

**CONTRIBUTING FACTORS TO GERMAN  
MIGRANT CRISIS**

**THESIS**



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POSTGRADUATE PROGRAM  
PARAHYANGAN CATHOLIC UNIVERSITY  
BANDUNG  
JULY 2018**



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**THESIS**

**In partial fulfillment for Master of Social Science Degree in**

**International Relations**



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**APPROVAL OF THESIS**

**CONTRIBUTING FACTORS TO GERMAN MIGRANT CRISIS**



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**Submitted for the Thesis Defense on:**

**Monday, 30<sup>th</sup> of July 2018**

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## **DECLARATION**

Whereof the undersigned below, is my personal data as follows:

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Is my own work under the guidance of my supervisor, and I did not plagiarise or quote in a manner that is not consistent with the accepted ethics in education community.

If at a later date any violation is found in my work concerning education ethics, or if there is formal and non-formal demand from other parties relating to the authenticity of this work, I am ready to bear all risks, consequences and/or sanctions imposed on me, including the cancellation of academic award that I got from Parahyangan Catholic University.

Declared in: Bandung

Date : July 2018

PUTRI MUTIA REDIANE



**FAKTOR-FAKTOR YANG MEMPENGARUHI KRISIS MIGRAN DI  
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**ABSTRAK**

Sejak pecahnya perang di Suriah, dan konflik yang berkepanjangan di negara-negara Timur Tengah, banyak negara di Eropa yang harus menampung pencari suaka di wilayahnya, termasuk Jerman. Paska eskalasi perang di Suriah tahun 2015, Jerman telah menampung lebih dari satu juta pencari suaka dari Suriah dan negara-negara Timur Tengah lainnya. Meskipun demikian, tulisan ini akan berfokus pada pencari suaka yang berasal dari Suriah, karena jumlahnya yang sangat banyak dibandingkan dengan negara – negara lain.

Tujuan utama dari penelitian ini adalah untuk meneliti faktor-faktor yang berkontribusi terhadap krisis migrasi yang terjadi di Jerman sejak tahun 2015. Untuk menjawab pertanyaan penelitian pada tulisan ini, saya melakukan studi kasus yang terjadi di Jerman. Berdasarkan studi tersebut, saya menemukan setidaknya delapan faktor berbeda yang berperan dalam krisis migran di kasus tersebut.

Berdasarkan data yang saya dapatkan, ada delapan faktor yang berkontribusi pada krisis migran di Jerman. Faktor-faktor tersebut antara lain faktor pendorong dan penarik pencari suaka dan faktor-faktor yang sudah ada di Eropa dan Jerman.

**Kata kunci: migrasi, pencari suaka, krisis migran, Jerman**



# **CONTRIBUTING FACTORS TO GERMANT MIGRANT CRISIS**

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## **ABSTRACT**

Since the escalation of conflicts in Syria and other states in the region, there have been numbers of European states that have been receiving numbers of asylum seekers, including Germany. After the war escalation in Syria in 2015, Germany has received more than 1 million people who are seeking for safety mostly from Syria and other war-torn countries. Even so, this writing will focus on the Syrian asylum seekers as the numbers of Syrians who are looking for asylum are bigger compared to any other country.

The main purpose of this research is to determine what factors contributing to the so-called migrant crisis in Germany which started in 2015. To answer the research question of this writing, I examined different case studies relating to the migrant crisis in Germany. This includes examining pushing and pulling factors which influence people to come to Germany, German legal frameworks on asylum, as well as how the migrant crisis continues unfolding in the upcoming years.

Based on the data I gathered, I concluded that there are eight different factors that do contribute in the German migrant crisis. These include pushing and pulling factors of why foreign nationals seek for asylum as well as factors that come from within Europe and Germany

**Keywords: migration, asylum seekers, migrant crisis, Germany**



## **ACKNOWLEDGEMENT**

My greatest gratitude goes to the Creator whom allowed me to finally graduate.

My greatest gratitude also goes to my understanding and very kind supervisor, Yulius Purwadi Hermawan, Ph.D., with whom I have worked closely since I was in bachelor study. Without his help and virtue, my thesis would have not been completed. I am grateful to have had the chance to learn from him. This greatest gratitude also goes to the two of my kind as well as understanding examiners, Prof. V. Bob Sugeng Hadiwinata, Ph.D and Dr. Akhnolt Kristian Pakpahan, who were willing to help me out, along with mas Pur, even during the darkest time of the writing of this thesis.

My gratitude also goes to every German officers who kindly answer all my questions regarding to the asylum issues in Germany.

Not to forget, my gratitude goes to my parents and all my friends who have been very supportive and helpful with helping me writing this thesis – especially Manuel R., Simon Datzert, Adan Aguilar, Nuh Kertanegara, René Geiss, Jieun Kim, Filip Kosta, Brett Bull, Andreas Bergel, and Raphael Riemen, without their support I would have not been able to keep moving forward.





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## LIST OF ABBREVIATIONS

AfD	Party of Alternative for Germany
BAMF	<i>Bundesamt für Migration und Flüchtlinge</i>
CEAS	Common European Asylum System
CPI	Consumer Price Index
EASO	European Asylum Support Office
EASY	<i>Erstverteilung von Asylbegehrenden</i>
FSA	Free Syrian Army
GDP	Gross Domestic Product
HRW	Human Rights Watch
ISIS	Islamic State of Iraq and Syria
JN	Jabhat-al-Nusra
OEEC	Organisation for European Economic Cooperation
Pegida	Patriotic Europeans Against the Islamisation of the West
PHR	Physician for Human Rights
SCPR	Syrian Centre for Policy Research
UNDP	United Nations Developing Program
UNICEF	United Nations Children's Fund
VBIED	Vehicle-Borne Improvised Explosive Devices
WGI	World Governance Indicator



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# CHAPTER I

## INTRODUCTION

### 1.1 Research Background

Prominent on television screen and on newspaper, discussed everywhere from parliaments to local non-governmental organizations, asylum seekers and refugees are terms which are becoming more and more popular today. The meanings of both terms are often presented as often censorious, vague, ambiguous, and its policy implementation relating to them are hotly debated.

More and more people movement happened around the globe. Although it is difficult to reach the exact accuracy, the common estimate of forcibly displaced people around the world has reached 65.3 million<sup>1</sup>. The so-called ‘Zone of Anguish’ has driven people to flee their homes and leave them scattered around the globe. Many of these people are fleeing prosecution and conflict while seeking safety and new opportunity.

It is difficult to exactly count the number of migration in the sense of its changes in its compositions and its astonishing diversity. There are people fleeing their home country in despair trying to flee prosecution and discrimination whom are acknowledged as genuine refugee. There are also other people who choose to

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<sup>1</sup> The UN, *244 Million International Migrants Living Abroad Worldwide, new UN Statistics Reveal*, <http://www.un.org/sustainabledevelopment/blog/2016/01/244-million-international-migrants-living-abroad-worldwide-new-un-statistics-reveal/> (Feb. 20, 2017).

leave their home country in search of better economic opportunity. Others, leave due to the political clash they have in their home country.

Although refugees and asylum seeker are often used together in media, both terms are not interchangeable. While refugees are defined as those who have applied for asylum, as well as those who have been given recognized refugee status, asylum seekers are usually defined as those who have applied for asylum and are waiting for their applications and those whose applications have been refused.<sup>2</sup>

The large numbers of influx of people started to pour to the European states after the breakout of Arab Spring and Syrian War. The UN Human Rights Chief, Zeid Ra'ad al-Husseini, described the Syrian war as “the worst man-made disaster since World War II”. He added that his office had been denied access to Syria and no international human rights observers had been admitted to places where “very probably tens of thousands of people are currently held. They are places of tortures”<sup>3</sup>. This infamous crisis began back in 2010 when a young Tunisian man set himself on fire because he was banned from selling fruits to earn a living. Soon after this incident, many other incidents (see Chapter 2) follow leading to the so-called Arab Spring and Syrian War.

The infamous Syrian war started back in 2011 after the arrest and torture of some teenagers who painted revolutionary slogans at a school wall. Soon after this

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<sup>2</sup> Peter Aspinall and Charles Watters. *Refugees and Asylum seekers: A Review from an Equality and Human rights Perspective*, (Equality and Human Rights Commission: Manchester, 2010), p.v.

<sup>3</sup> Dylan Collins, *Syria War: 'Worst Man-made Disaster Since World War II'*, <https://www.aljazeera.com/indepth/features/2017/03/syria-war-worst-man-disaster-world-war-ii-170315054907704.html> (Feb. 3, 2018).

incident, protests and civil unrest started to rise causing the current Syrian government use violence to extinguish the unrest. This move, however, resulted in even larger scare of civil unrest within Syria, causing hundreds of thousands of Syrians to take protest across the country. Violence continued to escalate within the Syrian border which lead to a bloody civil war as rebel brigades started to form to fight the government forces who took over areas and cities in Syria. The bloody civil war took such a large number of death toll. By 2013, it was recorded that approximately 90,000 people were killed during the conflict and by 2015, the numbers reached 250,000.

Not only because of the huge death toll of the Syrian civil war, the conflict became more complicated when it was reported there has been ISIS presence during the war. To even complicate the already messy situation, war crimes have been committed by the Syrian current government through bombs, tortures, forced-starvation and so forth causing hundreds of thousands of people to be displaced from their homes. To make it even worse, the presence of outside forces to tackle the ongoing wars have caused even more death to the civilians and caused even more people to flee. Because of the continuing war in Syria, millions of people no longer have access to basic life needs, giving them more reason to leave their homes.

One of the regions that have become “the choice” for people to seek refuge and asylum is Europe, to be more precise European Union (EU) states. While many people migrate to seek for better economic situation, others are fleeing war

and threats that threaten their wellbeing. As reported by *The Guardian*, many people choose to flee their country and seek for refuge in EU states due to a mass-media portrayal of how welcoming EU states are. Other than this reason, there are different reasons such as the never-ending war, children are going too long without education, there is not enough aid for people in area of conflict, and how other places plummet refugee to poverty. Because of these reasons, European states, mostly EU states, have become the main attraction for those who flee their homelands.<sup>4</sup>

Due to the Arab Spring and the ongoing Syrian War, millions of people have left their homes and seek for safety elsewhere. UNHCR reported since 2011, more than 5 million Syrian fled the country<sup>5</sup> and searched for safety in its neighbouring countries as well as other possible places where they could get sanctuary. It is reported that Syrian neighbouring countries such as Turkey, Jordan, and Lebanon have received millions of people seeking for safety. It is reported that often in Lebanon people are left with little to no financial income making many of them to live under poverty line and having to share accommodations in lodges scattered around Lebanon.

Because of the awful situations, many Syrians went the European land to seek safety. It is reported that in 2015, more than 1 million people have entered Europe to seek for help. This numbers are mostly dominated by Syrians,

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<sup>4</sup>Melissa Fleming, "Six Reasons why Syrians are Fleeing to Europe in Increasing Numbers". *Guardian* [UK]. Oct. 25. 2015 (<https://www.theguardian.com/global-development-professionals-network/2015/oct/25/six-reasons-why-syrians-are-fleeing-to-europe-in-increasing-numbers>).

<sup>5</sup> UNHCR, *Syria Emergency*, <http://www.unhcr.org/syria-emergency.html> (Mar 1, 2018).

Afghanis, as well as Iraqis. The numbers kept on the raise on the following years which have caused unrests in different European countries. Countries such as Italy, Greece, and Germany have had their share to dealing with a sudden influx of people.

Germany, as one of the destinations in Europe, have receive more than a million of people by 2015 and there are still numbers of people pouring to the country. Soon, this phenomenon is known as ‘migrant crisis’ due to the sudden large influx of people to the land. Because of the crisis, Germany has used a specific program in dealing with the crisis and built more reception offices across its border. The so-called EASY program has been used in order to process the incoming people. While the EASY Program might be useful to help with the bureaucratic process, the amount of incoming people has not stopped.

Things started to get more complicated when there are only a few of European countries that accept the large numbers of incoming people. To make things hard different countries such as Hungary and Croatia started to close their borders to incoming people from the influx. Other countries, including Germany have to host hundreds of thousands of people from the influx. As one of the view countries opening their border to the issue, Germany has struggled in keeping everything in check. The sudden large incoming people from the influx has made the country to struggle in dealing with it in such a short amount of time causing billions of euro to be allocated to the issue as well as different hate attacks towards the large numbers of people seeking for safety.

## **1.2. Problem Identification**

### **1.2.1. Research Framing**

The worldwide number of people seeking for refuge has grown significantly since the early 1970s – from approximately 3 million to 21.3 million by 2015. Also, 3.2 million people are now waiting for asylum status worldwide.<sup>6</sup> Millions of people are now displaced either inside their own country or in a foreign land. This condition has not stopped as there are number of unsolved humanitarian issues causing people to flee.

The refugee and asylum seekers problem became worse as the Arab Spring began in Tunisia and continued in neighbouring countries such as Egypt, Libya, and Syria. Many people chose to flee their countries when chaos appeared and there seems to be no more hope for living in their homeland. In Syria, on 28 January 2011, Hasan Ali Akleh enacted a self-immolation on the main street of a small Syrian town called al-Hasakah, as a form of protest against Syrian government in the same manner as Bouazizi of Egypt, though this act went largely unmarked. On 17 February tradesmen at Hareeqa in Damascus responded to local police brutality by gathering and chanting “The Syrian people will not be humiliated”. This act was reported to be unprecedented. The triggering event however, was when some Syrian teenagers were arrested and tortured in the Southern city of Deraa because they painted revolutionary slogans on a school

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<sup>6</sup> UNHCR, *Global Trends: Forced Displacement in 2015*. (Geneva: UNHCR, 2016), p.2.

wall. The incident caused protest to erupt in March 2011 and after Syrian security forces opened fire and killed several protestors, many more took to the street.<sup>7</sup>

People are supposed to be protected by the states and the laws. There are numbers of different law ranging from national law to international law which protect their existence and wellbeing. Despite the main role of states and its laws as the protector of their own people, the Syrian case shows us the otherwise. For instance, the act of protest by the Syrian against its own government can be seen as an act of law obstruction, which can be prosecuted as stated in the Syrian Constitution Article 138 point 2, “Not implementing judicial rulings or obstructing their implementation is a crime punished in accordance with provisions of the law”<sup>8</sup>, making this as one of the factors contributing the crisis.

In 2015, over one million people – displaced persons, refugees and migrants – have made their way to the EU, either escaping conflict in their homeland and in search of better economic prospects. Reported by the EU, in 2016 however, the numbers have shown a decreasing trend<sup>9</sup>. By June 156,000 people arrived in Europe. Despite this decrease, different EU states have taken this issue with different approach.

The migrant crisis that has been happening in Germany and other European countries have led them to struggle to deal with the issue. Regardless of available

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<sup>7</sup>Robin Yasin-Kassab et.al. “ ‘I was terribly wrong’ – writers look back at the Arab Spring Five Years on”. *Guardian* [UK]. <https://www.theguardian.com/books/2016/jan/23/arab-spring-five-years-on-writers-look-back> (Oct. 17, 2016).

<sup>8</sup> Constitution of the Syrian Arab Republic

<sup>9</sup> The decrease of people coming to Europe is affected by the EU-Turkey migrant agreement which took effect as of 20 March 2016 that regulate the arrival of new irregular migrants or asylum seekers.

frameworks and regulations for each state, many of them continue to struggle due to the sudden large-number of people arriving in their lands, including Germany. Different factors are contributing to the struggles as Germany and other European states continue to receive more incoming influx.

### **1.2.2. Research Focus**

This writing is going to focus on the factors that contribute to Germany's struggle in dealing with the migrant crisis. With hundreds of thousands of people coming to its border seeking for safety and sanctuary in a relatively short period of time, Germany struggles to deal with the issue. Even after building more reception points and employing more manpower to deal with the issue, there are factors which contribute to the ongoing struggle. This thesis will focus on the contributing factors to German Migrant Crisis in 2015 to 2016.

### **1.2.3. Research Question**

Despite existing frameworks for dealing with migration issues, Germany struggled to deal with the migrant crisis which started in 2015, those who came to Germany are often faced with inadequate infrastructures as their shelter as well as violent acts directed towards them. This writing will then focus on the question of what factors contributing to Germany's struggle during the infamous migrant crisis?

### **1.2.4. Objective of the research**

This research is aimed to describe the contributing factors to the Germany's struggle during the migrant crisis in 2015-2016.



### **1.3. Contribution of the research**

1. This research is contributing in terms of providing information to International Relations majors in contributing factors to Germany's struggle during the migrant crisis.
2. The objective of the research is to contribute to the future study of refugee and asylum crisis study in Germany in the future.

### **1.4. Literature Review**

'Europe's collective failure to address the refugee crisis' by Roberts, Murphy, and McKee describes a general situation faced by millions of refugees in European soil. It is described that many refugees have to face the lack of access to even basic primary health care and are threatened with the risk of sexual and gender-based violence as well as separation from their family members. It is mentioned that 10,000 unaccompanied children have disappeared in Europe during the crisis. Roberts et al. then continue explaining how migrants (including refugees) have suffered discriminations coming from different politicians from European countries. To make matter worse, Roberts, Murphy, and McKee continued explaining that some of the local newspaper have been cultivating fear and hatred towards migrants by quoting a phrase from the infamous *Mein Kampf* and substituting "Jews" with "migrants". The authors argue that the refugee crisis

which has confronted Europe and EU countries indeed has posed a major challenge to European structures.<sup>10</sup>

In his book, Niklaus Steiner described the complicity of migrations in European countries. He describes how politicians sometimes blur the definition of migrants and asylum seekers, while in fact both are not the same. Steiner then continues explaining the entanglement of refugee and asylum seekers issue. He describes that refugee and asylum seekers issue are a rather complicated issue for every country.

Every politician, in his presented case (Germany, Switzerland, and the United Kingdoms) has been challenged by the entanglement of moral, international norms, and national interests. These factors act as either pulling or pushing factors that push state to establish different asylum policies. As described by Steiner, politicians in three cases are trapped in the so-called tug-of-war of these factors. Not only the tug-of-war of these three different factors, he added that identity plays a huge role in asylum policy making. As identity helps states and politicians determine where the direction of their policy will head.<sup>11</sup>

Seth M. Holmes and Heide Castañeda both presented that in order to be able to thoroughly examine the crisis that Europe, more than one scope of study has to be used. Both Holmes and Castañeda presented the case of Germany, which has opened its border to millions of refugees. It is presented that there has been a clash

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<sup>10</sup> Bayard Roberts, Adrianna Murphy, and Martin McKee, "European Collective Failure to Address the Refugee Crisis", *Public Health Reviews* Vol. 37 No. 1 (2016): 1-5.

<sup>11</sup> Niklaus Steiner, *Arguing About Asylum: The Complexity of Refugee Debates in Europe*, (New York: Palgrave Macmillan. 2000).

between people inside Germany, while *Willkommenkultur* is still present in the society, there were also people who have been protesting against the incoming people seeking for refuge. Numbers of media coverage have portrayed refugee as a threat rather than as people who are running away from fear from their homelands.<sup>12</sup>

Refugees and Asylum seekers indeed play a huge role in European issue today. There are many different factors on why the crisis happens and why different EU states take different path in dealing with the so-called migrant crisis. While I agree that such things as moral, international norms, and state interest play important roles in asylum policy. Steiner did not elaborate more on identity as a supporting factor. Identity, is one of the factors which I believe have contributed so much on how states establish their policies. Also, in the cases Steiner presented, none of the countries corresponding to the case apply the no-refugee policy as by the time the book was written, the so-called refugee crisis has not yet to happen. The two articles presented by Roberts et al. and Holmes and Castañeda provide a great insight of how refugees are portrayed in society and how many of them are treated.

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<sup>12</sup> Seth M. Holmes and Heide Castañeda, "Representing the "European Refugee Crisis" in Germany and Beyond: Deservingness and difference, life and death", *American Ethnologist* Vol. 43 No. 1 (2016): 12-24.

### 1.5. Theoretical Framework

Although there has not been a clear and consistent definition of theoretical framework, Anfara and Mertz define theoretical framework as any empirical or quasi-empirical theory of social/or psychological processes, at a variety of levels, that can be applied to understanding of phenomena. Both Anfara and Mertz then continue to explain that theories can be applied as “lenses” to study existing phenomena, which can include different theories from different field. Theoretical framework provides researchers to “see” certain aspects of a phenomenon being studied while concealing other aspects.<sup>13</sup>

The theoretical framework set forth in this writing presents Andrew Moravcsik’s Liberal Intergovernmentalism (LI). LI seeks to modernize the traditional integration theory by drawing on general political science theory. As a grand theory, It also seeks to understand the evolution of regional integration. Moravschik argues that LI is a set of theoretical synthesis or framework, meaning that it is not a narrow theory of only a single political activity. LI argues that one cannot simply understand integration by seeing one factor and ignoring the others, instead LI seeks to link multiple theories and factors together to a single coherent approach fitting to explain the trajectory of integration<sup>14</sup>.

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<sup>13</sup> Vincent A. Anfara Jr. and Norma T. Mertz, “Introduction”, in Vincent A. Anfara and Norma T. Mertz, eds., *Theoretical Frameworks in Qualitative Research*(Thousand Oaks: Sage Publications, Inc., 2006), p. xxvii.

<sup>14</sup> Andrew Moravcsik and Frank Schimmelfennig, “Liberal Intergovernmentalism,” in Antje Wiener and Thomas Diez, eds., *European Integration Theory*, Second ed. (New York: Oxford University Press. 2009), p. 68.

At the most basic level, Moravcsik and Schimmelfennig continued to explain that LI lays on two basic assumptions. For LI, states are actors. As LI was used to understand the EU, both authors believe that the EU, just like other institutions can be und studied by treating states as actors in the context of anarchy. LI argues that states achieve their means through intergovernmental negotiation and bargaining rather than a centralized authority making and implementing decisions for them. Though one of LI's basic assumption is states as actors, both Moravcsik and Schimmelfennig argues that this approach is not 'realist' - where national security is the driving motivation, state powers based on coercive capabilities, and other realism has – For LI, international institutions' members are 'masters of treaty' where states enjoy political legitimacy and they enjoy pre-eminent decision-making power.

The second LI's assumption is states are rational actors. Actors carefully calculate the utility of alternative courses of actions and choose the best choice to maximise their utility under the circumstances. Collective outcomes are explained as the result of individual actions on efficient pursuit of states' preferences. LI explains that international institutions or cooperation agreements are the result of collective outcomes of independent rational state choices and intergovernmental negotiations<sup>15</sup>.

Within LI's point of view, decision to cooperate internationally are separated into three different stages: First, individual states define their preferences, then each of these states bargain to substantive agreements, and

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<sup>15</sup> Ibid.

finally create institutions to secure the outcomes. Despite recognising that there is a wide range of domestic actors inside states, LI sees state as a unitary actor. For liberal theories of International Relation, state foreign policy goals vary depending on the shifting pressure from different domestic social groups, whose preferences are aggregated through political institutions. State preferences are either uniform nor fixed varying on issue-specific societal interdependence and domestic institutions.<sup>16</sup>

In order to understand more on LI's substantive bargaining, it deploys a bargaining theory of international cooperation. States must determine the best outcomes and achieve other coordination or cooperation for mutual benefits while in the same time they must decide how these mutual benefits are distributed among them. LI argues that actors who are the least in need of specific agreement, are best able to threaten others with non-cooperation and thereby force them to make concessions; and the actors who do have more and better information related to other's preferences and how the institutions works are able to manipulate the agreements outcome to their advantage. Using the European Union as a sample, LI continues to argue that those who gain the most from integration compromise the most on the margins to realise gains while those who do not, tend to enjoy more clout to impose conditions<sup>17</sup>.

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<sup>16</sup> Ibid., p.69.

<sup>17</sup> Andrew Moravcsik, "Preference and Power in the European Community: A Liberal Intergovernmentalist Approach", *Journal of Common Market Studies* Vol. 31 No. 4 (December 1993): 473-524.

Within the LI perspective, supranational institutions exist only because states are willing to delegate some of its political power. There are many different reasons of why states are willing to delegate some of their sovereignty. One of them is to enhance their capability of governmental commitments *vis-à-vis* international and domestic pressures under uncertain conditions. In order to explain to what extent supranational organisations are able to impose its policy regardless of a few opposing states, it is suggested to examine the extent of control of individual and collective control over agents exercised by principals<sup>18</sup>.

In decision making process study, there has been a development of how decisions making process are viewed. This development emphasises on the influence of idea, general perceptions and representations over and above social evolution and state action. The approach is based on the different elements having important role of how actors explain and understand the world. The goal of this development is to understand the importance of how the dynamics of social construction of reality of actors in the shaping of one's world view.

In order to answer the research question, framing theory is also going to be used in this writing to help explaining one of the factors contributing to the migrant crisis in Germany by seeing Merkel's decisions in accepting the incoming influx. The main premise of framing theory is an issue can be viewed from different point of views and be interpreted as having implications for different values of considerations. Framing therefore refers to a process in which people develop a particular conceptualisation of a certain issue or reorient their thought

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<sup>18</sup> Ibid.

about the issue<sup>19</sup>. As framing is used and holds such an important role in how political leaders frame certain issues, framing therefore is defined as the process by which a communication source defines and constructs a political issue or political controversy<sup>20</sup>. Chong and Druckman continued explaining the set of dimensions that affect an individual's evaluation constitute an individual's "frame in thought". Obviously, individual's frame of thoughts contributes to the individual's overall opinion. This is why politicians tend to attempt to mobilise the public behind an issue (as well as their policies) by encouraging them to think about those policies in a certain way. It is accomplished by highlighting certain features of the issue along particular lines, such as how the state historically has dealt with the issue or its relationship to the state's values. In doing so, the speaker is invoking the public to think what one wants them to think. Similar to Chong and Druckman, Entman resounded the same concept of framing. In his writing, he divides framing into two components – selection and salience. To frame means to select certain aspects of a perceived reality and make them more salient<sup>21</sup>.

There are a few things that frames do. First, frames define problems – what the causal agent is doing at what cost and benefits, measured in terms of cultural values. Second, frames diagnose causes – identifying any forces creating the

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<sup>19</sup> Dennis Chong and James N. Druckman, "Framing Theory", *Annual Review of Political Science*, Vol. 10, June 2007: 103-126.

<sup>20</sup> Thomas E. Nelson, Rosalee A. Clawson and Zoe M. Oxley, "Media Framing of a Civil Liberties Conflict and Its Effect on Tolerance", *The American Political Science Review* Vol. 91 No. 3 (Sep., 1997): 567-583.

<sup>21</sup> Robert M. Entman, Framing: Toward Clarification of a Fractured Paradigm", *Journal of Communication* (Autumn 1993): 51-58.



problems. Third, frames make moral judgments – evaluate what causes the problems and their effects. Lastly frames suggest remedies – offers and justifies preferable treatments or remedies and the possible outcome of the said treatments/remedies<sup>22</sup>.

This writing focuses on the causal beliefs and cognitive framing in decision making process. The causal beliefs are defined as beliefs about cause and effects or means and end relationships. These beliefs are part of cognitive understandings of the world which will provide strategies or guidelines for individuals on how to get the objectives they want to achieve<sup>23</sup>. The cognitive framing is used to explain the German's Counsellor's beliefs in forming Germany's policies toward the issue. Finnemore and Sikkink argue that the construction of cognitive frames is an essential component of political strategies, since if it is successful, the new frames that the actors use will resonate with broader public understandings and are adopted as new ways of talking about that related issues<sup>24</sup>.

As the migrant influx issue grew stronger in Germany, it became a rather complex issue which has both national and international aspects. Thus, framing the migrant issue becomes the utmost important for the leader. However, due to its complexity, it is also important to see where the framing takes place both internationally and domestically. Because of the dual place nature of the issue.

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<sup>22</sup> Ibid.

<sup>23</sup> Nina Tannenwald, "Ideas and Explanation: Advancing the Theoretical Agenda", *Journal of Cold War Studies* 7:2 (Spring 2005): 13-42.

<sup>24</sup> Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change". *International Organisations*, Vol. 52 No. 4, International Organisations at Fifty: Exploration and Contestation in the Study of World Politics (Autumn, 1998): 897.

Therefore, through framing, it can be viewed that the leader may try to manipulate the institutional setting to give him/her leverage to define his/her policies.

The next theoretical framework set forth in this writing presents Robert Putnam's "Two-Level Game" theory which is closely related to the framing theory mentioned prior to this paragraph. Explanation of state relations and decision making in International Relations have traditionally categorised according to their "level of analysis". These level of analysis guide researchers to look where the causes of state's behaviour by classifying competing explanations according to which they are conceptualised. This widely used scheme classifies three different levels of analysis – individual level of explanations, domestic level of explanation as well as international level of explanation. Putnam argues that this type of scheme keeps researchers from understanding a phenomenon as a whole as domestic and international relations are often entangle.

Putnam purposed a concept which is contradictory with the traditional view of International Relations which mainly focus on either domestic or international analysis. In his "Two-Level Game" theory, he argues that the interpretation based on domestic causes and international effects (Second Image) or of international causes and domestic effects (Second Image Reversed) would only represent partial equilibrium analyses and miss important parts of the story, namely how domestic politics of several countries become entangle via international negotiations. The theory asserts that

“At the national level, domestic group pursue their interests by pressuring the government to adopt favourable policies, and politicians

seek power by constructing coalitions among these groups. At the international level, national governments seek to maximise their own ability to satisfy domestic pressures, while minimising the adverse consequences of foreign developments”.<sup>25</sup>

In his theory, Putnam stated that political leaders are put between “two boards”. Across the international table, political leaders face their foreign counterparts and their elbows sit diplomats and other international advisors. On the domestic table behind them, sit different groups – domestic agencies’ spokespersons, representatives of key interest groups, party and parliament figures, as well as the leaders’ own political advisors. Putnam’s theory also recognises the importance of addressing that these premise that political leaders are faced with, are incredibly complex; moves which are rational at one stage may be impolitic for the same player on a different stage<sup>26</sup>.

The next concept used in this thesis is the burden-sharing concept. The concept of burden-sharing was usually more known in the more traditional issue spheres such as defence cooperation. This writing however, will focus on the concept of burden-sharing within migratuon sphere which has raised concerns among nation states as the numbers of people fleeing their homelands keep raising over the year. The proposal for global sharing or collective action toward refugees was promoted by legal scholars in the late 1970s. A more elaborate concept was later sought by scholars and activists by bringing up some concerns regarding to

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<sup>25</sup> Robert D. Putnam, “Diplomacy and Domestic Politics: The Logic of Two-Level Games”, *International Organizations*, Vol. 42 No, 3 (Summer, 1988): 427-460.

<sup>26</sup> Ibid.

the refugee issues<sup>27</sup>. The idea of collective protection would then strengthen refugee protection by reducing inequalities among recipient states.

When Yugoslavian crisis broke out, the idea of burden-sharing was discussed throughout various intergovernmental fora as well as UNHCR. During the Albanian crisis in 1997, the Commission of European Union was developing a proposal on responsibility-sharing in case of sudden huge influx of people coming to EU member states. This scheme also resounded in the Western Hemisphere, when the United States discussed the scheme of ‘sharing’ of Cubans with other states when a big number of asylum seekers came to the US interest section in 1979. In 1994, the State Department also scoured the region to find countries who were willing to host several thousands of Haitian and Cuban asylum seekers who were interred at the Guantanamo base in Cuba<sup>28</sup>.

Burden-sharing is defined as a subset of international cooperation in which States take on responsibility for refugees who, in terms of international refugee law, would fall under the protection of other States or assist other States in fulfilling their responsibilities<sup>29</sup>. The “burden” or responsibility of protecting people fleeing their homelands in fear of prosecutions, war or other serious harms often fall in the states jurisdiction in which they arrive. This condition often leads

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<sup>27</sup> Manuel Angel Castillo and James.C. Hathaway, “Temporary Protection”, in James C. Hathaway, ed., *Reconceiving International Refugee Law* (The Hague: Martinus Nijhoff Publishers, 1997), p.15-17.

<sup>28</sup> Astri Suhrke, “Burden-Sharing during Refugee Emergencies: The Logic of Collective Versus National Action,” *Journal of Refugee Studies* Vol. 11, No. 4 (December 1998):396-415.

<sup>29</sup> Kathleen Newland, *Cooperative Arrangements to Share Burdens and Responsibilities in Refugee Situations short of Mass Influx*, UNHCR, <http://www.unhcr.org/4ef332d29.pdf> (October 23, 2017). [Original source: Kathleen Newland, Discussion Paper Prepared for a UNHCR Expert Meeting on International Cooperation to Share Burdens and Responsibilities (27-28 June 2011)].

to uneven distribution of people. Some states may volunteer to take numbers of this burden but few would acknowledge legal obligation to do so.

There are different reasons to which why states agree to cooperative agreements in burden sharing, ranging from purely reciprocal “back-scratching” to the will to maintain community or institution. Other reasons include basic sense of fairness and the need to avoid political crisis with other states. In theory, agreement in sharing the burden will guarantee cooperation should the asylum system in a particular setting comes to a breaking point because one state alone (or a small group of states) cannot deal with the burden of protection<sup>30</sup>.

The Executive Committee of UNHCR has concluded numbers of recommendations on international protection of refugees and asylum seekers, including those who come in huge influx. In Executive Committee Conclusion No. 22 (XXXII) 1981 relating to situations where asylum seekers are coming in large scale influx, the UNHCR provides certain parameters for the implementation on dealing with such influx. The recommendation also recognised that such a big influx of people may cause heavy burden on certain states. A Satisfactory solution of a problem, international in scope and nature, cannot be achieved without international cooperation. Therefore, within the framework of international solidarity and burden-sharing, states shall take all necessary measures to assist, at

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<sup>30</sup> Ibid.

their request, States that have admitted asylum seekers in large-scale influx situation<sup>31</sup>.

The recommendation continues with several more rationales on burden-sharing and asylum seekers on huge-influx situation. It continues with the need for state to either work bilaterally or multilaterally to work on possibility of finding suitable solutions within the regional context. It also emphasises on the work of the asylum seekers voluntary repatriation, local settlement in receiving state, as well as providing resettlement possibilities in third states. Moreover, this conclusion also emphasises on sharing the burden of arranging appropriate assistance – they should include, as necessary, technical and financial assistance – until durable solutions are found. It also recommends governments, in the spirit of international solidarity, to remove the causes leading to such large-scale of asylum seekers influxes as far as possible as well as establishing conditions favourable to voluntary repatriation<sup>32</sup>.

With this concept in mind, burden-sharing schemes should act as a good guarantee scheme for states who are likely to receive large-scale influxes of asylum seekers. By having a guarantee that a state will not face such large-scale influxes alone, the guarantee scheme acts as a reasonable thing to keep the institution of asylum intact as states are more likely to offer protection should they able to share the burden. According to burden-sharing perspective, since most

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<sup>31</sup> UNHCR, *Protection of Asylum-Seekers in Situations of Large-Scale Influx Protection of Asylum-Seekers in Situations of Large-Scale Influx No. 22 (XXXII) -198*, <http://www.unhcr.org/excom/exconc/3ae68c6e10/protection-asylum-seekers-situations-large-scale-influx.html> (Oct 23, 2017).

<sup>32</sup> Ibid.

states will likely deal with the influxes at some point, the burden-sharing scheme offer benefits to all sides. By institutionalising the burden sharing in accordance to available framework, states can have more predictable responses, greater international order, as well as lower transaction costs during migration emergency<sup>33</sup>.

The concept of irregular migration will also be used in order to understand the current mass influx that European countries, especially Germany have been facing since the civil war broke out in Syria. Within the migration field alone, there has been an increase usage of the term irregular immigration. Even though it has been increasingly used, there has been no clear or universally accepted definition of irregular immigration.<sup>34</sup>

Irregular migration has become a major issue that currently occupies European Union's agenda of freedom security and justice. The concept of illegal migrations, according to Guild, covers three apparent issues: a foreigner arriving clandestinely on to the territory of a state; a foreigner staying beyond his or her permitted period of entry and residence; a foreigner working when not permitted to do so or in a manner inconsistent with his or her immigration status.<sup>35</sup> However, irregular migration is generally known as a movement of a person or

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<sup>33</sup> Astri Suhrke, "Burden-Sharing during Refugee Emergencies: The Logic of Collective Versus National Action," *Journal of Refugee Studies* Vol. 11, No. 4 (December 1998):396-415.

<sup>34</sup> IOM, *Key Migration Terms*, <http://www.iom.int/key-migration-terms> (Nov. 10<sup>th</sup>,2015).

<sup>35</sup> Elspeth Guild, "Who is an Irregular Migrant?", in Barbara Bogusz, Ryszard Cholewinski et al., eds., *Irregular Migration and Human Rights: Theoretical, European and International Perspective* (Leiden: Koninklijke Brill NV, 2004), p. 3.

people crossing borders without appropriate documents or where violation of conditions of entering a state.

As the soil being confronted with irregular migrants more than it has ever faced, it is important to note that this condition could harm both migrants and the receiving ends. Gallagher stated that as the irregular migrants escape their homelands, they risk losing their own lives during transit as well as difficult conditions after arrival. As for receiving ends, many states may not be ready with such influxes which could lead to inadequate resources to accommodate large numbers of undocumented persons' needs<sup>36</sup>. Many persons who flee their homes to a foreign land fall into irregular migrant category. As reported by *RT*, one of three 'Syrian' asylum seekers coming to Europe has fake passports and IDs.<sup>37</sup> While these people are seeking refuge in European states, their forged documents contribute to the complication of asylum and refugee issues in Europe.

Asylum seekers and applicants within the irregular sphere is the focus in this writing. It is important to note that the term asylum seekers and refugees are often used interchangeably. The term "refugee" is often used in everyday language for people who have been displaced, but asylum law only understands it as covering recognised refugees in accordance with the Geneva Refugee Convention, in which individuals who are given protection once their asylum

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<sup>36</sup> Anna Marie Gallagher, "Framing the Issues and Meeting the Challenges: The Role of Practitioners and Academics" in David Turton and Julia González, eds., *Immigration in Europe: Issues, Policies, and Case Studies* (Bilbao: University of Deusto, 2003), p. 31.

<sup>37</sup> *RT*, "1 in 3 'Syrian' Refugees have Fake IDs, German Authorities Admit", *RT*, Sep. 17. 2015 (<https://www.rt.com/news/316570-eu-false-syrian-refugees/>).



proceedings are completed<sup>38</sup>. Generally, asylum seeker is defined as someone whose request for sanctuary is yet to be processed<sup>39</sup>. *Bundesamt für Migration und Flüchtlinge* (BAMF) or Federal Office of Migration and Refugees has similar definition to this general definition with slight difference in a bureaucratic manner<sup>40</sup>. As Germany is struggling with the issue of big influx of people applying for sanctuary in its soil, I will be using the term ‘asylum applicants’ in this writing to refer as those who seek for help from Germany and have registered to the Federal Office Land.

Kunz’s typology of refugee will also be used in order to understand more on the issue. However, as previously explained, the term ‘refugee’ and ‘asylum seekers/applicants’ are widely use. The reason this typology is chosen is to explain the push and pull factors of those who decide to leave their homelands and seek sanctuary in a foreign soil. Though Kunz used the term “refugee”, these factors directly contribute to the “why” people leave rather than the than the process of states giving refugee status.

In his typology, Kunz divided refugees to three distinct attitudes, derived from their attitudes towards their displacement. First, the refugees who are assure that their opposition to events at home is shared by the majority of their compatriots and enthusiastically identify themselves with their own country (often

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<sup>38</sup> BAMF, “Forms of Protection”

<http://www.bamf.de/EN/Fluechtlingsschutz/AblaufAsylv/Schutzformen/schutzformen-node.html> (November 9, 2017).

<sup>39</sup> UNHCR, “Asylum-Seekers”, <http://www.unhcr.org/asylum-seekers.html> (November 9, 2017).

<sup>40</sup> While the term ‘asylum seekers’ is widely used everywhere in our daily life, the BAMF offers a more bureaucratic way in explaining the two. BAMF explains, should a person comes to German land to seek for asylum then the person is called asylum seekers. As soon as the person has an application for asylum by the BAMF, the person is called asylum applicants.

not with their government) are called *majority-identified refugees*. Second, the refugees who left home because of either latent or active discriminations directed towards the group which they belong, this type of refugees frequently little interest in their former homes once they left. These refugees, according to Kunz, seldom retain hope and only rarely wish to return to life among their former compatriots. These refugee groups include racial and religious minorities but seldom social classes are called *events-alienated refugees*. Third, the refugees decide to leave their homes for varied individual reasons or philosophies. They have no wish to identify themselves with their nation. Although these refugees might retain some attachments to some aspects of their homeland, their departure is a logical reason of their alienation. This type of refugee is called *self-alienated refugees*.<sup>41</sup> This writing will be focusing on the *events-alienated refugees* as large numbers of refugees coming to Germany are fleeing conflicts and wars in their homeland.

Migration (including the act of seeking refuge or asylum,) is based on push and pulls factors. The ‘push’ factors are the ones providing persons motives to leave their homes and/or country. The ‘pull’ factors on the other hand, are the factors that the foreign land of choice provides the persons with a purpose and a wish to migrate. In his work, Kunz continued to establish the kinetic model of the existing push-and-pull theory.

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<sup>41</sup> Egon F. Kunz. “Exile and Resettlement: Refugee Theory”, *The International Migration Review* Vol 15, No. 1/2, Refugees Today (Spring – Summer, 1981): 42-51.

## 1.6. Research Method

This research will be conducted as a qualitative research. As explained by Creswell, qualitative research is an approach for exploring and understanding the meaning of groups ascribe to a social or human problem.<sup>42</sup> This research will describe the migration crisis Germany has to face as well as describe the policies and factors contributing to the crisis.

Data collecting technique used to write this thesis is going to be secondary literature studies, which uses data and information collected from text books, literature, the internet, mass media, as well as personal communications with several governmental institutions which are able and willing to provide their data.

## 1.7. Research Outline

The first chapter will describe the topic that I am going to be focusing on this writing along with research question I am going to answer in the later chapter. This chapter will also be describing theories as well as describing research methods used which I am going to use to answer the previously asked question.

The second chapter will describe the migration crisis in Germany. As more than 1 million people seeking for asylum in Germany, the state struggles to deal with the case. With even more people coming, the infamous migrant crisis began. This chapter will first talk about the history of human migration to Germany, then it will continue with the so-called German migrant crisis.

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<sup>42</sup>John W. Creswell, *Research Design: Qualitative, Quantitative and Mixed Method Approaches*, (Thousand Oak: Sage Publications, Inc., 2014), p.4

The third chapter will focus on the German Migration Policies, ranging from the German Constitution to the EASY Program to deal with the newest migrant issue.

The fourth chapter will answer the research question of this paper in which asking what factors contribute to the German struggle during the migrant crisis. With the continuation of incoming people and violence against the asylum seekers and applicants, this chapter will describe the root causes which cause the struggle in the first place.

The fifth chapter will then provide the conclusion of the research.