cleavages (Lipset & Rokkan, 1967), such as the left-right and centrist-extremist ones, are important to take into consideration. Eurosceptic parties fill the 'new politics' cleavage with their (extremist) anti-establishment ideology (Leconte, 2010, p.108-109) against the pro-European centrist ideology. One should keep in mind that the radical left has different notions regarding this anti-Europeanism compared to the radical right. Where the radical right more commonly project nationalistic voices and harsh anti-immigrant stances, radical left Eurosceptic parties denounce European integration, or the EU as a "neo-liberal, capitalist project responsible for the erosion of the welfare state..." (Leconte, 2010, p.109). In general, the further away from the political centre, the likelihood that a political party is Eurosceptic, increases. But even at the

margins, different degrees of Eurosceptic attitudes can be found. Where on the radical left parties such as the German ‘Die Linke’, or the Dutch Socialist Party (SP), do not lobby for a EU-withdrawal, they remain fairly critical on the functioning of the institution. This soft stance is not shared though by some more harder stances of the French Communist Party. The same can be said on the right wing of the political spectrum (Vasilopoulou, 2009). Radical right wing parties can support EU-membership, such as the Belgian ‘Vlaams Belang’ and the Danish People’s Party, but can also advocate a withdrawal from the supranational institutions, such as the Front National does.

Many of the above mentioned parties have never held elected office, or government participation though. This is due to the perceived ‘government-opposition’ distinction, where Euroscepticism is perceived as the politics of the opposition (Sitter, 2001) or even as peripheral politics (Taggart & Szczerbiak, 2013). Eurosceptic political parties’ European integration stances are related to their overarching strategy. The persistent ones (Usherwood & Startin, 2013) trying to become part of a government coalition, or those whose strategy it is to participate in order to get (some of their) stances into actual policies, have to tone down on their Eurosceptic rhetoric, because Euroscepticism is hardly compatible with governing (Leconte, 2010, p.107; Taggart & Szczerbiak, 2013, p.17). Those Eurosceptic (protest-) parties who want, as a strategy, to remain at the edges of the political spectrum, without the desire of government participation, do not need to tone down on their rhetoric. Therefore they can be harder in their resolve than their ‘softer’ counterparts trying to get into government positions. When talking about government participation, we should not forget to distinguish several modes of how Eurosceptic parties can be reflected in such a government (Taggart & Szczerbiak, 2013, p.19); as a single party government, coalition government (as the major party or junior partner) or via a support-construction (PVV in Rutte I). Of course, the more senior the position of the Eurosceptic party is, the more impact it has on actual policy, which they can also resonate in the CEU setting, based on ‘signal responsiveness’ (Hagemann, Hobolt & Wratil, 2016, p.5). It also helps if you are the single party in government. For being a junior partner, often rhetoric is accepted, “as long as it not directly translated into policy change” (Taggart & Szczerbiak, 2013, p.34). A full overview of Eurosceptic government parties (either junior, coalition or single-government ones) in the CEU setting when voting on the creation of the EBCGA can be found in the Appendix (Table 1).

Euroscepticism in the EP

As much literature there is on national Euroscepticism, the amount of literature on the behaviour of Eurosceptic actors in the EP remains fairly limited (Brack, 2013). With regard to the strategic roles Eurosceptic actors can take in the EP setting, one can ideally differ between a typology of four parliamentary roles: the Public Orator, the Absentee, the Pragmatist (Ibid., p.101) and the Participant (Brack, 2015, p.344).

MEPs who could be identified as being an ‘absentee’ are characterized due to a limited, or even lack of involvement in EP activities, emphasizing the role of the national political arena. Those

MEPs are most of the time only participating in plenary speeches, because they perceive it as the only way to really show some opposition to the European integration project. Voting is not important to them, because “they are going to push the laws through anyway”(Ibid., p.97).

Other MEPs can be primarily seen as ‘Public Orators’, which is a somewhat similar role as the Absentees. Where they differ is that they have a somewhat more active role in the EP. They give priority to presenting negative information and facts on the EU and its functioning. They do this via EP speeches and parliamentary questions (Ibid., p.98). They see themselves as being the critical opposition voices, to show the democratic deficit of the EU. The goal is to de-legitimize. Compared to Absentees, they are more aware of the formal rules of procedure of the EU, because it could help them getting speaking time in the EP.

The third category to be distinguished is the ‘pragmatic’ role the Eurosceptic actors in the EP can take. Contrary to the Absentees and Public Orators, Eurosceptic MEPs who can be seen as pragmatic, are characterised by showing a greater involvement in their EP work, with the goal to achieve real results (Ibid., p.99). Therefore, they are not so much opposition parties as hard as the Absentees or Public orators, but more soft in their stances to develop a strategy of ‘constructive opposition’ (Ibid.). In the category of pragmatists, we can differ between two different forms of pragmatism. The MEPs who sit in the EP to control their national governments and the more constructive MEPs who sit in the EP not so much because they think it is legitimate, but for the reason that their national interest can be better achieved or sustained in the EP sphere than in the national parliaments (Ibid., p.100).

The last category, those consisting of ‘participants’, are those Eurosceptic actors who can be characterised as any other MEP, adapting to the rules of the game to achieve his or her goals, influencing the EU’s legislative process (Brack, 2015, p.344). The difference with the pragmatists (and public orators) is that they not only respect formal and informal rules in the EP, but also adjust their (extremist) behaviour to the normal rules of political deliberation. This all with the goal to find a compromise between them and the more moderate party blocks. They are therefore most active in parliamentary committees and negotiations (Ibid., p.345).

An overview of all Eurosceptic MEPs, their national Eurosceptic parties and their association to EP party blocks, is presented in the Appendix, Table 2.

2.5 *Theoretical approaches on Euroscepticism(s)*

The question on how to define or conceptualize Euroscepticism has attracted a lot of attention by scientific authors, but so far they have not been able to agree on a common definition (Leconte, 2015). Being a multidimensional concept, basically the whole debate about Euroscepticism, so far, can be classified in two separate camps. The authors who do research on Euroscepticism as being against (further) European integration, and the ones who look with Eurosceptic glasses towards the EU itself and how it currently functions (Van Elsas, Hakhverdian & Van der Brug, 2016, p.1182). The debate as

it exists today can be seen as reactionary writing towards previous classifications of Euroscepticism's.

Beginning with Szczerbiak & Taggart, they made a distinction between so called 'hard'- and 'soft' Euroscepticism (2008c, p.2). Hard Euroscepticism means that there can be seen such a thing as principled opposition towards the EU and European integration. Parties who are 'hard' Euroscepticists think that their country should withdraw themselves from their EU membership (Ibid.). On the other side we can identify 'soft' Euroscepticists who are not by definition against the EU, but do have concerns regarding certain numbers of policy areas where they sense that their 'national interest' (Ibid.) is at odds with the EU integration project. The conceptualization Szczerbiak & Taggart provided, received a lot of critique, mostly because it is perceived as being too broad to conduct comparative empirical research.

As a reaction to Szczerbiak & Taggart, a new distinction between different Euroscepticism's has been made by Kopecký & Mudde (2002) which they call 'diffuse' and 'specific' support. Kopecký & Mudde call these the two dimensions, the dimension of support/scepticism of (1) European integration and (2) of the EU project (see Table 2.1). Diffuse support means the support of the general ideas of European integration, pooled sovereignty and integrated liberal market economy, separating it in 'Europhiles' and 'Europhobes' (Ibid, p.301). Specific support means the support of the general practice (Ibid, p.300) of the EU as how it is developing. In this second typology, we can differ between EU-pessimists and EU-optimists (Ibid., p.302). The latter is composed of actors who are satisfied with how the EU has been developing over the years and/or is still developing today. The former category, of EU-pessimists, are pessimistic about the EU's development based on a comparison with the founding ideas of European integration (Ibid.), or do not support the EU as it is acting today. The four dimensional table Kopecký and Mudde created is visualised in the following table below:

Table 2.1 *Eurosceptic typology: Kopecký & Mudde*

		<i>Support for European integration</i>	
<i>Support for the EU</i>		Europhile	Europhobe
	EU-optimist	Euroenthusiasts	Europragmatists
	EU-pessimist	Eurosceptics	Eurorejects

(In: Kopecký & Mudde, 2002, p.303)

Nevertheless, the amended typification of Kopecký and Mudde is still conceptually problematic due to the ambiguity the category of Eurosceptics leaves behind. On the one hand, Kopecký and Mudde clearly state that actors in that category are not supportive of the EU as it is functioning today, but are at the same time not (as) sceptical about their EU membership. First of all, the problems start with what they want to change. One possibility Kopecký and Mudde offer are actors which would rather go

back to the founding ideas on which European cooperation was build, while changing the EU and making it “a truer reflection” of the Eurosceptic actor, is also an option. Let alone that Kopecký and Mudde would need to explain the case of the United Kingdom (UK), which Kopecký and Mudde classify as being Eurosceptics, which with knowledge in hindsight give Kopecký and Mudde’s typology a hard time, because leaving the EU would not be an option according to their (Eurosceptic) typology. Kopecký and Mudde do make a valuable addition to the Eurosceptic literature though by incorporating both pro-EU as well as Eurosceptic stances, to make differentiation between the two possible. A more satisfying definition, in my opinion, can be provided by Leconte’s work (2010) though.

2.6 *Leconte’s Euroscepticism’s*

Leconte (2010) adds a whole different perspective on Eurosceptic developments. She combines Euroscepticism with populism due to the fact, as she calls it, both are “underpinned by the same logics” (Leconte, 2015, p.256). In an earlier publication by Leconte, she distinguishes between four different forms of Euroscepticism (2010). These typologies are *Utilitarian-, Political-, Value-based- and Cultural Euroscepticism*. Such an approach makes the necessary distinction between different forms of Euroscepticism, which makes it possible to categorise Eurosceptic parties their (voting) behaviour according to different policy areas without falling into conceptual problems as with the categories of Kopecký & Mudde, because in their framework they would in such occasions, no longer be seen as Eurosceptics or Eurorejectionists, but as Europragmatists.

Utilitarian based Euroscepticism expresses a certain amount of scepticism towards the gains member states get from the EU membership or (further) integration policies. Such a utilitarian based Euroscepticism can play out on both the collective level as well as on the individual level of Eurosceptic MEPs and national political representatives. ‘Being beneficial’ is the crucial (economic) condition, when talking about utilitarian Euroscepticism. As EU-integration progressed throughout the twentieth century the perception that integration is by definition mutually beneficial (Leconte, 2010, p.47), changed due to developments such as the creation of EMU. On an individual level, people blamed the introduction of the Euro for rising inflation, where on the national level, countries with strong currencies perceived themselves as being disadvantaged based on the idea that they sold their original currencies too cheap, thereby not benefiting from the transition itself (Ibid, p.48). The most notorious example within the EMU of losing faith in win-win situations regarding integration was the inefficiency of budgetary discipline. Where influential countries such as France and Germany could get away from sanctions, smaller countries though were being punished for budgetary laxness. Utilitarian based Euroscepticism is therefore not by definition a voice of Eurosceptic politicians *against* Europe. It is more a Euroscepticism-light, where if proven (mutually) beneficial, integration can take place. But when this is not the case, the EU should not be given competencies in this regard. In policy areas where this happened though, Utilitarian Euroscepticism would be wanting to “bring the

national interest back in” (Ibid., p.50) to restore the previously faulty integration course.

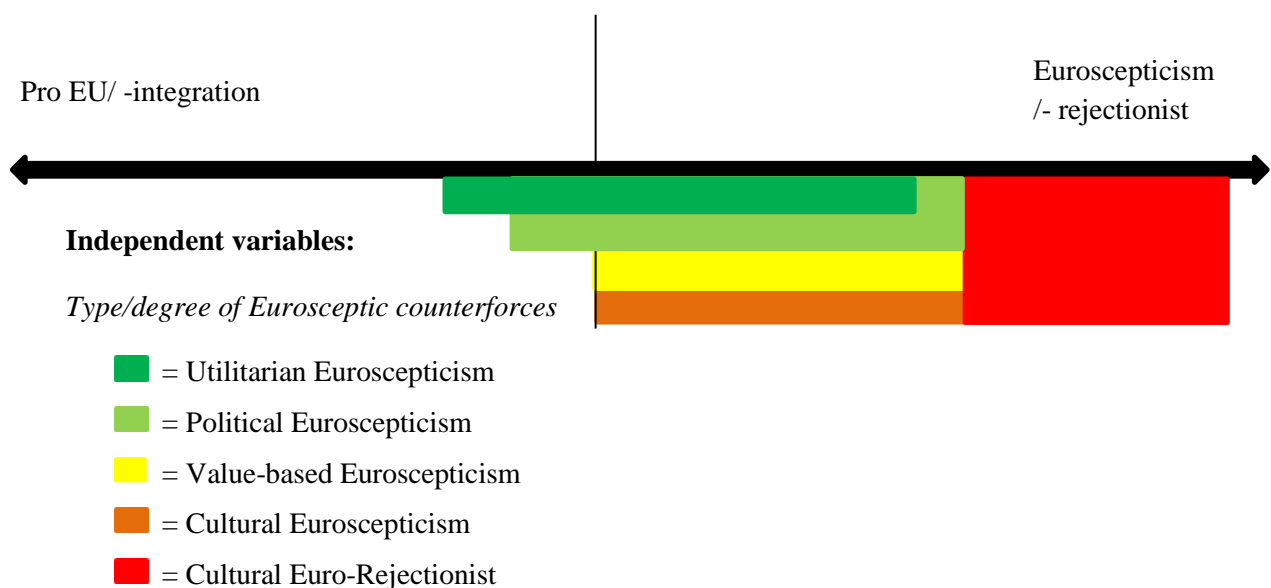
Political Euroscepticism illustrates the concerns or even opposition or defiance of Eurosceptic political actors, resulting out of handing over state-capacities in favour of the European integration project and the impact it has on the national sovereignty and identity of individual countries (Leconte, 2010, p.43). Political Euroscepticism does not mean that, by definition, any concern, opposition or defiance towards integration is indeed Political Euroscepticism. It does entail the opposition towards going beyond the limited core of policies such as pooling of sovereignty, internal market and competition policy (Ibid., p.50). Examples of what Political Euroscepticism is are the debates about EU citizenship and EU identity formation. To begin with the former, EU citizenship was a cornerstone of the Maastricht Treaty opposition by France, Denmark and the UK. They feared that such a EU citizenship would create ‘double allegiances’ (Ibid, p.51), where individual citizens would prefer their EU allegiance over their national ones. In France it was also very much a protest against the consequences of such developments, because it would open up the door for foreigners to influence French politics (Ibid., p.52) via municipal elections. When talking about EU identity formation, it was very much a case of rallying against the (EU-) flag, and rallying around their national ones. The UK was very hostile towards such developments due to the perceived erosion of national cultures and identity it would entail, in favour of a ‘fake’ EU identity (Ibid., p.52). An example of such practices can be identified in debates about creation of EU symbols, or placing them on (national) ID cards. Another one would be to let each EU athlete walk behind an EU flag instead of their respective national flags at the Olympic games opening ceremony (Ibid., p.53).

The third form of Euroscepticism is based on a value-perception of Eurosceptic political actors in the national and EU political sphere that the EU institutions do “unduly interfere” (Ibid., p.57) in matters where they should not do so, due to the fact that it is not so much only about collective and societal preferences, but also about more fundamental matters such as value systems which can be at stake. In practice this means that resentment can occur towards further integration and spillovers, where the EU is having (illegitimate) influence over domestic issues such as minorities rights’, divorce or abortion, which are so called “socially constructed and culturally bound” (Weiler, 1995 in Leconte, 2010) issues. The difference with Political Euroscepticism is that, according to Leconte, Value-based Euroscepticism is underpinned by normative or ethical issues such as the mentioned issues of minorities rights’ divorce and abortion. The concerns were that the ECJ can nullify national court rulings if it is in discordance with EU principles such as free movement of people, as was illustrated in the ECJ Irish abortion case of 1991 (Ibid., p.58). Other examples are cases of non-discrimination such as an ECJ ruling on that women in the German army should be able to engage in combat situations (Ibid.) or the case of harmonization of criminal law when necessary (as was presented in the Amsterdam Treaty). Especially harsh opposition came to the adoption of the EU Charter of Fundamental Rights (Ibid., p.59-60), because it would allow the EU to challenge member-state legislation with regard to for example immigrants’ rights and family matters. According to the UK,

this would harm “national self-determination in the fields of immigration and criminal justice” (Ibid.).

The last Eurosceptic form Leconte identifies is scepticism of national and EU-based Eurosceptic political representatives towards a EU civilization based on a historical and cultural identity (Leconte, 2010, p.61). This can rightfully be seen as the most severe Euroscepticism due to its deep-rooted (cultural) scepticism towards Europe. Leconte even calls it anti-Europeanism. She distinguishes between two different forms of Cultural Euroscepticism, the somewhat softer version voicing the belief that the EU, or ‘Europe’ as an actor in its own right with own homogenous norms, preferences and values, is in the end incompatible with national preferences, customs and traditions (Ibid., p.61). This view is highly related to the phenomenon of globalization, which is seen as the same trend as European integration. Influences from outside the national spheres are therefore seen as a risk towards the own moral, cultural and political values of the national societies (Ibid, p.64). To make a long story short: European (globalised) values can degenerate national values, infusing them with corrosion (Ibid.). The second, more harder version is the belief that Europe (or the EU as such) does not, or cannot exist. Bringing together people who do not share either a common history or a political culture (Ibid., p.61) by proponents of European integration, or in the absence of a common ethnic identity between European nations, integration beyond cooperation on the free trade area level does not make any sense at all. This is also the problem which, according to those cultural Eurosceptics, kept Europe from becoming a political union so far. Figure 2.2 below shows the theoretical assumptions of Leconte’s Euroscepticism’s and what it entails for the choice of Eurosceptic parties to agree with further integration to happen or not.

Figure 2.2: *Conceptual overview Euroscepticism(s)*



2.7 *Critique on Eurosceptic literature*

As was the case with Neo-Functionalism, and the Revised framework presented by both Niemann and Schmitter, also Euroscepticism as a concept itself has received loads of critique from academic authors. The composition of Euroscepticism is according to many, too vague. First of all, that very same vagueness kept authors the past ten years from agreeing on a common conceptualization of what precisely is Euroscepticism (Heinisch & Landsberger, 2011). This is particularly troublesome when talking about political party stances. When is one to identify what precisely is a Eurosceptic stance as well as if it differs between other protest parties or even mainstream parties (Ibid., p.2) Second, the concept itself could also have multiple meanings. For example the 'Euro' part, could mean a lot of different things. Are we talking about the Euro itself as a monetary standard? Are we seeing it as an abbreviation for Europe? Or is it used as a proxy for the EU (Carlotti, 2016, p.7). Moreover, the concept is, or can be very normative (Leconte, 2015). Calling it sceptical is to many by definition a biased notion of putting sceptical voices into something which one has to be ashamed of (Ibid.), or putting them in the same box as the losers of globalisation, who favour demarcation. Last, the suffix of the concept of Euroscepticism is '-ism'. It remains for that reason open to questions if the concept only applies as a political ideology (Flood, 2002, p.3).

As a reaction towards these critiques, one could argue that in light of this thesis' development some are more serious than others. The critique by Heinisch & Lansberger is not very applicable to our argument here, because we are not so much interested in differencing between different kind of (protest) parties, too show if they are inherently Eurosceptic. The focus of this paper is merely to look if there is a perceived tendency in the EU decision-making process towards Eurosceptic policies, and what the influence of Eurosceptic actors in the EU's legislative process has been. As with the critique on the conceptual vagueness of the Eurosceptic concept itself, I hope that it has been clear to the reader(s) for some time that I mean scepticism towards the EU as how it has been developing, not towards Europe as a geographical part of planet Earth, or scepticism towards the Euro.

3 Research Hypotheses

3.1 *Combining Revised Neo-Functionalism and Euroscepticism*

As I have outlined the most important developments in the field of Euroscepticism's in the previous chapter, it has hopefully become very clear that there still is no agreement whatsoever on a common (unambiguous) Eurosceptic definition. As what I also have hoped to achieve here is that there has been a slow but steady movement into establishing such a thing as a good measurement scale of Euroscepticism. Basically, the existing literature has been divided in two kinds of academic works. One that tries to issue different kinds or degrees of Euroscepticism based on policy and value-issues (Leconte, 2010) and on the other hand, the classification between more general creations of soft- and hard stances of Eurosceptic/Euro-positivist behaviour (e.g. Szczerbiak & Taggart, 2008; Kopecký & Mudde, 2002) where one should note that Euroscepticism is not always tended against integration (Kaniok, 2011; Genschel & Jachtenfuchs, 2016) as was also made clear in Leconte's analysis (2010). Strangely enough, these two movements have not been combined yet to make a classification on policy issues such as in Leconte's work (2010). This while we can very well argue, based on those two theoretical approaches, that the cases where Eurosceptic political representatives on the national level, in the CEU and Eurosceptic MEPs in the EP, regarding European integration issues, based on (soft-Eurosceptic) utilitarian rationale or out of self-interest (which they seem at that time more important than the possible political democratic implications it entails) can vote in those circumstances in favour of further integration on certain EU policy areas.

First, it might be in place to quickly come back to the two most important groups of actors this thesis identifies. As was already mentioned in the introduction of this thesis, the two most important groups of actors in this thesis are the 'pro EU-elite consensus' and the 'Eurosceptic counterforces'. The first group is composed of the traditional (mainstream) political parties in the national- and EU political arena which continuously supported the EU integration process over the years. In the CEU setting, those mainstream actors are the political parties who are not being identified as being Eurosceptic (see Appendix Table 1). In the EP the 'pro EU-elite consensus' consists of the mainstream party blocks EPP, S&D, Greens/EFA and ALDE, whereas there should be noted that the (Hungarian) Fidesz MEPs in the EPP should not be considered as pro-EU, since they have clear Eurosceptic stances. Therefore we consider them as Eurosceptic counterforces. The role of the EC seems very clear. It is very often seen as the most supranational oriented EU institution and is therefore also to be counted as a 'pro-EU elite consensus' actor. The second group of actors are those actors which can be identified as Eurosceptic (counterforces). Table 1 in the Appendix gives a good overview of which national political parties are identified as being Eurosceptic as well as Table 2 does for the EP. In the EP the main Eurosceptic counterforces are (on the political left), partially, the GUE/NGL party block. The same goes on the political right for the ECR party block and the Non-Inscrits. The two party blocks

which can be considered as unanimously Eurosceptic are the EFDD and ENF party blocks on the (extreme) right.

For the second step, as to allow for making this thesis' research question testable, the approaches of Revised Neo-Functionalism and Euroscepticism will be combined in a new conceptual framework as to show the interaction in daily EU-decision making between the traditional EU-elite of mainstream political parties and their Eurosceptic counterparts trying to influence or change the predominant pro EU-elite consensus in the case of establishing the EBCGA. This on both the national level and MEPs in the EP and government representatives in the CEU, as well as their Eurosceptic counterparts, seen as the Eurosceptic counterforces in the same arenas. Therefore this thesis is now going to combine these two traditions into making a clear measurement of Euroscepticism via hypotheses possible. To do so, first we have to return shortly to Schmitter's framework and more importantly Niemann's Revised framework (2006). I basically use the whole array of concepts Schmitter already posed, ranging the dependent variable of this thesis, '*Type of (Dis)integration*' from a clear Spillover, to a clear Spillback of EU authority.

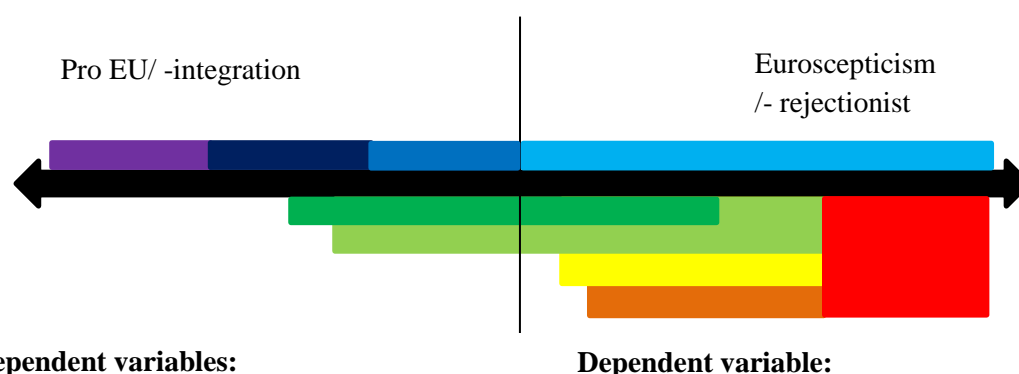
From Niemann's framework though, I am only going to use the concepts of *Functional*-, *Exogenous*-, *Political*- and *Social* Spillover, as well as the *Eurosceptic counterforces*. I deliberately left out the *Cultivated* Spillover since I think that that particular concept mixes up the concept of spillover, because the other spillovers are good to use as independent variables, typifying the '*pro EU-elite consensus*' looking at the process from an ex-ante point of view, while the cultivated spillover seems more like a dependent variable looking ex post to the decision-making outcome. So in order to do not mix-up concepts, the concept of cultivates spillover will be left out of the empirical analysis. Second, I will take the concept of *Exogenous* spillover apart from the other set of spillovers, since the *Exogenous* spillover is not a traditional spillover in the sense that it precisely means what it says: it is exogenous. It is not a logic to integrate based on *internal* (EU-elite) considerations like the other three used spillovers. Therefore, I will label this variable under the concept of 'External threat'. It still remains a variable though which is arguing in favour of further EU integration (Niemann, 2006, p.32) initiated by the pro EU-elite consensus, but perceived on *external* logics which makes further (internal) integration necessary as to protect the EU. As a third, and last alteration to Niemann's framework, the concept of 'countervailing forces' is made more concrete in this thesis, deliberately making it Eurosceptic counterforces, based on the provided theoretical framework of mostly Leconte (2010) concepts of *Utilitarian*-, *Political*-, *Value-based* and *Cultural* Euroscepticism. This makes differencing possible between the type and strength of the Eurosceptic actors in the national and EU political sphere consisting of national Eurosceptic representatives in government and on the EU level MEPs in the EP and national (Eurosceptic) government representatives in the CEU and allowing to show their influence over the EU's decision making process.

Second, we have to first return to Leconte's definitions of Utilitarian-, Political-, Value-based- and Cultural Euroscepticism before the created causal mechanism (on page 27) can be presented. As was the case with previous authors in the field of Euroscepticism, also Leconte fell part to sort of ambiguous categories, where at least some overlap between the four different categories can be identified. Let alone that in particular circumstances, the utilitarian category can even be non-Eurosceptic, and in rare circumstances even the Political Utilitarian type can be seen as non-Eurosceptic. Talking about that specific variant. In Leconte (2010) she argued that Eurosceptic actors can only accept further integration to happen if it is 1) in their self-interest to do so and 2) if it is in a limited range of competencies, such as trade or competition policy. I do not totally agree with this definition, and therefore I would update it into a purely (economic) utilitarian definition: in cases where it is in the purely economic cost-benefit interest of Eurosceptic political representatives in the national- and EU political arena to allow further migration integration via the creation of EBCGA to happen, they will allow such integration to happen. The same goes for the Leconte's definition of *Political* Euroscepticism. Only in this case such considerations are not taken out of purely economic cost-benefit calculations but that they allow that handing over state-capacities can entail (political) democratic deficits, but remain indifferent to that because not acting is even worse based on the cost-benefit calculations. Surely, this option is less likely to lead to further integration than its *utilitarian* brother, since the choice to integrate despite democratic considerations seems less likely to me than a consideration purely based on economic cost-benefit calculations and is only allowed in cases of strict pooling of sovereignties. Therefore I argue that Eurosceptics will not agree with a clear spillover, but only with the concept of 'spill-around' (or less) in cases of purely utilitarian (economic) reasons, and with the concept of 'build-up' (or less) in political utilitarian considerations. Furthermore, of course you cannot change a Eurosceptic within a blink of a second to an Europhile, so when such an action is taken, it does not change Eurosceptics suddenly to Europhiles on all issues.

So to serve as a quick and short summary, it is my belief that Leconte's variations of Euroscepticisms or Euroscepticism in and by itself should be interpreted differently than done so before. We can clearly identify, theoretically, something which Kopecký and Mudde (2002) would call the softer version of Euroscepticism, being the two categories of Utilitarian and Political Euroscepticism. Though Kopecký and Mudde would probably call the Eurosceptics who allow integration to happen, from that moment forward, Europragmatists. This thesis is not inclined to use that problematic concept. Otherwise you would stereotype Eurosceptics as to being blamed for every opposition towards the EU (-integration project). We would rather see it as an indication for Eurosceptics getting out of the cold and becoming "part of the mainstream of European politics" (Taggart & Szczerbiak, 2014, p.34). The somewhat harder versions are the Value-based- and Cultural Euroscepticism, which can even lead to outward rejection of the European project (as we have seen for the first time with the triggering of Article 50 on 29 March 2017). Figure 3.1 shows the visualised overview which this thesis uses. It particularly shows that Euroscepticism does not necessarily leads to

non-integration. In cases where it is in the (utilitarian and political) self-interest of Eurosceptics to integrate further, this can be possible. In all other cases though, based on rational self-interest (utilitarian), democratic self-interest (political), normative self-interest (value-based), or cultural self-interest (cultural scepticism), the choice for no integration can also be made, clearly advocating spillbacks.

Figure 3.1: Visualised overview of (Euro-sceptic) variables and decision-outcomes



1) Type of Euroscepticism

- = Utilitarian Euroscepticism
- = Political Euroscepticism
- = Value-based Euroscepticism
- = Cultural Euroscepticism
- = Cultural Euro-Rejectionist

2) (EU-elite) Spillovers

- 1. Functional Spillover
- 2. Political Spillover
- 3. Social Spillover
- 3) External Threat
- 4. Exogenous Spillover

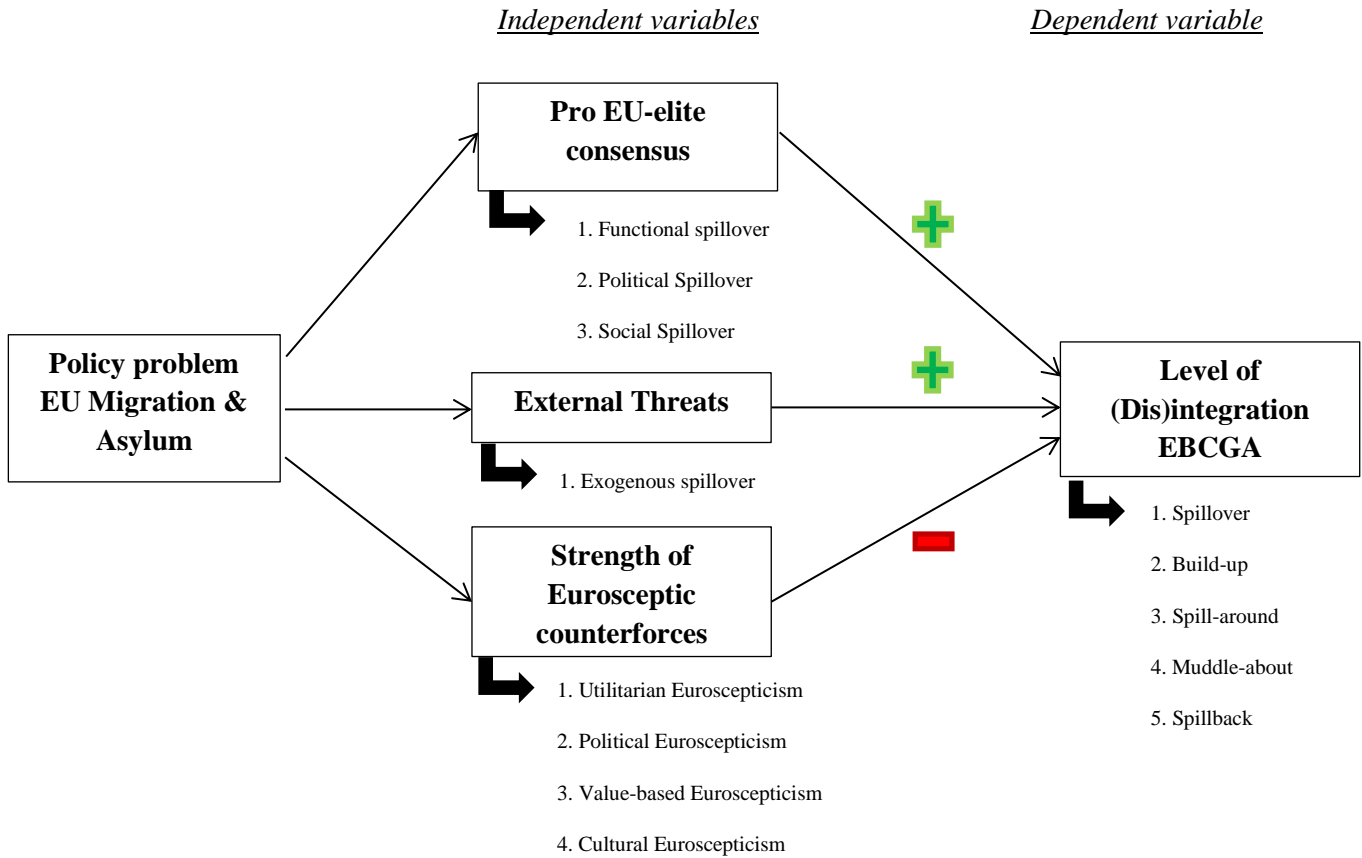
Decision-making outcomes / Type of (Dis-)integration

- = Spillover
- = Spill-around
- = Build-up
- | = Muddle-about
- = Spillback

Combined Causal Model

Out of these considerations, this thesis newly established framework can be seen as follows in the causal model in Figure 3.2 on the next page. The conceptual framework consists of three independent variables as were deducted out of the theoretical framework of both Revised Neo-Functionalism and Euroscepticism. ‘Pro EU-elite consensus’ consists of the three relevant variables as deducted out of Niemann’s theoretical framework, as well as the second independent variable, which is now taken apart due to the considerations based on the externality of the concept versus the internal aspect of the Pro EU-elite consensus variables. The third and last variable is the ‘Euro-sceptic variable’ of Leconte’s theoretical considerations adapted by my own alterations to the concept of Utilitarian- and Political Euroscepticism.

Figure 3.2: Causal Model



3.2 Hypotheses

Based on this conceptual synergy of both theoretical approaches their assumptions, we can deduce the following set of hypotheses out of it, to make their theoretical assumptions ready for testing in the empirical fifth chapter of this thesis. The first set of variables consists of those hypotheses deduced out of the (Revised-) Neo-Functionalism framework. Hypothesis 1 shows the more traditional notion of both the neo-functional and revised neo-functional framework regarding the case of a clear spillover indication. In the second hypothetical expectation of this thesis, the more nuanced framework of the revised neo-functional framework has been taken into account, deliberately accounting for Eurosceptic counterforces in the mix, making the concepts of ‘spill-around’, ‘build-up’, ‘muddle-about’ and ‘spillback’ possible.

H1: Established Frontex co-operation spills over into a more integrated EBCGA, if the prevailing ‘pro EU-elite consensus’ of both the national and supranational decision-makers deem further integration necessary.

H2: The EBCGA mandate is dependent on the relative strength of integrative spillover forces favoured by the ‘pro EU-elite consensus’ and due to ‘External Threats’, compared to the present strength of ‘Eurosceptic Counterforces’.

As to answer the second hypothesis, it is wise to separate it into three sub hypotheses as to make it possible to answer the second hypothesis into more substantive detail:

H2a: *The extent to which there is a 'pro EU-elite consensus' present in either the EC and/or the EP and CEU has a positive effect on the strength of the integration effort to establish the EBCGA.*

H2b: *The presence of a 'External Threat' perception by the 'pro EU-elite consensus' in either the EC and/or the EP and CEU has a positive effect on the strength of the integration effort to establish the EBCGA.*

H2c: *The relative strength of 'Eurosceptic counterforces' in either the EC and/or the EP and CEU has a negative effect on the strength of the integration effort to establish the EBCGA.*

The second set of hypotheses consists specifically of the Eurosceptic assumptions based on the literature as provided by Leconte (2010) and the contemporary research regarding Euroscepticism in both the EP and CEU as well as on the national level. The third hypothesis accounts for the role Eurosceptic counterforces play in the European Parliament, whereas the fourth, and last, hypothesis specifies the role played by Eurosceptic Counterforces in various types of government positions, present in the CEU setting.

H3: *Pragmatic or participating Eurosceptic MEPs only vote in favour of establishing the EBCGA mandate, when it is based on a (political-) utilitarian cost-benefit rationale.*

H4: *Eurosceptic single-government- or major governing parties present in the Council, vote only in favour of the established EBCGA mandate if their rationale is based on a (political-) utilitarian cost-benefit rationale.*

4 Methodology

As we have finished outlining the theoretical focus of this thesis, it is now time to move on to the methodology. This chapter is outlined by the following structure. This chapter begins with the operationalisation of the most important causal variables and indicators of my application of both (Revised-) Neo-Functionalism, as well as those of Leconte's Euroscepticism(s) assumptions. Second, the chosen research design and case justification will be given. Third, data sources used to substantiate this thesis' argument will be given more room for clarification.

4.1 Operationalisation

In this section, the three most important concepts used in this thesis, namely 'pro EU-elite consensus' spillovers, the 'External Threat' spillover and 'Eurosceptic Counterforces' variables will be further elaborated on, to make them ready for the empirical testing in the next chapter. First of all, the theoretical definition of the independent variables deducted from my interpretation of the theoretical concepts will be presented. Second, they will be translated into empirical manifestations regarding the decision-making procedure to establish the EBCGA. Third, the dependent variable, or different decision-outcomes regarding the EBCGA, which are possible due to variation on the independent variables will be operationalised. Finally, this operationalisation leads to the fourfold of mentioned hypotheses which are likely to be expected in the practice of the EU's decision-making process regarding the establishment of the EBCGA.

4.1.1 Pro EU-elite consensus

The *Functional spillover* can theoretically be seen as "pressures from within" (Niemann, 2006, p.5) related to European integration and its policies, where policy-makers are induced to take further integrative steps as the means to achieve their intended goals or objectives (Ibid., p.30). In practice this means that in order to see a functional spillover in practice, we would need to see clear signs that EU-member states are dissatisfied about the current Frontex mandate, which is in their eyes insufficient to deal with current predicaments regarding the European Refugee Crisis. In order to examine what the precise goal of the EU-member states was, we should address the original intended goal of Frontex. Frontex was created because of the establishment of the Schengen area: a territory without internal borders where free movement of persons, goods and knowledge is guaranteed (Frontex, 2017), with the goal of safeguarding internal security of the Schengen participants. In order to do so, member states agreed on "compensatory measures" (Ibid.) which in essence means cooperation and coordination of national judicial and police forces in border management, in order to fight organised crime networks who do not respect borders and to. Later this cooperation was broadened to include areas of migration and asylum. So a practical (functional) reason for the pro EU actors in the EC, EP and CEU to strengthen Frontex's mandate, would be that previous integrative efforts of Schengen

countries were not sufficient in order to deal with the burdens a common external border (without internal borders) brings. Therefore, the pro EU-elite consensus decides to integrate further, based on functionality, in order to safeguard the internal security of the Schengen area, and to protect their intended goals regarding Schengen.

Political spillovers are developing out of the choice of non-governmental elites (such as NGO's, unions, advocacy coalitions) and to organise, or build-up of their (political) interests at the EU-level, which is changing their perceptions based on incentive learning processes (Niemann, 2006, p.35). Compared to the original neo-functional framework, where only functional-endogenous processes are captured, the revised neo-functional framework, also included exogenous process. Therefore the political spillover has become a combination of both the functional- as well as the exogenous spillover. Endogenous reasons for interest-groups to support further integration can be found in cases where further integration would be in their (material) self-interest to do so. The same logic works for the exogenous reasoning of interest groups. If it is in the material self-interest of those groups to support further integration, because developments such as globalisation go beyond the "governance potential of individual member states" (Ibid., p.36). So the crucial difference is that, for the political spillover, the choice for further integration is driven by non-governmental elites, instead of the politicians themselves. In the case of the creation of the EBCGA, in order to see a political spillover in practice, it would entail that influences, either endogenous or exogenous, or both endogenous and exogenous reasons (such as mentioned in the previous two paragraphs) posed by non-governmental elites via concerns or rapports, are being referred to in the legislative rationale used by representatives of the pro EU-elite consensus: either the EC, MEPs in the EP or government officials in the CEU.

Social spillover is a spillover where the concept of "engrenage" has a key role (Ibid., p.37). Social spillovers are all about socialisation processes between different national governmental elites which eases decision-making on the supranational level. Such communicative action points to the interaction of people which is no longer based on egocentric calculations, but on mutual understanding. So they pursue "individual objectives under the condition that they can coordinate or harmonise their plans of action on the basis of shared definitions of the situation" (Habermas, 1981, p.385-386 in Niemann, 2006, p.39). This social interaction can be linked to broader exogenous, functional and EU structures, which becomes, based on socialisation processes, part of the decision-makers rationale. For this thesis's case, it would mean that we have to see processes of socialisation going on between decision-makers in both the EP and CEU, as well as the rationale of national government officials. This can be found in the quality, length and frequency of interactions/meetings in f.e. working groups of those decision-makers, determined via looking at speech-acts. In order to show if a social spillover is present, ideally we would see an situation where arguments for establishing the EBCGA are made consistently, and are not prone to audiences which engages in rhetorical behaviour, i.e. changing

arguments based on the audience present, does count as a clear indication of an absence of social spillovers.

Based on the above operationalisations of the most important spillover indicators, we can formulate the first working hypothesis of this thesis, based on the ideal (revised) neo-functionalist situation of a spillover outcome:

***H1:** Established Frontex co-operation spills over into a more integrated EBCGA, if the prevailing 'pro EU-consensus' of both the national and supranational decision-makers deem further integration necessary.*

4.1.2 External Threat

An *Exogenous spillover* can theoretically be seen as factor(s) which are exogenous to European integration itself, which though have an influence on the European integration process (Niemann, 2006, p.32). The traditional external shock for European integration can be found in the Cold War, where European countries integrated (also) because of the security threat the Cold War was to their existence. Pooling of sovereignty, or close co-operation could help overcome such a threat. Other logics would be that international problems would require international solutions, i.e. regional integration in order to create a buffer against "uncertain external developments" (Ibid., p.33), because individual member state capacities are not sufficient to deal with the task. In practice this would mean that the pro EU-elite consensus would require further integration of Frontex, because external developments, such as the flow of refugees from the Arabic world, Africa and from the Syrian war pose difficulties which no single member state can effectively deal with on their own. Other causes can be found in the worsened relations with Turkey, which holds a great bargaining chip over the EU's head when it comes to stopping the refugee flow (The New York Times, 2016). Therefore, EU-member states decide to deepen integration via Frontex, because the external developments as sketched above pose a serious threat to their national securities, and cannot solve such a problem on their own.

As the revised theoretical framework does also include striving forces against further integration, first of all we must operationalise those Eurosceptic counterforces, in order to deduct more non-ideal type revised neo-functional hypotheses where those forces are included.

4.1.3 Eurosceptic counterforces

Countervailing forces, as theorized in chapter two, fairly remain in Niemann's book on the theoretical level as her operationalisations of the most important countervailing concepts, sovereignty consciousness, domestic constraints and negative integrative climate, remain vague and overlapping. What overlaps them is that all countervailing forces contain a form of Euroscepticism, which is an

indicator for the strength of the countervailing forces on integration and its capacity to alter the course of integration into standstills (muddle-about), or even spillbacks. Therefore, to make these types of Eurosceptic counterforces more explicit, and to test them, we operationalise the different Euroscepticism concepts, according to my own understanding of the concepts originally theorized by Leconte (2010), as follows:

Utilitarian Euroscepticism offers the scepticism towards further integration based on economic (utilitarian) gains for the individual member states. It therefore challenges the functional assumption of (Revised) Neo-Functionalism, where further integration (in another sector) is the answer to the same problem. Instead, Utilitarian Euroscepticism argues that in matter where, due to inefficiency (in costs) of integration, re-nationalization should take place. It is therefore not so much a clear cut case against integration, but merely a softer (pragmatic) one which accounts a great role for efficiency and gains (on the member state level). If those gains are not there though, it would mean for this thesis case that we would need to see affirmations of “bringing the national interest back in” (Leconte, 2010, p.50) in statements, communications or documentations regarding the creation of the EBCGA from Eurosceptic counterforces from Eurosceptic government officials in the national arena (as well as in the CEU) and Eurosceptic MEPs in the EP (see Appendix Table 1 and 2). Moreover, we need to differentiate between mainstream politicians and Eurosceptic ones, if we are to determine if the EU is still an elite driven project or that Eurosceptic Counterforces can influence the process via participation or pragmatism.

Political Euroscepticism is all about principled opposition towards creating supranational systems based on the democratic deficit, future integration could bring. As with Utilitarian Euroscepticism, it is not a principal opposition towards the EU per se, but integration should be based on the principle of subsidiarity and must not go beyond limited fields of cooperation, such as the internal market, and should be based on pooling of sovereignty (Ibid.) according to Leconte’s definition. Or as my own view on the matter, no supranational decision-making is approved beyond mere intergovernmental decision-making, based on unanimity to protect democratic decision-making (Ibid., p.54). Thus, in order to see Political Euroscepticism, we should see fierce reaction by either Eurosceptic Counterforces or the mainstream pro EU-elite, when a (new) supranational EBCGA is decided on. On the other hand, we could see the creation of EBCGA happening as to be tolerable for those very same Eurosceptic counterforces, if they participate pragmatically, and when this new institution is created based on ‘subsidiarity’, i.e. the member-states should decide unanimously if something is going to happen in that new institution and they hold the power to block a decision themselves.

When talking about *Value-based Euroscepticism*, we move beyond the softer Eurosceptic opposition towards EU-integration. With this harder Eurosceptic stance, the believe is that the EU does unduly interfere in member state competencies, and the underlying more fundamental value-systems of the

state. Examples are issues such as abortion or minorities' rights, and most issues regarding Justice & Home Affairs. Therefore, in order to indicate such a thing as value-based Euroscepticism, documentation or other (spoken) material or statements regarding the creation of the EBCGA needs to show a principled opposition by either or both Eurosceptic actors and mainstream pro EU-elites to the extent that the creation of the EBCGA is unduly interfering in state matters based on fundamental value-systems of the state being at stake.

Cultural Euroscepticism is the strongest opposition towards European integration of the four identified Euroscepticism's, which could (in its second variant) also lead to outward rejection of it. This form could be identified as a deep cultural scepticism towards Europe, and European integration, because we do not have any common identity. European integration is perceived as one of the process of globalisation "corrosive to national values" (Ibid., p.61) and should therefore be rejected. Therefore, integration of the EBCGA is not possible, according to this type of Euroscepticism. Since at least some sort of integration happened, it is therefore useless to identify how such a policy would look like according to Cultural Euroscepticism. It can present itself though in discussions and statements by Eurosceptic or mainstream political actors, which did not resonate in the final legislative act to create the EBCGA. In order to identify this sort of Euroscepticism, we should identify statements or discussions where phrases or anti-EU, or combined with anti-globalisation sentiments by politicians are voiced.

Since we have now identified the three most important independent variables, two different sets of spillovers and the Eurosceptic counterforces and their specific manifestations and indicators, it is time to deduct the last set of working hypotheses of my own combined framework derived from the Revised Neo-Functionalism- as well as Euroscepticism's framework. First of all, the Revised Neo-Functionalism hypothesis, where now the influence by countervailing Eurosceptic forces is acknowledged to play a possible role.

H2: The EBCGA mandate is dependent on the relative strength of integrative spillover forces favoured by the 'pro EU-consensus' and due to 'External Threats', compared to the present strength of 'Eurosceptic Counterforces'.

Also, we can deduct two more hypotheses, based on the theoretical assumptions of the countervailing Eurosceptic forces regarding the EP and CEU dynamic, regardless of whether it is present in the final act establishing the EBCGA.

H3: Pragmatic or participating Eurosceptic MEPs only vote in favour of establishing the EBCGA mandate, when it is based on a (political-) utilitarian cost-benefit rationale.

H4: *Eurosceptic single-government- or major governing parties present in the Council, vote only in favour of the established EBCGA mandate if their rationale is based on a (political-) utilitarian cost-benefit rationale.*

4.1.4 Type of (Dis)integration

Now we have finished elaborating on the independent variables, it is time to delve somewhat deeper into the possible type of decision the legislative end product could look like. In the previous two sections, it was outlined when (via spillovers), further integration could take place. As was also outlined, the strength of such an spillover is very much dependent on the interplay of mainstream EU-forces and the presence and strength of countervailing Eurosceptic forces, which could result in a situation where we cannot identify a clear cut spillover. As a typification of such outcomes, Schmitter developed the build-up, spill-around, muddle about and spillback concepts. This is basically a distinction between 1) a non-decision (muddle-about), or 2) a decision in the scope or level of integration. Where there is to be noted that for decision two, we can basically distinct between two more options, where on the one hand we can see further integration, differing between spill-around, build-up and a clear-cut spillover. On the other hand we can also see the level of disintegration (or spillback). Both types of decisions can be based on the reasoning brought forward by either softer stances of Utilitarian- (economic) and Political- (democratic) Euroscepticism, and the stronger Value-based- (normative) and Cultural (rejectionist) Euroscepticism. Table 4.1, as presented on the next page, shows the whole array of used variables, leading to the options outlined above, which will be used as a guideline for making the empirical argument in the next chapter. There should be noted, that this thesis measurement does not think that a clear-cut spillover can be present in the final legislative act to establish the EBCGA in cases where there is any form of (legislative) Euroscepticism present. When Euroscepticism is present, in accordance with this thesis hypotheses, the strength of the integration effort depends on the strength of the Eurosceptic Counterforces. The strongest type of integration to be identified in the decision-outcome should be either a 'spill-around' or 'build-up', but only in the prescribed cases of Utilitarian and Political Euroscepticism being able to explain such a choice to accept further integration. In all other cases, Eurosceptic Counterforces cannot accept further integration to happen and will therefore likely vote against, or abstain from voting. In cases where we would see a type of integration classified as a 'muddle-about' or 'spillback', Eurosceptic Counterforces are expected to vote in favour of the legislative act to establish the EBCGA.

Table 4.1: *Aggregated table of assumptions and outcomes*

	Independent variable	Voices present in EC/EP/CEU (Yes/No)	Legislative presence (Yes/No)	Decision-outcome (Integration \leftrightarrow Disintegration)
Revised Neo-Functionalism	“Pro-EU consensus”			1. Spillover Spillovers present (3-4) and no legislative Eurosceptic Counterforces present (0). 2. Build-up/Spill-around Not all spillovers present (1-3), only Utilitarian and/or Political Eurosceptic Counterforces present. 3. Muddle-about Spillover forces were as strong (or weak) as the Eurosceptic Counterforces. 4. Spillback Spillover forces are weaker than the Eurosceptic Counterforces.
	1. Functional spillover			
	2. Political spillover			
	3. Social spillover			
	“External Threat”			
	4. Exogenous spillover			
	Total presence of Spillovers (0-4)			
Eurosceptic Counterforces	1. Utilitarian Euroscepticism			
	2. Political Euroscepticism			
	3. Value-based Euroscepticism			
	4. Cultural Euroscepticism			
	‘Total presence of Euroscepticism’s (0-4)			

4.2 *Research design*

The case under investigation in this thesis is establishing the ECBGA out of the already present Frontex mandate. Therefore, this thesis will have a qualitative single case study design. Doing a case study, perfectly fits with the aim of this thesis. A case study is, according to Gerring, “best defined as an intensive study of a single unit with an aim to generalize across a larger set of units” (2004, p.341). We are trying to look for presence of influences of Eurosceptic counterforces over the decision-making process to establish the ECBGA and if this very same institution is therefore a result of those Eurosceptic influences and can consequently be seen as an institution wearing an ‘Eurosceptic mark’. How does this happen? Why does this happen? These are two very important questions as to answer this thesis central question. It is also another reason to conduct a case study according to Yin (2002). Moreover, we also want to uncover the contextual conditions (Ibid., p.39) with regard to the case of the ECBGA. Lastly, it is impossible to manipulate the behaviour of the actors involved in this case (Ibid., p8), without making use of a counterfactual experiment. With an Eurosceptic mark it is meant that, having only a supranational mandate if such a mandate is in the rational self-interest of Eurosceptic actors, or otherwise very limited in his mandate, effectively giving the member states the last word in every decision it makes, or to be very dependent on member states for its daily functioning. It is for later studies to determine if a possible decisive Eurosceptic influence is also present in other EU policy fields. Here we already encounter one of the trade-offs of single case study research, which is the often heard critique of generalizability. Whereas the scope of the case study’s causal argument is often very much in-depth (internal validity), it lacks the breadth to make good (external valid) generalizations (Gerring, 2004, p.347). Nevertheless, this thesis, as do many other single case studies, provides a case which is very likely to be comparable to another set of future (policy) cases due to the fact that it has the same units of analysis (Gerring, 2004, p.348; Bennett, 2008, p.713-714), Eurosceptic counterforces and the (mainstream) pro EU-elites. Patterns found in this case-oriented thesis, may very well be applied to explain other cases’ causal patterns (Mahoney, 2008, p.413) when conducting population-oriented research.

Case-selection techniques (Gerring, 2007), is the next important step. As we have already said many times, the case of the creation of the ECBGA out of the already existing Frontex structure, should seem of particular importance to Eurosceptic actors due to its involvement in (former) core-state policies such as migration and asylum (Lavenex, 2001). If Eurosceptic actors would have a voice in EU-policy, it would be in such a case. Certainly if the permissive consensus is over, in favour of a constraining dissensus. Also, on the other hand, it is the ideal case for mainstream EU-elites to show that they have not lost touch with their citizenry in the respective member states, thereby opting for a decision-outcome which does reckon the worries by those Eurosceptic voices in the EP, CEU and member states. You could even say it more extremely, if the mainstream elite is not acting in the interest of Eurosceptic voices on such crucial salient points, why would they then on other less salient

points? You could also use the same reasoning the other way around. Why would Eurosceptic actors have influence in cases less close to their ideology if they would not have any influence over policies so crucial to their political existence? It seems to me that the case of the creation of the ECBGA is a 'Crucial Case' (Gerring, 2007, p. 108-115; Gerring, 2008, p.664; Seawright & Gerring, 2008, p.295). According to Gerring, the crucial case is a method used for testing the theory's validity, where the results of the 'crucial case' "must closely fit a theory if one is to have confidence" in it (2008, p.664). This because with the knowledge of hindsight, the research may reveal that assessed theories may (still) be valid, in a revised form (in this case Revised Neo-Functionalism). It can also be used for reconceptualising or disconfirming a theory (Ibid.), which could be the case with the deducted Eurosceptic counterforces assumptions. As stated earlier on, it would be hard for Eurosceptic actors to push their mark on EU policy areas, which they do not have much interest in. It also comes from their strong belief that the EU, often, is not important compared to national politics. If they have influence over issues, it would probably only be issues with vital national interests at stake.

How does this thesis proceed regarding the within-case analysis? One particular method seems ideal for this job, namely process-tracing (Bennet & Checkel, 2015, p.6). As we try to open the black-box of European decision-making, looking for traces which can show us Eurosceptic influences over that very same decision-making, process-tracing methods are ideal providers for giving us the tools to show such developments in detail. Process tracing "attempts to locate the causal mechanisms linking a hypothesized explanatory variable to an outcome" (Mahoney, 2000, p.409; Bennet & Checkel, 2015, p.5). Some even say that there cannot be made strong causal inference without the use of process-tracing techniques in a within-case analysis (Goertz & Mahoney, 2012, p.103). In academia, there is a lively debate though on what accounts process-tracing, and what is 'good' process-tracing (Bennet & Checkel, 2015, p.4). Moreover, existing literature on process-tracing does not account enough for the problem *equifinality* plays in process-tracing methods (Ibid.). In essence, Bennett & Checkel see process tracing as "The analysis of evidence on processes, sequences, and conjunctures of events within a case for the purposes of either developing or testing hypotheses about causal mechanisms that might causally explain the case" (Ibid., p.7-8). It is (more) usually, but not only, a very deductive method used for theory-testing process-tracing (Beach & Pedersen, 2013, p.56). It can also be combined with inductive influences by tracing evidence, for example, via interviews. It necessarily entails to interpret the evidence of the analysis in the form of a test in terms of (non-) uniqueness and (un)certainly (Ibid., p.17). These can take the form of a 'straw-in-the-wind' test, which provides co-incidental or weak evidence for a causal process which is therefore not decisive (Ibid.). A 'Hoop test' which involves certain evidence, which is at the same time not unique. It does not disqualifies explanations, but it does at the same time not increase the general confidence in an explanation. 'Smoking-gun' tests are an unique explanation, but which is not certain. It does affirm an explanation, but is not necessarily builds "confidence in an explanation" (Ibid.). The strongest evidence is the 'Doubly-decisive test' which covers the evidence which is unique as well as certain, or is necessary

and sufficient in providing confidence in a certain explanation (Ibid.).

Now to return to the statement of Bennett & Checkel of what entails good process-tracing, they do provide a list of ‘best practices’ (Ibid., p.21). Table 4.2 is adopted from their work, and functions in this thesis as a guideline to produce a ‘good’ process tracing analysis, although the authors note that some criteria listed below can depend in their relevance for all studies (Ibid., p.22).

Table 4.2: *Process tracing best practices*

1. Cast the net widely for alternative explanations
2. Be equally tough on the alternative explanations
3. Consider the potential biases of evidentiary sources
4. Take into account whether the case is most or least likely for alternative explanations
5. Make a justifiable decision on when to start
6. Be relentless in gathering diverse and relevant evidence, but make a justifiable decision on when to stop
7. Combine process tracing with case comparisons when useful for the research goal and feasible
8. Be open to inductive insights
9. Use deduction to ask “if my explanation is true, what will be the specific process leading to the outcome?”
10. Remember that conclusive process tracing is good, but not all good process tracing is conclusive

(Bennet & Checkel, 2015, p.21).

Therefore, we now turn to a short but descriptive discussion of the ten mentioned points. For the first two points, we already return to the most important set-back of most process-tracing literature, the failure to account for equifinality. As Bennet & Checkel argue (2015, p.23), given explanations are more convincing if it is inconsistent with different ones. Moreover, it really hurts an argument, making it unconvincing if authors fail to even mention potentially different explanations. As regards this thesis, a possible alternative reason for creating the ECBGA (besides the explanation the Eurosceptic argument offers) which should be taken into consideration is the pathway on which EU decision-makers decided to create the not so much out of Euroscepticism, but more as a reaction based on existing anti-immigration sentiments in all EU member states.

It is not required though to delve as deep (point two of Table 4.2) into such causal pathways as is with the general causal argument. Point four is the first one which is not necessarily relevant for this thesis (as is point seven), due to the fact that we pursue a crucial case here, instead of a most- or least likely case (Gerring, 2007, p.115-121). Point five is very relevant though, to clearly limit the research between a certain starting- and end point. As was already stated in this thesis’ introductory chapter, the time-period under investigation is from 9 September 2015, until 14 September 2016, so basically one

year. This is justified due to the fact that it covers the initiation of the ECBGA initiative by the EC until its final adoption by the CEU on the 14th of September, 2016. The tenth, and last important point Bennett & Checkel cover is their assumption that "...conclusive process tracing is good, but not all good process tracing is conclusive" (Bennett & Checkel, 2015, p.30-31). The more evidence there is for some explanations, instead of alternative explanations, the higher the confidence is in the general explanation. It can occur though that certain evidence is, with regard to confidence, not as high as was hoped for, due to a certain level of uncertainty. This is not a problem per se, if the author acknowledges the level of uncertainty, which is possible via mentioning the terminology of the four different process-tracing evidence tests.

4.3 Data sources

As to continue with the data sources used in this thesis, we once again return to Table 4.2 by Bennett & Checkel, to account for points three, six, eight and nine. Regarding point three, potential biases coming from sources, for example those who are interviewed. We should use some Bayesian logic here (Bennett, 2008). When interviewing, or looking to information over Eurosceptic actors and mainstream pro EU-elites in the EP, a MEP who is seen as mainstream, arguing that Eurosceptics have an influence, is not as convincing as in the case the Eurosceptics themselves would say that they do have influence over the decision-making process of the ECBGA. Also, we should make a distinction between different sources in their value for the analysis. Prepared remarks are not as convincing as spontaneous comments. The same goes for private statements over public statements (Bennett & Checkel, 2015, p.25). As regards point six of Table 4.2, making use of data triangulation is a good way of making sure that the evidence gathered is diverse. Therefore, I make use of all official documents released by the EU's institutions such as the official legislative documents via EUR-Lex (2017), and the EP's Legislative Observatory, as well as EC-, EP- and CEU press releases and statements of government officials. Also considered as a source will be the debate between MEPs inside the EP which can be read (or watched digitally) on their website. Another viable source of information is Votewatch.eu where all sorts of information can be found regarding voting behaviour of both MEPs in the EP as well as country representatives in the CEU. Other sources to be considered are from inside the ECBGA organisation itself as well as lobby groups such as the European Council on Refugees and Exiles (ECRE, 2017; Geddes, 2000).

So as a quick summary, this thesis will make use of several sorts of data to make data triangulation possible. These sources are ranging from official documents by the EU-institutions, public debates inside the EP, to 'inside' information interviews with EU-officials as well as 'outside' information from lobby-groups such as ECRE. Therefore we can now continue with the empirical chapter of this thesis.

5 Empirical Analysis

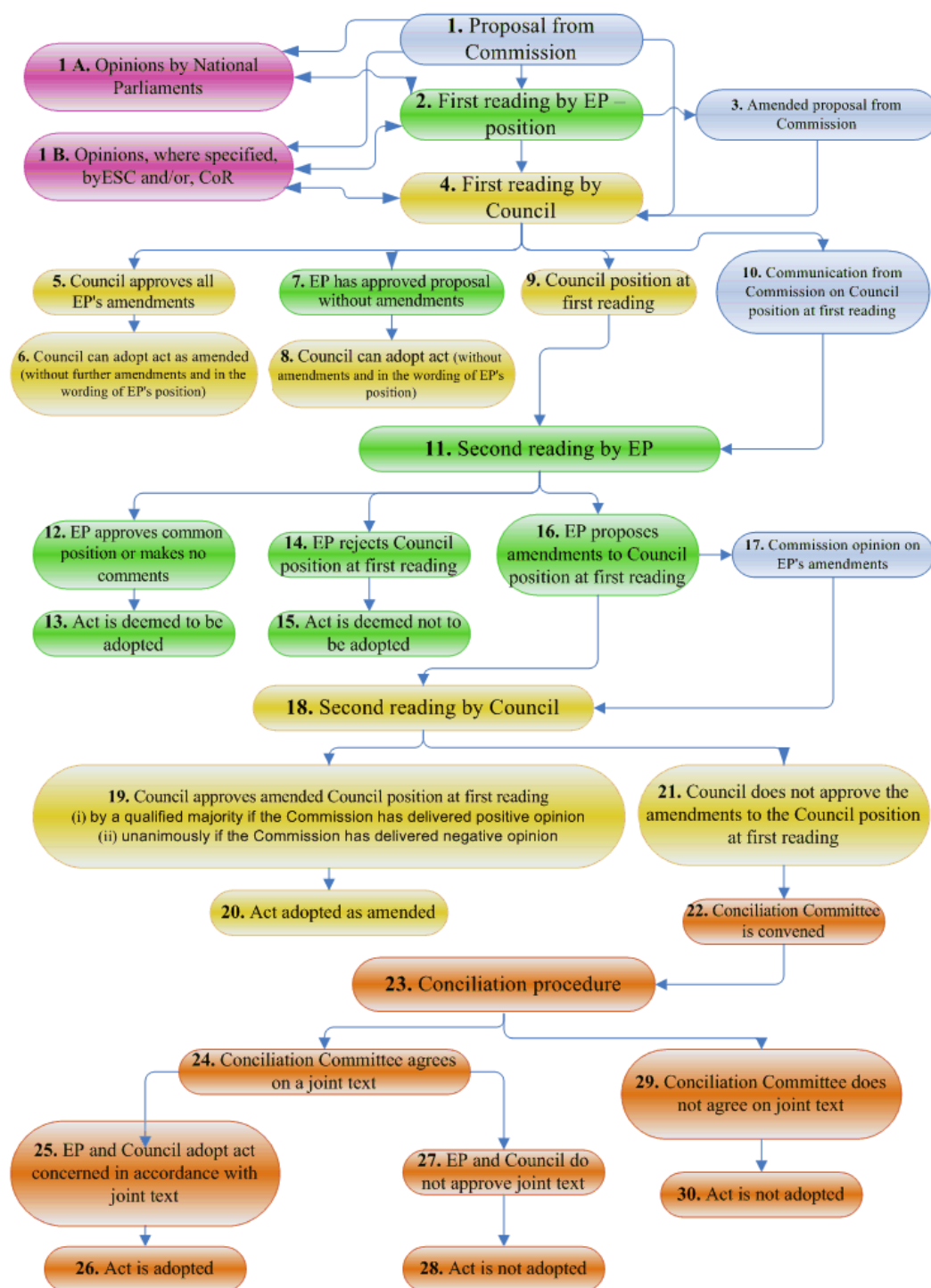
This chapter will have the following structure: First of all a brief introduction to EU-decision making will be given. To be more precise, the procedures to which the legislative train is bound will be elaborated on. For the procedure 2015/0310(COD), to establish the European Border and Coast Guard, these procedures are 1) the Ordinary Legislative Procedure. Furthermore, since the legislative proposal came from the EC, the final adoption by the CEU is bound to 2) the “Qualified majority” rule (EUR-Lex, 2017). After this quick introduction, we move on to the empirical testing of the EU-legislative process regarding the strength of the Eurosceptic actors in this process. The structure of the empirical analysis will be structured the same way as the EU’s legislative process. First of all, we move towards the EC as the main initiator for the proposal to deepen Frontex co-operation into the (new) EBCGA structure. Second, we move forward to the committee opinions, followed by debates, in both the EP and CEU, as well as the contributions by national parliaments. We end the chapter with the final votes in both EP and CEU to be able to make a final verdict on this thesis research question.

5.1 *Ordinary Legislative Procedure*

The Ordinary Legislative Procedure (OLP) is a relatively new procedure, established under the Lisbon Treaty (Warleigh-Lack & Drachenberg, 2013, p.204). Its predecessor was the co-decision procedure. The full OLP is visualised in Figure 5.1. It does not necessarily mean that every proposal has to go through several readings. It can already be adopted after the first reading by the EP and CEU if the proposal is deemed good enough. The most important actors in the OLP are the EC as the main initiator of proposals, whereas the EP has also a legislative initiative to propose to the Commission that they submit a proposal (European Parliament, 2017a). For being the main co-legislators, the EP and CEU are the two most important legislative actors, in equal weight. For consultation in both institutions, several committees can be asked for opinion. In the EBCGA legislative process, the Foreign Affairs (AFET), Budgets (BUDG), Transport and Tourism (TRAN) and Fisheries (PECH) are being consulted by the EP, whereas the Civil Liberties, Justice and Home Affairs committee (LIBE) is responsible (European Parliament/ Legislative Observatory, 2017).

The CEU votes via the Qualified Majority procedure, which is basically based on two requirements. At least 55 per cent of the member states (Lewis, 2013, p150-151), need to vote in favour of the proposal. Second, the votes in favour should at least represent 65% of the EU population (Ibid.). Voting power is distributed in number of votes a country has, based on its population compared to the total population of the EU member states.

Figure 5.1: Overview of the Ordinary Legislative Procedure (COD)



Source: European Commission (2012).

5.2 Stage I: the European Commission

Before the legislative procedures in the form of a proposal by the EC start, we need to turn first to the trigger of it all. That trigger was being voiced in the 2015 State of the Union Address on 9 September 2015 by President Juncker. Based on the external environment, which is that in 2015 in merely a year time, one point five million people have crossed into EU-territory illegally. Moreover, almost halve a million people applied for refuge or international protection, and that in just three months (European Commission, 2015a). These external circumstances the EU has to deal with has been a huge burden for internal EU security, most so for the Schengen area. Juncker's proposal therefore is to establish the European Border and Coast Guard to tackle these new (greater) security challenges (Juncker, 9 September, 2015). Such a new institution should be composed of both the agency itself as well as national authorities responsible for border management (Ibid.). In essence the proposed change would be centred around seven spear-points. First and most importantly, the EC perceived the then current EU agency responsible for the extern borders, Frontex, as being inefficient due to its inability of remedying situations as the refugee crisis, because they cannot buy own equipment and rely solely on member state contributions. So in essence, they have to hold their hand open to every member state when they want to do something. Second, to ensure the same level of border management standards, the EBCGA will ensure EU standards. Third, permanent EBCGA staff will be doubled and be able to buy its own equipment. Moreover, they will have their own "rapid reserve pool of border guards" (Ibid.) to counter future shortages of personnel. Fourth, the EBCGA would be empowered to require timely member state action. This means that when f.e. Schengen is at stake and member states do not take decisive action to protect it, the EBCGA could, without request, take action. Fifth, new in the mandate would be the opportunity for EBCGA liaison officers to launch operations in neighbouring (third) countries, as well as operating on them. Sixth, within the EBCGA's structure, a European Return Office (ERO) will work on returning illegal immigrants, via new measures such as an uniform 'European travel document for return' (Ibid.). Last, the new agency will take into account in risk analyses the chance of terrorism, and work together with other EU agencies as to prevent new acts of terrorism.

Based on the original plan by the EC/President Juncker, it is not difficult to detect some clear indicators of both (several) spillover measures, as well as some Eurosceptic points of remark regarding the return of illegal immigrants and terrorism. For the spillovers we saw that at least functional and exogenous arguments made it into the speech. A clear *functional* spillover can be seen to the extent that the internal choice for further integration comes from the inability of Frontex to address the current migratory problems. The *exogenous* spillover can be seen in the reasoning that due to the unprecedented migratory flows (European Commission, 2015a), and the accompanying threats of terrorism, the choice for (fast) integration is to be made.

When observing the final legislative draft submitted by the EC on 15 December 2015 (European Commission, 2015b), we can already observe some slight alterations to these original statements voiced by President Juncker in the State of the Union. Where we could find some passages in the State of the Union that Juncker was calling European integration synonymously with restoring EU-citizens' confidence, in a communication to the CEU and EP which was included to the legislative draft, they left the line of openly calling it further integration, away (European Commission, 2015c). Instead it only mentions that the EP and CEU should give the highest priority to the legislative proposal "so that the confidence of citizens in Europe's external borders can be restored swiftly and the integrity of the Schengen area"... can be guaranteed (Ibid.). Moreover, the legislative draft version, also defines into more detail, what has been said in previous communications, such as the Juncker speech. In this legislative draft we can identify some peculiar obscurities, which on the outside shows a call for a more supranational approach, as favoured by the EC, whereas the actual created body remains (almost) strictly intergovernmental in its decision-making, and even too weak in living up to its future tasks. This because when we delve into the proposal, we can outline some serious infringements on the member states their sovereign rights regarding border management, whereas in practice these infringements are so weak by definition that member states themselves still hold (most of the) power. To begin with the former, Article 18 (European Commission, 2015b) of the legislative draft clearly states that in dire situations where the Schengen area's functioning is at risk, for example in cases of extreme migratory pressure as we witnessed the last couple of years, the EC can force the member state which is not living up to its border management tasks to implement decisions by the EBCGA. This even includes a passage that member states cannot invoke 'national emergency' as an reason to not comply, because preservation of Schengen is seen as more important (Article 19). Also, the contributions to EBCGA are no longer voluntary (Article 75), and each Schengen member state must pay its contributions to the EBCGA (Ibid.) as is further consisting on (annual) EC- and voluntary contributions. These facts show a clear pressure 'from above' on the rights and sovereignty in decision-making of the individual member states, though other points in the draft make these infringements less worrisome so to say. To start with Article 15, it clearly says that every amendment to an agreed plan shall require agreement of the host Member State (European Commission, 2015b). Another very important article in this is Article 19 (point 5 and 7), based on two interesting points. First of all the amount of EBCGA personnel. The total amount of the EBCGA border and sea guards is at a minimum 1500 border guards. This means that, in the case of the European refugee crisis, merely 1500 border guards should take up the task of defending the Mediterranean and Aegean (sea) borders and the land-borders with Turkey and Morocco. So basically covering an area of almost two and a half million square kilometres. In comparison, the Greek Coast Guard has eight-thousand personnel (Balkan Analysis, 2016) in their service, and they cannot effectively stop the refugees from entering EU-territory. Would an additional 1500 border and sea guards make the difference? Second, when the EBCGA deploys it personnel to a situation where its assistance is requested, the duration of its stay in

one of the member states, is determined by that host member state, to a minimum of thirty days (European Commission, 2015b). So effectively, the member state has the end word, except in circumstances where the longevity of Schengen is concerned. The last interesting and especially noteworthy article is Article 39. In this article, perhaps the most strongest practical example can be given for the point of view that national member states remain in power regarding border management. Article 39 deals with the capacities teams deployed by the EBCGA can perform in the respective member states. It clearly sounds as follows:

“Members of the teams may only perform tasks and exercise powers under instructions from and, as a general rule, in the presence of border guards or staff involved in return-related tasks of the host Member State unless authorised by the host Member State to act on its behalf.”

(European Commission, 2015b)

Therefore, as a preliminary conclusion for the first step in the legislative procedure for establishing the EBCGA, we can identify the following: From the start of the period we are investigating, we can already see a slight change in, at least, rhetoric from the EC, making its proposal less clearly favouring supranational processes from taking place than initially voiced in the State of the Union. Whereas these tendencies can still be found in the final legislative draft, as presented by the EC on 15 December 2015, it also remains very clear that the EC has also included some more strictly intergovernmental articles in the legislative product. For now, it remains to be seen if that change of hearts was primarily initiated out of the desire to satisfy EU citizens expectations, who do not longer without question favour supranational decision-making, or that such changes were included because they wanted to make a viable proposal for a quick adoption in the EP and CEU and therefore already tone down the rhetoric as to make it more acceptable to both institutions and Eurosceptic influences to be found there. To investigate such processes and possible further concerns by other actors though, we should continue the legislative process by turning to first to the national parliaments their opinions on the legislative proposal by the EC.

5.3 Step II: National Parliaments

The national parliaments also have a very important, though consultative role in this process, where they are allowed to give any comments on the legislative proposal of the EC. This right is also visualised in Figure 5.1. It is not required though, and therefore in this case only a selection of member states gave their opinions on the establishment of the EBCGA. These are the following countries: The Netherlands, Czechia, Italy, Romania and Poland. As to the common lines in opinion from the member states, we can identify some of the same peculiarities as were visible already in the draft version, as to the extent that to those peculiarities member states are now reacting in terms of non-

proportionality of the powers the EC would get (via Article 18 for example) if this legislative proposal by the EC would be adopted without any alterations. Whereas in the Dutch Second Chamber Eurosceptic parties such as the PVV remain all against any cooperation, the general tendency is favourable to the creation of the EBCGA, whereas the opinion on the role of the EC as stated remains base for concern (Tweede Kamer, 18 February, 2016).

Czechia its primary concerns are also with Article 18 concerning the role of the EC, as its opinion is that the EC should not interfere with member states internal security, because it seems now that preserving Schengen is more important than that (Czech Parliament, 12 February, 2016). In general it supports the proposal though, Czechia has a number of problems identified in the legislative proposal which need to be resolved. These are, as with the Dutch Second Chamber, the vagueness of Article 18, and disproportionate powers the EC would receive, which could be better directed from the CEU (Czech Senate, 2 March, 2016). Moreover, it would be a real infringement on member states their rights if they cannot refuse support or troops in case of national emergencies (Ibid.). Another concern is that there are concerns that the institution remains too weak based on its limited capacity in troops (minimum of 1500) and is therefore very much reliant on national troop assistance. This is also clearly visible in the tasks set upon the Agency, because in the legislative draft its primary tasks would be identification and registration, instead of full prevention. If not adequately dealt with, such practices could lead to blame-shifting from the member states to the agency itself, instead of accepting its own responsibilities (Ibid.).

As to stay with Article 18, also the Italian Chamber (19 March, 2016) and Senate (9 March, 2016) voiced its concerns regarding this article. It demands that clear instruments must be identified in order to argument if assistance in national spheres is proportionate. This must count for both normal and 'crisis' situations. In the end though, it is Italy's opinion that due to a clause in Article 19, member states can practically stop EBCGA intervention because they can determine what the tasks of the EBCGA would be in such circumstances (although they cannot stop them from entering the country), since the agency cannot act independently from member state troops (Ibid.). As to the concerns voiced by Czechia and The Netherlands, Italy also agrees that the choice for intervention should never be an unilateral decision by the EC (Italian Chamber, 19 March, 2016).

Both the Romanian Senate (14 March, 2016) and the Romanian Chamber (21 March, 2016) as well as the Polish Senate (15 March, 2016) have quite the same concerns as already mentioned regarding Article 18. While they do overall support the creation of the EBCGA based on the urgency of it, they cannot allow in any circumstance that the EC takes any effort of intervention in member states without consulting member states first, whereas the Polish position is slightly different since they think that not the EC but the CEU should preside over such matters as the Czech Senate also proposed, which could guarantee that member states have a say in matters of interventions.

Conclusions regarding Eurosceptic influences in the proposal stage, coming from national parliaments, therefore voice the same concerns as already been identified as likely to be problematic, certainly for Eurosceptics, when closely reading the legislative proposal by the EC. Whereas the national parliaments in essence do not argue against the creation of the EBCGA, they do make very clear that there cannot be such a thing which we would identify as a clear-cut spillover where a new (European) institution is established and former core nation-state responsibilities getting trumped by this new authority. Therefore, we can conclude for this first step in the legislative process, that we already see a clash between the EC which wants to establish a very clear EU institution, where it would have huge influence via the already mentioned articles, and on the other hand at least some of the member states who have serious doubts about this proposal. As to substantiate these first findings, we now move on to the next step in the legislative process, as to look if the same can be said for the dynamics in the EP.

5.4 Step III: The European Parliament

In Step III, the empirical analysis will be structured as follows. First of all the committee opinions and amendments of PECH, BUDG and AFET will be presented as well as the amendments posed by individual- or groups of MEPs regarding the ECs legislative proposal. Third will be the plenary debate in the EP, and this section ends with the final legislative decision by the EP where the relative influence of Eurosceptic MEPs will be evaluated.

Draft Amendments

In this step the already twice noted textual obscurities in the legislative act to establish the EBCGA, come into discussion. We can already see a distinction between amendments of individual MEPs and Parliamentary committees for opinion. Where the Committees do not see any problems by definition with the Commission's plan to set-up a fully independent institution which can act separate from the member states (though the concept of shared responsibility needs to be clarified) (AFET, 2016), where the Commission has a huge role to play, and can in extreme situations even intervene in individual member states to protect Schengen. On the other hand we can identify positions of individual, or groups of, (Eurosceptic) MEPs, varying from making amendments on purely technical issues to complete repudiation of the plans. Table 5.1 on page 48 shows the total number of amendments posed by Eurosceptic MEPs in the LIBE draft report (LIBE, 2016a; 2016b; 2016c & 2016d). Something which clearly moves to the front in these amendments, is that not every Eurosceptic party block introduced the same amount of amendments, whereas it should be noted that in the investigated documents of LIBE (Ibid.) basically all mentioned party blocks react to the role the EC would be given if the proposal would pass on to the floor if not amended. Also, the role of the individual member-states is much more emphasized. When closely reading the individual amendments we can identify another difference, which is the difference between (radical) right- and left Eurosceptic parties. Whereas the focus off all parties lies with the possible infringements on the individual member

states, the Eurosceptic left moves beyond this pragmatic position, and really participates by introducing amendments which fill ambiguities or gaps in the existing draft proposal, which are mostly focussed on safeguarding the rights of individuals, refugees, migrants and so on, which seems logical due to the fact that leftish parties are often more favourable towards (im)migration than right wing parties.

What particularly stands out regarding the proposed amendments of both the Eurosceptic left and right is that both reject the proposal by the EC, but for opposite reasons. Where the Confederal Group of the European United Left/Nordic Green Left (GUE/NGL) rejects the proposal because of human rights reasons and international obligations, the Europe of Nations and Freedom (ENF) rejects it based on subsidiarity: it can be better solved on the national level (LIBE, 2016a). This does not mean that both the Eurosceptic left and right do not pose amendments into more detail beyond just rejecting the proposal altogether. The European Conservatives and Reformists Group (ECR) MEPs (also Eurosceptic MEPs such as Gál from Fidesz) want to take proposed powers away from the EC and put them in the hands of the Council, such as in cases of the often mentioned Article 18. Moreover, Article 11(2) and 12(5) is proposed to be amended by Marie Le Pen and other ENF members where the decision-making power is altered from decisions to recommendations and by giving member states the final say over deployment of liaison officers (of the EBCGA). What even seems more peculiar is that the Eurosceptic right in the EP does not seem very united on this matter, because the other right Eurosceptic party-block, the Europe of Freedom and Direct Democracy (EFDD), does want to include an amendment regarding the protection of migrants and refugees (Article 1), moreover they do not include likewise amendments as the ENF did regarding the subsidiarity of the national level in border protection matters. That does not mean that they want to create a fully independent organisation though. They, as well as the ECR, also included amendments (such as Amendment 365 and 388 that the role of the EBCGA would be an assisting organization to the individual member states needing help). Both the Eurosceptic left and right seem unified though in their regard of keeping measures of Article 18 in other articles out as much as possible (LIBE, 2016b), as becomes visible in Amendments 547 by Corrao, Agea & Ferrara (M5S: EFDD) and 548 by Chrysogonos (Syriza: GUE/NGL). It is therefore no surprise at all that another unified stance can be found in the amendments of Le Pen (ENF), Corrao, Agea & Ferrara (EFDD) who completely reject Article 18 and the Eurosceptic left (amendment sent in by Chrysogonos) including safeguards that in the end the member states are not obliged to follow EU sent recommendations.

The above mentioned empirical manifestations by Eurosceptic actors in the committee stage of the EP process could be a first indication of Utilitarian Euroscepticism being at play for the EFDD, since the proposed amendments came from MEPs Corrao, Ferrara and Agea, all member of the Five-Star Movement (M5S) and Italians, a country which has been one of the countries suffering the worst from the refugee crisis. Being further integration on these matters in their own interest, they probably want

Table 5.1: Amendments by Eurosceptic MEPs

Eurosceptic MEPs + EP Block	Amendment (numbers)	Total draft Amendments
<i>Maeijer, Lebreton & Le Pen</i> (ENF)	102	1
<i>Björk</i> (GUE/NGL)	103, 104, 118, 124, 140, 161, 235, 299, 307, 385, 386, 390, 412, 553, 727, 767, 776, 875, 901, 933,	20
<i>Lebreton, Le Pen, Atkinson</i> (ENF)	109, 112, 130, 244	4
<i>Lebreton, Le Pen, Atkinson & Fontana</i> (ENF)	143, 466, 532, 639,	4
<i>Björk & Chrysogonos</i> (GUE/NGL)	167, 189, 260, 282, 405, 581, 596, 699, 700, 701, 702, 924, 1110, 1120,	14
<i>Gál</i> (EPP)	178, 690, 867, 888, 1165,	5
<i>Chrysogonos</i> (GUE/NGL)	222, 223, 236, 250, 251. 252, 271, 296, 313, 338, 340, 342, 347, 348, 349, 376, 405, 415, 427, 432, 439, 448, 458, 460, 461, 474, 482, 545, 548, 550, 581, 586, 590, 592, 601, 605, 607, 612, 615, 617, 627, 640, 655, 665, 696, 723, 807, 833, 839, 847, 853, 860, 882, 890, 893, 894, 895, 898, 900, 923, 928, 929, 936, 941, 973, 976, 981, 997, 999, 1008, 1010, 1020, 1023, 1050, 1076, 1079, 1084, 1087, 1090, 1102, 1108, 1114, 1118, 1124, 1128, 1135, 1136, 1143, 1146, 1149, 1155,	95
<i>Corrao, Agea & Ferrara</i> (EFDD)	240, 273, 284, 298, 303, 311, 328, 339, 365, 388, 402, 436, 443, 456, 477, 501, 506, 522, 530, 539, 547, 556, 572, 585, 591, 610, 620, 625, 630, 631, 632, 637, 708, 719, 722, 725, 746, 752, 763, 768, 802, 812, 821, 825, 874, 878, 952, 994, 1000, 1001, 1032, 1033, 1036, 1043, 1047, 1055, 1059, 1062, 1064, 1066, 1069, 1081, 1171,	66
<i>Dzhambazki & Hallo-Aho</i> (ECR)	243, 288, 378, 423, 541, 557, 593, 594, 602, 618, 622, 644, 657, 684, 698, 707, 714, 729, 739, 748, 803, 814, 815, 826, 831, 834, 838, 843, 906, 927, 955, 980, 992, 1096, 1107, 1112, 1153, 1170, 1172	39

to amend it. Moreover, we can identify some clear common ground stances between the Eurosceptic left and right, both protecting the national member states in their authority, but differences in participation due to the fact that GUE/NGL Eurosceptic MEPs did also provide a lot of technical amendments strengthening the draft proposal textually, which for example the ENF did not do, probably at least because of Political Utilitarian reasons of subsidiarity concerns. This also brings us a clear-cut divide in opinions of the Eurosceptic radical right, where the EFDD block also participated (out of utilitarian reasons most likely) also in making amendments regarding technical issues in the draft proposal.

Plenary debate

The plenary debate, the day before the final vote has been held, resulted in an intense debate, mostly between three distinguishable camps. The Eurosceptic left, the mainstream pro-EU parties and the Eurosceptic right. What stands out from this is that the mainstream parties seemed satisfied with the amended proposal by the EP, because the proposal shows that the EU can act in a speedy efficient way (Pabriks, in European Parliament, 2016a), securing Europe's external borders for which all European member states share the responsibility (Avramopoulos, in Ibid.) to ultimately protect Schengen. These positive notions about the to be created EBCGA is not shared by the Eurosceptic right and –left. Where the Eurosceptic left is not at all pleased with the newly created institution, because it looks like a “deportation agency” which criminalizes migrants and trumps member states sovereignty (Albiol Guzman, in Ibid.), giving the thought that the EP currently thinks “the best way to deal with the radical right is to steal their xenophobic policies” (Ibid.). It may therefore not sound as a surprise that indeed the Eurosceptic right has given no comments in the plenary debate whatsoever on issues they were not pleased of regarding the EBCGA, except that the current mandate, which was already altered to account for member state sovereignty, is still too EU-based in their minds (Batten, in Ibid.; Annemans, in Ibid.; Corrao, in Ibid.; Lebreton, in Ibid.).

Another crucial point which has been asked in the debate is about the (lack of) compliance mechanisms regarding Article 18. In a question from MEP Szanyi of the Socialists & Democrats (S&D) party block, he asked to his colleague Stetina of the European People's Party Group (PPE) party block how other member states can intervene in another member state when it does not uphold certain standards for protecting its external border (European Parliament 2016a). Due to a lack of such enforcement mechanisms Schengen could very well be under fire, because of the provision in the amended draft proposal that “in certain well described circumstances reintroducing control at certain borders might be necessary in order to protect the Schengen area as such” (European Parliament, 2016b, p.129).

Result of vote and Decision by European Parliament

What can we observe in the final consolidated legislative document the EP has voted over? Have Eurosceptic parties, as identified earlier on been able to get their amendments in the legislative end product of the EP, and therefore being not only able of vocal power in the EP plenary session, but also of legislative powers contributing to actual decisions?. After closely reading the final legislative document (European Parliament, 2016c), there can be identified that at least some of the amendments as were posed by Eurosceptic MEPs were adopted in the final legislative piece. Whereas the Eurosceptic left, as represented in GUE/NGL were not very successful, because they could hardly make any reasonable adjustment regarding the crucial points in the proposal. This might be logical due to the fact that their amendments were largely focused on protecting international obligations and wanted to act in respect of fundamental human rights regarding refugees. Focussing on mass-returns to countries which do not have human rights in high regard is therefore unacceptable to them. In the final legislative act by the EP, we can only identify that the national authorities and the newly created EBCGA are acting in respect for fundamental rights assisting the member states in their work for (beside other tasks) “carrying out return procedures” (European Parliament, 2016c, p.13) On the other hand, we can see a clear influence of the (right) Eurosceptic counterforces over the legislative act. The EFDD (Corrao, Ferrara and Agea, amendment 240, in European Parliament, 2016c) influenced Article 4(1)a, regarding the detection of cross-border crime and giving the EP more influence regarding the risk analyses. As a matter of a fact, the final legislative act by the EP shows that the new organization is primarily focused on return operations resulting out of illegal immigration or cross-border crime. Also the other right Eurosceptic counterforce party’s influence, the ENF, from which among others Marine Le Pen is a MEP, gives a more mixed result. As is already made visible in Table 5.1, Le Pen and the co-authors of the posed amendments, do not have near as much amendments as their Eurosceptic counterparts from the EFDD or GUE/NGL. This does not mean that they did not achieve anything at all. As a matter of a fact, they were able to influence the final legislative piece on one point, changing the decision-making power of the Executive Director of the EBCGA (Amendment 532, LIBE, 2016b) in cases of carrying out the vulnerability assessment, from a decision to a *recommendation*, which means in EU-law that the law is the least binding of the set of instructions the EU can give to the member states. The greatest loss for Eurosceptic counterforces though is the failure to adapt Article 19¹ into a more comfortable one for Eurosceptics. Article 19 gives the CEU the *decision* power to enforce the member state compliance, instead of the proposed *recommendation* favoured by various Eurosceptic MEPs (European Parliament, 2016c). One should note though that in matters of non-compliance, the EU, or the Council for that matter, does not have clear defined enforcement measures at its disposal., such enforcement measures seems to be absent in the final legislative act the EP adopted.










¹ In the adopted EP legislative act, the previously mentioned Article 18 has become Article 19

Regarding the final vote, Table 5.2 on the next page gives a precise overview of the voting behaviour of all the EP Party-blocks. As can be seen in that table, some peculiar behaviour can be observed on first hand. The parties this thesis identified as being the ‘pro EU-elite consensus’ did not all vote in favour of the legislative act. Where the ALDE, EPP and S&D mostly voted in favour, the mainstream green party block Greens/EFA voted all but one against the legislative act (Votewatch, 2016a). This is not so strange anymore when we take into account that the legislative act was not very much in favour of protecting fundamental rights of refugees for one, which is a highly salient point for most left-wing politicians. This seems to be the same reason for the Eurosceptic GUE/NGL party block to unanimously vote against the proposal, except the ones abstaining from voting. In this abstaining camp we can also observe that the Syriza faction in GUE/NGL abstained from voting, thereby not condemning the legislative proposal, which is an indicator of *Utilitarian Euroscepticism* going on, because of the Greeks problem with the refugee flows, and forced return would solve them from a costly problem on their shores and islands. The same goes for the Eurosceptic counterforces of the Fidesz party present in the EPP party block, where the Fidesz MEPs also unanimously voted in favour of adopting the proposal, which can probably be explained on the basis of the same reasoning: it keeps refugees, illegal immigrants or criminals out of their sovereign territory, or at least gives them a precedent to set them out. On the right wing though, we can also perceive a lack of total party discipline of the Eurosceptic counterforces from the right. Where the EFDD voted unanimously against the legislative proposal, Marine Le Pen’s party-block ENF consisted of five abstentions in this regard, coming from the four Austrian (FPÖ) MEPs and one Romanian MEP. From the ECR, a Polish MEP (Jurek) voted also against the proposal (Ibid.), whereas most of the MEPs this thesis identified as being part of the Eurosceptic counterforce all voted *in favour* of the legislative act. In terms of the four different types of Euroscepticism distinguished in this thesis, we can therefore argue that the vast amount of Eurosceptic MEPs of the radical right party blocks base their vote on the infringement on national sovereignty the EBCGA brings, so an issue of *Political Euroscepticism*, whereas the positions of the ‘Freiheitliche Partei Österreichs’ (FPÖ) seems to be more *Utilitarian* in nature. The same goes for the Syriza party in the Eurosceptic left block of GUE/NGL. The rest of that block’s vote against the proposal can be seen as a clear indication of a *Value-based Euroscepticism*, because they do not share the same ‘xenophobic’ normative values regarding refugees as their Eurosceptic right counterparts, and instead would have liked to see a more open-door like policy.

We can therefore conclude that at least in the EP some strange behaviour of MEPs, mostly from countries directly affected by the European Refugee Crisis, is to be seen in their final voting behaviour regarding the adoption of the legislative act establishing the EBCGA. Some parties their voting behaviour gave the impression that they voted so, based on utilitarian Eurosceptic reasoning, thereby not sticking to the party-block line. What seems strange though, is that far the greatest number of the Eurosceptic counterforces present in the EP still voted *against* implementation of the legislative act, despite the already mentioned concessions during the legislative trajectory, making the EBCGA

less independent than originally intended and more dependent in their activities on the individual member states.

Table 5.2: *EP voting per Party-block*

Votes by MEP		Votes by political groups			Defections in the political groups		Votes by member states		Votes by national party		
Group	For	Against	Abstentions	Total present	Total absent	Total non voters	Total members	Cohesion			
 ALDE/ADLE	63	2	3	68	1	1	70	88.97			
 ECR	39	3	23	65	7	2	74	40			
 EFDD	0	44	0	44	2	0	46	100			
 ENF	0	29	5	34	2	2	38	77.94			
 EPP	202	2	1	205	6	4	215	97.8			
 Greens/EFA	1	44	1	46	2	2	50	93.48			
 GUE-NGL	0	44	8	52	0	0	52	76.92			
 NI	3	12	1	16	0	0	16	62.5			
 S&D	175	1	6	182	5	2	189	94.23			

Source: *Votewatch (2016a)*

The only explanation for such actions is that we can identify a difference between the ‘softer’ Eurosceptic counterforces, which voted in favour based on pragmatic reasons favourable for their respective member states, while the MEPs who I count as Eurosceptic counterforces, are not representing countries directly affected by the European Refugee crisis. They are therefore making the utilitarian or political Eurosceptic reaction and consequently are voting against, based on their Eurosceptic/populist profile which they do not throw overboard, because they have nothing to gain from the creation of another supranational institution despite its very intergovernmental looking structure. Another possibility for not voting in favour could be the fact that the Eurosceptic counterforces in the EP were able to keep to their own profiles of being anti-EU, due to the fact that a majority for the proposal was not dependent on the compliance of those Eurosceptic counterforces. For the last part of this empirical analysis, we now turn to the CEU, where the final decision is made to adopt the adopted legislative act by the EP, making it EU law.

5.5 Step IV: The Council

The CEU deliberated about the progress made in both the EC and EP regarding the legislative train to vote on establishing the EBCGA. The two most important sets of files which are investigated are the

outcomes of the council meetings from the Justice and Home Affairs (JHA) setting. The other important files are the interinstitutional files, reporting on the role, for example, the Council Presidency (CP) played in this process. The two different sorts of meetings were being held in the time between the legislative proposal from the EC in December 2015, until the final adoption of the legislative act in the Journal of the European Union on September 16th 2016. The first meeting mainly touched upon the subjects already encountered on committee meetings in the EP. The focus of the meeting was about fighting against migrants smuggling and irregular migration (General Secretariat of the Council, 2016). This point of view, lacking the so wished for humanitarian approach by the political left, resonated further on in the process when the JHA Council stated that with regard to the European Border and Coast Guard the view is to “ensure and implement as a shared responsibility, European integrated border management at the external borders with a view to managing migration effectively and ensuring a high level of security within the EU” (Justice and Home Affairs Council, 2016), to ultimately protect the integrity of the Schengen area. This perception became even stronger with the communication from the CP, which left the humanitarian aspect out of the key elements as to counter the current problems in the area of border management and migration. They only mention that “safeguarding the integrity of the Schengen acquis” is most important (Council Presidency, 2016). Also, President of the CEU Donald Tusk, urged to get on with the legislative proposal due to the external threats looming at the horizon, or for that matter, on the other side of the Mediterranean Sea. By closing of the so called Balkan route via unilateral declaration of EU and non-EU Balkan states and the EU-Turkey deal “an alarming number of migrants have reached Libya to make their way to Italy” (EU Observer, 2016d). While the final adoption of the legislative act and voting behaviour by the national government representatives (as can be seen in Appendix Table 3) shows us that every government voted in favour of the proposal, except the countries which are not part of Schengen and therefore abstained as well as Denmark’s exceptional situation. This includes the governments this thesis has identified as being Eurosceptic and therefore a potential Eurosceptic counterforce to the creation of the EBCGA. Whereas the French president Hollande called the migration problems and the current EU’s reaction an important step in reviving “the relationship between Europe and its citizens” (EU Observer, 2016a), the Hungarian Prime Minister Orbán his reasoning, as one of the members of the so called ‘Visegrád group²’ is totally different. He stated in an interview after the adoption of the EBCGA that “we must take the migrants out of the territory of the EU” (Cabinet Office of the Prime Minister, 2016) which seems evidence enough for why an Eurosceptic actor such as Orbán himself is pleased with the EBCGA as it is now, based on the evidence this thesis already provided, such as the focus on return. Other reactions, such as those of the Slovak President Fico stated that the narrative of the bureaucratic orders from Brussels should change “otherwise ... we end up with fascists in

² The Visegrád group consists of four Central-European EU Member States: Poland, Czechia, Slovakia and Hungary.

parliament not only in Slovakia but in all central Europe” (EU Observer, 2016b). The creation of the EBCGA envisaged this new needed narrative according to Fico. The Czech minister for the EU was also pleased, stating that the EU has taken the ideas of the Visegrad group on board regarding deportation of (economic) migrants, while those ideas were only a year ago still labelled by the EU as outcasts, “but now what we were saying is mainstream” (EU Observer, 2016c) as minister Prouza would say it.

External opinions

Also, as can be seen in Figure 5.1, the European Economic and Social Committee (EESC), a body within the CEU structure, can give its opinion to the Council about what it deems important regarding the current state of the legislative proposal to establish the EBCGA. The role of the EESC is both important and interesting, because it is the body which is able to carry the voice of concerns of civil society (local and national) into the EU institutional structure, for example via the European Migration Forum (2016). In the 2016 April meeting, several issues were discussed such as the role the media and civil society played in the process of establishing the narrative in civil society about how they think regarding migrants which is most commonly linked to “great waves, masses, influx” (European Migration Forum, 2016), seen as a number instead of being seen in a more human dimension linked with fundamental rights every human being possesses. This because the current narrative is one which carries the “xenophobic and populist discourse currently sweeping across Europe” (Ibid.) Therefore, they advise to take tough action against human smuggling or trafficking as we have seen happening in the Mediterranean Sea with the refugees on rubber boats. The EESC voiced their concerns also in their official opinion piece to the JHA council in the CEU. Here they restate that for example in return operations, fundamental rights should be observed, because “fundamental rights are for everyone, not just for EU citizens”(EESC, 2016). Another source is the European Council on Refugees (ECRE), which is also worried about the human rights aspects of the EBCGA proposal, due to a lack of clear definitions of terms on what precisely entails ‘shared responsibility’ in different cases, or fields of assistance (ECRE, 2016). Human rights violations can rise due to this sloppy implementation (Ibid.). They therefore want a change in the legislative text establishing the EBCGA, making more and above all, stronger references to fundamental rights protection of refugees and migrants. They want this seen back in the final legislative act, for example in Article 1, where no longer only safeguarding Schengen should be the reference as to create the EBCGA. It should include at least a reference to protecting fundamental human rights (ECRE, 2016).

As to conclude this part of the empirical analysis, that of the role the CEU and related bodies within its structure have played, also the end of the empirical analysis is in sight. The most important points of the CEU role are that we can perceive the actions during the negotiations between the CEU and external actors such as NGO’s, lobby groups and civil society representatives as unsuccessful for the

external groups. In the legislation as adopted in the Journal of the European Union, for example, Article 1 only speaks of fundamental rights with regard to the protection of Schengen. Second, Article 10 says it is necessary to monitor external border crossings efficiently to address migratory issues, ensuring thereby internal security protection within the entire EU, and safeguarding the Schengen area in the process on the principles of solidarity. “member states...retain primary responsibility for the management of... the external borders.” (Council of the European Union, 2016). Based on the above two passages it is to be safely assumed that the lobby efforts by ECRE, and also the civil society consultation which has taken place within the EESC structure on the occasion of the European Migration Forum panel setting, were not very successful. As regards the accompanying criteria regarding these empirical manifestations, we can reasonably argue that at least the *political spillover* was not present in these deliberations. As regards the final vote from the EU Member States, the reactions of the heads of government gave a good view, and additional proof of what was mentioned before by some MEPs such as Albiol Guzmán, that the EBCGA policy is mostly a construct to protect Schengen and the internal security of the EU Member States, whereas human rights are not deemed as important, or at least subordinate to those primary goals. The primary reason for this seems to be an *exogenous spillover*, while the reason for integration is primarily coming from the huge number of refugees in Libya and Turkey waiting to get over, resulting in the “unprecedented migratory flows towards Union territory” (Council of the European Union, 2016). Based on the available information, this thesis was unable to find evidence for the concept of *social spillover* though.

6 Conclusion

In this final chapter, the following structure can be identified. First of all this thesis is going to return to its origins, by answering the central research question of it, as well as the guiding sub-questions as to make delving deeper into the institutional specifics to answer the central question more into detail. Second of all, these results will be linked to the hypotheses posed in this thesis as to what extent the proposed synergy of Revised Neo-Functionalism and Eurosceptic Counterforces was able to explain the establishment of the EBCGA (see Tables 6.1 and 6.2). After these communications of results, this thesis will end with the implications for future research and giving some thoughts on the possible limitations of this thesis' results.

6.1 Results

First of all, the central research question of this thesis has been formulated as follows:

To what extent can we identify Eurosceptic Counterforces influencing the EU's institutions decision-making process and –outcome regarding the creation of the European Border and Coast Guard Agency?

This thesis has showed that there is clearly something visible which can be seen as Eurosceptic Counterforces being able to influence the legislative trajectory regarding the EBCGA. While it is wise to carefully nuance that position though, because the extent to which Eurosceptic Counterforces can get influence is very much dependent on the different EU institutions as was stated in sub-question 3:

3) Can we perceive a difference in the influence of Eurosceptic Counterforces over the decision-making process and-outcome per EU institution (EC, EP and CEU) regarding the creation of the European Border and Coast Guard Agency?

Where the European Commission is the clear indicator where this thesis has not find any influence of Eurosceptic Counterforces, which seems logic due to the supranational aspect of it, consisting of the traditional pro EU-elite, the biggest influence of Eurosceptic Counterforces can be found, on the supranational level in the European Parliament, and Member State based in the Council of the European Union. We can also confirm the first sub-question:

1) Do Eurosceptic Counterforces have the capacity to alter the mandate of the European Border and Coast Guard Agency on their own?

This because the empirical analysis of the European Parliament regarding the Eurosceptic Counterforces present showed a clear indication that the Eurosceptic voices, out of pragmatic or participating reasons, were at least able to voice their concerns about the Commission's proposal via the plenary debate and by handing in amendments to the proposal (Table 5.1). Regarding the strength

of those Eurosceptic voices in the legislative end product, some peculiar findings have been found. Where the humanitarian open-door voices of Eurosceptic Counterforces from the political left (GUE/NGL) have been consistently neglected in the process, we can identify at least some amendments as posed by Eurosceptic Counterforces from the (far) right being included in the final legislative act. This brings us instantly to the second sub-question of this thesis:

2) Does the mainstream pro-EU elite consensus adapt its decision-making to satisfy Eurosceptic policy demands regarding the creation of the European Border and Coast Guard Agency?

This sub-question has also to be confirmed, while the final vote in the European Parliament showed us that while the Eurosceptic Counterforces from the (far) right were able to get their voices heard, the ENF and EFDD party blocks were still voting *against* the proposal to establish the EBCGA, for only the FPÖ (ENF) and Syriza (Eurosceptic left) were abstaining from the vote. As a matter of fact, the mainstream pro EU-elite consensus was accused by (Eurosceptic) leftish parties in the EP to be acting as xenophobic in the EBCGA legislative proposal as the Eurosceptic radical right would do. That very same conclusion was corroborated by government leaders of the Visegrád group who argued that the EU was now acting precisely the same as the Visegrád members already did a year ago, but were then earmarked as being outcasts. Therefore, it is to be clearly identified that while the Eurosceptic Counterforces were able to frame the debate about the EBCGA, the main initiators for change are still the pro EU-elite consensus politicians, who are adapting themselves to the 2016 political climate in great parts of Europe, with the rise of Eurosceptic parties and a not so friendly stance against immigrants and refugees. We can therefore identify in this period regarding the establishment of the EBCGA identify a period of EU-elite adaption.

6.2 Theoretical expectations

To what extent is the used synergy of the theoretical expectations of Revised Neo-Functionalism and Euroscepticism(s), as hypothesized (see Table 6.1 on page 58-59) in this paper sufficient to explain the empirical manifestations regarding the legislative process to adopt the ECBGA? We have seen in the empirical data that the first hypothesis, which is formulated in the ideal (traditional) Neo-Functionalism tradition, where we would see a clear spillover, is partly corroborated due to the fact that we indeed see a new supranational structure which can impose measures over the individual member states based on a *functional* logic. I would not argue that it is a one-hundred percent case of a clear spillover though, due to the mentioned provisions in the legislative act. In where it has become clear over the negotiations between the several EU decision-making institutions, that the individual member states do have the final word over almost everything, and that the EBCGA border guards are dependent in their functioning of the respective national border guards for only in supreme emergency cases that situation can be overruled if the CEU decides to impose such a decision over the respective member state. For that matter, the second hypothesis, which includes in its synergy the revised

assumptions of Neo-Functionalism, as well as Leconte's four Euroscepticism(s) is corroborated. This because beside the present pro-EU elite driven *functional* logic (*H2a*) which the original framework of Neo-Functionalism was able to explain, the revised version of Neo-Functionalism makes it possible to include *exogenous* logics for integration. Those logics were, at least in the case of the EBCGA, very much apparent (*H2b*) as the cause for integration by EU Member States, due to the "unprecedented migratory flows" (Council of the European Union, 2016) and the 'External Threat' looming at the shores of Turkey and Northern-Africa. Whereas the *Political* spillover logic was not found, based on the deliberations between civil society groups, NGO's and the EESC, whose points were not carried on into the definitive legislative act. Moreover, for the *Social* spillover logic, this thesis was unable to find any empirical data pointing confirmatory evidence or disconfirmation of that variable.

The used synergy with Euroscepticism's was also a great addition to the concepts of Revised Neo-Functionalism, due to the fact that such Eurosceptic Counterforces and their hesitance to, without question, giving national authority away to the EU was able to explain why the legislative end product is not a clear-cut case of spillover, but a constellation of pro-EU tendencies combined with the considerations of Eurosceptic counterforces which were, due to their influence, able to weaken the strength of integration regarding the EBCGA (*H2c*). This is possible due to the presence of *Utilitarian Euroscepticism* for those Eurosceptic Counterforces in the European Parliament who were supporting, or at least abstained from voting, the creation of the EBCGA out of self-interest based on that precisely those Eurosceptic Counterforces were the ones mostly affected by the European Refugee Crisis in the first place. The ones who were not as clearly affected voted consequently not in favour of this proposal, based on the national sovereignty considerations. Therefore it is also possible to corroborate hypothesis three. The same goes for the CEU setting, where we should be more careful though to make far-reaching conclusions about the effect of Euroscepticism's on the voting behaviour of national governments in the CEU. This due to a lack of necessary information of all the governments with Eurosceptic party('s) in it. In this case, we can corroborate the findings based on empirical data on the Hungarian, Czech and Slovakian position. Therefore, this thesis does corroborate hypotheses four for now. In Table 6.2 on page 60 the filled in version of Table 4.1 is presented.

Table 6.1: Hypotheses evaluation

<u>Hypotheses: Expectations</u>	<u>Outcomes</u>
<i>H1: Established Frontex co-operation spills over into a more integrated EBCGA, if the prevailing 'pro EU-consensus' of both the national and supranational decision-makers deem further integration necessary.</i>	<p><u>(Partly) Corroborated:</u></p> <p>The fact that the EBCGA was created due to spillover pressures, we cannot observe a clear spillover as was posed by original Neo-Functionalism. Instead we see a far weaker spillover.</p>

<p>H2: <i>The EBCGA mandate is dependent on the relative strength of integrative spillover forces favoured by the ‘pro EU-consensus’ and due to ‘External Threats’, compared to the present strength of ‘Eurosceptic Counterforces’.</i></p>	<p><u>Corroborated:</u></p> <p>In the empirical analysis we clearly saw that while the ‘pro EU-elite consensus’ (H2a) and ‘External Threat’ (H2b) arguments were very much present, also the ‘Eurosceptic Counterforces’ (H2c) in the EP were able to influence the legislative proposal with their ideology of national sovereignty to be protected at all times, only giving it away reluctantly in cases where it is <i>in their own interest</i> due to the gravity of the migratory flows.</p>
<p>H3: <i>Pragmatic or participating Eurosceptic MEPs only vote in favour of establishing the EBCGA mandate, when it is based on a (political-) utilitarian cost-benefit rationale.</i></p>	<p><u>Corroborated:</u></p> <p>This thesis showed clearly that we can observe a division between Eurosceptic counterforces on the left and right, where the Eurosceptic Counterforces less affected by the migratory flows were sticking to their anti-EU profile for <i>value-based</i> reasons (Eurosceptic left) or based on national sovereignty issues. The stronger affected though, such as the MEPs from the FPÖ, Syriza and Fidesz abstained or voted in favour of the EBCGA proposal.</p>
<p>H4: <i>Eurosceptic single-government- or major governing parties present in the Council, vote only in favour of the established EBCGA mandate if their rationale is based on a (political-) utilitarian cost-benefit rationale.</i></p>	<p><u>Corroborated (for now):</u></p> <p>While it is a fact that every Member State voted in favour of adopting the EBCGA proposal, also the Member States who have a Eurosceptic Counterforce present in government, this thesis is unable to make solid conclusions about the role of <i>every</i> government (coalition) with Eurosceptic Counterforces present. While H4 is adopted based on the empirical data on Greece with Syriza, and the Visegrád members, the same data was not sufficient to make a statement about <u>all</u> governments with Eurosceptic Counterforces present.</p>

Table 6.2: *Results of theoretical expectations*

	Independent variable	Voices present in EC/EP/CEU (Yes/No)	Legislative presence (Yes/No)	Decision-outcome (Integration↔Disintegration)
Revised Neo-Functionalism	“Pro-EU consensus”			1. Spillover Spillovers present (3-4) and no legislative Eurosceptic Counterforces present (0). 2. Build-up/Spill-around Not all spillovers present (1-3), only Utilitarian and/or Political Eurosceptic Counterforces present.
	1. Functional spillover	Yes, in EC, EP and CEU	Yes, in EC, EP and CEU	
	2. Political spillover	Yes in CEU	No	
	3. Social spillover	/	/	
	“External Threat”			
	4. Exogenous spillover	Yes, in EC, EP and CEU	Yes, in EC, EP and CEU	
	Total presence of Spillovers (0-4)	3	2	3. Muddle-about Spillover forces were as strong (or weak) as the Eurosceptic Counterforces. 4. Spillback Spillover forces are weaker than the Eurosceptic Counterforces.
Eurosceptic Counterforces	1. Utilitarian Euroscepticism	Yes, FPÖ (ENF), Fidesz (EPP) and Syriza (GUE/NGL)	Yes, FPÖ abstained, Fidesz & Syriza voted in favour	
	2. Political Euroscepticism	Yes, FN (ENF), M5S (EFDD)	Yes, national sovereignty much better protected compared to EC draft	
	3. Value-based Euroscepticism	Yes, GUE/NGL	No	
	4. Cultural Euroscepticism	No	No	
	‘Total presence of Euroscepticism’s (0-4)	3	2	

Where there was already hinted at it, the case under investigation was not a clear-cut example of a traditional spillover as defined by the original neo-functionalist assumptions. Based on the empirical manifestations, which are visualised in the table above, it is this thesis conclusion that the EBCGA is the end product of the interplay between the pro-EU elite consensus and the Eurosceptic Counterforces present in both national governments as well as on the EU level in the EC, CEU and EP. Whereas the real driving force behind the EBCGA remained with the pro EU-elite consensus, and a new supranational solution is created, that very same structure is weakened by the efforts of the Eurosceptic Counterforces. Based on the legislative end product regarding the EBCGA, the decision-outcome form of the EBCGA can be classified as an example of the revised neo-functionalist type of integration called a ‘Spill-around’. This because in essence the EBCGA is a “functionally specialized independent, but strictly intergovernmental” institution (Niemann & Schmitter, 2009, p.55). This can be seen in various occasions. The newly created institution might be a storm in a teacup, because the functioning of the EBCGA border guards remain subject to their national counterparts and they cannot act on their own. Though the Council can, on advise of the Commission, force the member-state which is not adequately safeguarding his external borders and therefore the internal security of the Schengen zone enough, to be sent help in the form of the EBCGA. It remains to be seen if in practice this will work as conceptualised, because real enforcement measures, and how they will look like are nowhere to be found in the legislative products. To make matters even more interesting, individual member states can in such occasions bring the Schengen area into jeopardy by themselves by re-introducing national border guard controls at their borders precisely for that reason. Such an occasion seems much more likely when there are no real Council enforcement measures to keep member states into line regarding their external (EU) border protection. This brings about an ironic paradox, namely one in which the very same act that was intended by the EU as to safeguard the idea of Schengen for the future, and make it more resistible to great external shocks, might be the very same reason why in the occasion of future shocks, Schengen might be in jeopardy once again.

6.3 *Limitations and implications for future research*

As with any research ever done, also this research is not immune against any limitations. To my opinion at least the two most noteworthy need to be addressed. First of all, the number of cases. For in this thesis it was only an examination of a single case, which makes generalizing this thesis’ findings to a broader population more difficult. Therefore, as a first consideration for future research, it might be wise to check the findings in this thesis for a number of other cases of EU integration. For example on other highly politicized issues in the near future, such as the European defence cooperation, or other cases where national authority is transferred to the EU or newly established EU-institutions. The second point I wanted to address is the lack of interviews conducted for this thesis. While I tried for a very long time to get any interview with EC, EP or CEU officials or national authorities, or at a later stage, questions which could be answered via e-mail, if the persons would be willing to do so, instead

of making time for an interview, those efforts were not as successful as I would want them to be. While all wished me luck with this thesis, none were willing to actively contribute via giving me an interview to corroborate my empirical findings on more different forms of evidence. Therefore I was bound to searching the internet for interviews done with officials by media or other institutions. While I found some very useful evidence over there, for example quotes from the position of Hungarian Prime Minister Orbán, this might very well influence the overall validity of this thesis' argument in a negative way.

For future research on the subject, I would on the one hand advise authors writing about European integration to take into consideration the role played by European Counterforces, and its role in the future of European Integration studies. For example by adding its assumptions, in the same tradition as I did with Leconte's (2010) assumptions, and attach them to other already established European integration theories, or by ultimately establish a critical theory of Eurosceptic Resistance to the European integration project. In my humble opinion, my thesis was the first step in this direction, by making a distinction between different forms of Euroscepticism in the EU's political arena. For future research, it is of the utmost importance in my mind to keep likewise distinctions, because Euroscepticism is a too general notion to base research on, which consequently will very likely fall part to conceptual stretching (Neumayer, 2008) due to its diversity as a concept (Vasilopoulou, 2011).

Also, scholars and authors of International Relations/European Integration and International Political Economy would do well as to investigate the same type of cases as I investigated regarding EU migration and border management, from the point of view of traditional notions regarding (EU) negotiations and economic explanations. To begin with the International Relations scholars, future research should investigate whether this thesis findings on the EBCGA negotiations, where EU Member States chose to integrate (somewhat further) diverts from the traditional distinction between negative integration and positive integration (Scharpf, 2006, p.857). This because on the one hand, there can be seen such a thing as a re-regulation of migration policies on the EU level, whereas the question then immediately arises if, in the case of the EBCGA, there can be talked of substantive positive integration due to the fact that the regulation still remains fairly intergovernmental. This while normally positive integration is said to have much more far ranging consequences for national politics (Vink, 2002, p.3).

For International Political Economy scholars, the empirical evidence on EU migration and border management policy regarding the EBCGA, as found in this thesis, might be seen as a clear indication of Polanyi's "double movement" (Hayden, 2015, p.580) instigated due to the occurrence of "horrible social and economic" events (Ibid.). The closing of EU borders with conflict areas as Northern Africa (or for that matter Libya), to stop huge migratory movements to Europe as to protect Schengen, can be seen in the words of Polanyi (1944) as the second movement of this double movement. Where the "laissez-faire movement [of Schengen] to expand the scope of the market"

(Block, in Polanyi, 1944, p. xxviii) was unable to protect the Schengen zone on its own, the countermovement to protect the Schengen economy was visualised in the efforts of the EU institutions and Member States as to protect Schengen and their internal security via the closing of the EU's external borders to keep (economic) migrants and potential Islamic State terrorists, who can disrupt the (capitalist) Schengen economy, out of Europe.

Furthermore, I would recommend to do some more research on the more comparative literature on Euroscepticism by (radical) right political parties on the EU level. Based on findings in this thesis, it has been showed that mainstream parties in at least the EP have seemed to embrace far right positions for their own regarding the establishment of the EBCGA. For future research it would therefore be good as to do research on the following subjects. First of all, on the basis of longitudinal data, has the EU become more prone to (radical) right influences, or has the EU policy become more rightist? Also, future research should find the answer as to the question if there is a distinction regarding the influence of radical right parties, or mainstream adaption (Meijers, 2017) in less extreme cases than Brexit or EU migration and border management integration. Will it show a difference in effects on less extreme policy areas?

Serving as a final comment on these matters, it is my opinion that, so far, it does at least seems to be that the EU institutions have checked the rising power of Eurosceptic Counterforces by including some of it as mainstream opinion, also with the goal as to restore public confidence in the EU project. It remains to be seen though if this EU tactic of cooling-down the Eurosceptic boiling pan of water has been successful to the extent that the tendencies are indeed cooling-down instead of boiling-over on a future occasion, or that the EU's actions regarding the establishment of the EBCGA were just a drop in the ocean of ever growing resentment of Eurosceptic Counterforces.

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Appendix

Table 1: Eurosceptic parties holding government positions in CEU decision to establish the EBCGA

Country	Governing parties (and EP party block)	Eurosceptic party present (YES/NO) Who?	Role in government: (Junior/major/single- government party)
Austria	OVP (EPP), SPO (S&D)	NO	/
Belgium	CVP (EPP), MR (ALDE), N-VA (ECR, VLD (ALDE)	NO	/
Bulgaria	ABV, GERB (EPP), RB	NO	/
Cyprus	DISY (EPP), EK	NO	/
Czech Republic	ANO (ALDE), CSSD (S&D), KDU-CSL (EPP)	NO	/
Germany	CDU-CSU (EPP), FDP (ALDE)	NO	/
Denmark	V (ALDE)	NO	/
Estonia	ERe (ALDE), IRL (EPP), SDE, M (S&D)	NO	/
Spain	AP-P (EPP)	NO	/
Finland	KESK (ALDE), KOK (EPP), SP-P	YES, <i>SP-P</i>	Junior party
France	PRG (S&D), PS (S&D), V (Greens/EFA)	NO	/
United Kingdom	/	/	/
Greece	AE, SYRIZA	YES, <i>AE & SYRIZA</i>	Major government parties
Croatia	HDZ (EPP), Most	/	/
Hungary	FI-MPSz (EPP), KDNP (EPP)	YES, <i>FI-MPSz</i>	Major government party
Ireland	FG (EPP)	NO	/
Italy	NCD (EPP), PD	NO	/

	(S&D), R, SC, UC		
Lithuania	DP (ALDE), LLRA (ECR), LSDP (S&D) PTT-LDP	YES, <i>PTT-LDP</i>	Junior partner
Luxembourg	DP (ALDE), Greng (Greens/EFA), LSAP (S&D)	NO	/
Latvia	NA/TB/LNNK (ECR), V (EPP), ZZS (ALDE)	YES, <i>NA/TB/LNNK</i>	Junior partner
Malta	MLP (S&D)	NO	/
Netherlands	PvdA (S&D), VVD (ALDE)	NO	/
Poland	PiS (ECR)	YES, <i>PiS</i>	Single-government party
Portugal	PS (S&D)	NO	/
Romania	PSD	NO	/
Sweden	MP (Greens/EFA), SAP (S&D)	NO	/
Slovenia	DeSUS (ALDE), SMC, ZL-SD (S&D)	NO	/
Slovakia	MH (EPP), S, SaS (EFDD), Smer-SD (S&D)	YES, <i>SaS</i>	Junior coalition party

Source: Votewatch (2016b)

Table 2: Eurosceptic MEPs in the EP

EP Party Block	Eurosceptic political parties (member state)*	Party - MEPs
ALDE	/	/
ECR	<p>LKR (G),</p> <p>NA/TB/LNNK (LT),</p> <p>RBP, VMRO (BU),</p> <p>FP (FI),</p> <p>GTAR (GR),</p> <p>UUP (UK),</p> <p>LLRA (LI),</p> <p>HKS (CR),</p> <p>DF (D),</p> <p>ODS (CZ),</p> <p>PR (PL),</p> <p>SaS (SL)</p>	<p>LKR:</p> <ul style="list-style-type: none"> - Henkel - Lucke - Trebesius - Kölmel - Starbatty <p>NA/TB/LNNK:</p> <ul style="list-style-type: none"> - Zile <p>RBP:</p> <ul style="list-style-type: none"> - Barekov <p>VMRO:</p> <ul style="list-style-type: none"> - Dzhambazki <p>FP:</p> <ul style="list-style-type: none"> - Hallo-Aho - Ruohonen-Lerner <p>GTAR:</p> <ul style="list-style-type: none"> - Marias <p>UUP:</p> <ul style="list-style-type: none"> - Nicholson <p>LLRA:</p> <ul style="list-style-type: none"> - Tomasevski <p>HKS:</p> <ul style="list-style-type: none"> - Tomasic <p>DF:</p> <ul style="list-style-type: none"> - Vistisen - Dohrmann - Messerschmidt <p>ODS:</p> <ul style="list-style-type: none"> - Zahradil - Tosenovský <p>PR:</p> <ul style="list-style-type: none"> - Jurek <p>SaS:</p> <ul style="list-style-type: none"> - Sulík
EFDD	<p>UKIP (UK),</p> <p>KORWiN (PL),</p> <p>SD (SW),</p> <p>SSO (CZ),</p> <p>PTT (LI)</p>	<p>UKIP:</p> <ul style="list-style-type: none"> - Farage - Helmer - Agnew - Aker - Arnott - Batten - Bours - Carver - Coburn - Collins - Darthmouth - Etheridge - Finch - Gill - Hookem

	<p>M5S (IT),</p> <p>AfD (G)</p>	<ul style="list-style-type: none"> - Nutall - O'Flynn - Parker - Reid - Seymour <p>KORWiN:</p> <ul style="list-style-type: none"> - Iwaszkiewicz <p>SD:</p> <ul style="list-style-type: none"> - Lundgren - Winberg <p>SSO:</p> <ul style="list-style-type: none"> - Mach <p>PTT:</p> <ul style="list-style-type: none"> - Paksas <p>M5S:</p> <ul style="list-style-type: none"> - Beghin - Adinolfi - Agea - Aiuto - Borrelli - Castaldo - Corrao - D'Amato - Evi - Ferrara - Moi - Pedicini - Tamburrano - Valli - Zullo <p>AfD:</p> <ul style="list-style-type: none"> - Von Storch
ENF	<p>FN(-RBM) (FR),</p> <p>PVV (NL),</p> <p>KNP (PL),</p> <p>LN (IT),</p> <p>FPÖ (A),</p> <p>VB (B),</p> <p>AfD (G)</p>	<p>FN:</p> <ul style="list-style-type: none"> - Le Pen (M.) - Ferrand - Aliot - Arnautu - Bay - Bilde - Bouttonnet - Briois - D'Ornano - Goddyn - Jalkh - Lebreton - Loiseau - Martin - Mélin - Monot - Montel - Philippot - Troszczynski <p>(-RBM):</p> <ul style="list-style-type: none"> - Schaffhauser





























































		<p>PVV:</p> <ul style="list-style-type: none"> - De Graaff - Stuger - Zijlstra <p>KNP:</p> <ul style="list-style-type: none"> - Marusik - Zólte <p>LN:</p> <ul style="list-style-type: none"> - Salvini - Bizzotto - Borghezio - Ciocca - Fontana <p>FPÖ:</p> <ul style="list-style-type: none"> - Vilimsky - Kappel - Mayer - Obermayr <p>VB:</p> <ul style="list-style-type: none"> - Annemans <p>AfD:</p> <ul style="list-style-type: none"> - Pretzell
EPP	FI-MPSz (HU)	<p>FI-MPSz:</p> <ul style="list-style-type: none"> - Szájer - Bocskor - Deli - Deutsch - Erdős - Gál - Gáll-Pelcz - Gyürk - Kósa - Schöpflin - Tóké
GREENS/EFA	/	/
GUE-NGL	<p>SP (NL),</p> <p>V (SW),</p> <p>PU (GR),</p> <p>N (DN),</p> <p>B.E. (P),</p> <p>Syriza (GR),</p>	<p>SP:</p> <ul style="list-style-type: none"> - De Jong - Mineur <p>V:</p> <ul style="list-style-type: none"> - Björk <p>PU:</p> <ul style="list-style-type: none"> - Chountis <p>Syriza:</p> <ul style="list-style-type: none"> - Papadimoulis - Chrysogonos - Kouloglou - Kuneva <p>N:</p> <ul style="list-style-type: none"> - Kari <p>B.E.:</p> <ul style="list-style-type: none"> - Matias

NI (Non-Inscripts)	Jobbik (HU), FN (FR), GD (GR), Liberty (PL), DUP (UK),	Jobbik: - Balczó - Kovács - Morvai FN: - Le Pen (J.M.) - Gollnisch GD: - Epitdeios - Fountoulis - Synadinos Liberty: - Korwin-Mikke DUP: - Dodds
S&D	/	/

**Austria (A), Bulgaria (BU), Belgium (B), Czechia (CZ), Denmark (DN), Greece (GR), Germany (G), Finland (FI), France (FR), Hungary (HU), Italy (IT), Latvia (LT), Lithuania (LI), Poland (PL), Portugal (P), The Netherlands (NL), Slovakia (SL), Sweden (SW), United Kingdom (UK).*

Source: European Parliament (2017b)

Table 3: Voting Behaviour in the CEU

List of member states	Geographical view				
Member State	Political composition of Government	Vote	Voting weight	Statement	Delegates attending
 Austria	OVP (EPP), SPO (S&D)		10		n/a
 Belgium	CVP (EPP), MR (ALDE/ADLE), N-VA (ECR), VLD (ALDE/ADLE)		12		n/a
 Bulgaria	ABV, GERB (EPP), RB		10		n/a
 Cyprus	DISY (EPP), EK		4		n/a
 Czech Republic	ANO (ALDE/ADLE), CSSD (S&D), KDU-CSL (EPP)		12		n/a
 Germany	CDU (EPP), CSU (EPP), FDP (ALDE/ADLE)		29	 Read	n/a
 Denmark	V (ALDE/ADLE)		7		n/a
 Estonia	ERe (ALDE/ADLE), IRL (EPP), SDE, M (S&D)		4		n/a
 Spain	AP-P (EPP)		27		n/a
 Finland	KESK (ALDE/ADLE), KOK (EPP), SP-P		7		n/a
 France	PRG (S&D), PS (S&D), V (Greens/EFA)		29		n/a
 United Kingdom	Con (ECR)		29		n/a
 Greece	AE, SYRIZA		12	 Read	n/a
 Croatia	HDZ (EPP), Most, none		7	 Read	n/a
 Hungary	FI-MPSz (EPP), KDNP (EPP)		12		n/a
 Ireland	FG (EPP)		7		n/a
 Italy	NCD (EPP), PD (S&D), R, SC, UC		29		n/a
 Lithuania	DP (ALDE/ADLE), LLRA (ECR), LSDP (S&D), TT-LDP		7		n/a
 Luxembourg	DP (ALDE/ADLE), Greng (Greens/EFA), LSAP (S&D)		4		n/a
 Latvia	NA/TB/LNNK (ECR), V (EPP), ZZS (EFDD)		4		n/a
 Malta	MLP (S&D)		3		n/a
 Netherlands	PvdA (S&D), VVD (ALDE/ADLE)		13		n/a
 Poland	PIS		27		n/a
 Portugal	PS (S&D)		12		n/a
 Romania	none		14	 Read	n/a
 Sweden	MP (Greens/EFA), SAP (S&D)		10		n/a
 Slovenia	DeSUS (ALDE/ADLE), SMC, ZL-SD (S&D)		4		n/a
 Slovakia	MH (EPP), S, SNS (EFDD), Smer (S&D)		7		n/a

Source: Votewatch (2016b).

