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Blame Shifting in the European Union

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– Blame Shifting in the
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Contested Institutions –
Blame Shifting in the European Union

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Abstract

Whom do EU institutions and member states blame for contested EU policies in the public? To explain when EU policy-makers' shift blame to the EU or the national level, existing research either focusses on policy-makers' preferences or the policy-specific governance design. This thesis develops a synoptic two-step model that explains the direction of policy-makers' blame attributions by combining their preferences, constituting the demand for blame shifting, as well as supply conditions, represented by the governance design. First, policy-makers communicate strategically in the public and seek to avoid blame for themselves: EU institutions' desire is to target the national level while member states shift blame most preferably to the EU-level, but also to each other as a 'second best' option. Second, while the EU's complex decision-making structure opens scope for preference-led blame attributions, the latter is not necessarily unconstrained: if EU policies require active implementation, the public exposure of the implementer has an enabling or constraining influence on EU institutions' and member states' blame shifting. To check the plausibility of the two-step model, policy-makers' blame attributions are examined by media content analysis in three cases of contested EU migration policies: (i) the EU's border control regime, (ii) the common asylum policy, and (iii) the entitlement of intra-EU migrants to social welfare. The analysis of 911 articles and 401 blame attributions corroborates the theoretical expectations: the direction of policy-makers' blame shifting is shaped by both EU institutions' and member states' diverging preferences as well as the policy-implementation structure. Thereby, this thesis contributes to the theoretical clarification of the relationship between policy-makers' preferences and institutional opportunities within the EU's multi-level system and provides the first empirical analysis thereof.

Keywords: blame shifting; European Union; governance design; media analysis; migration policies.

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1   Introducing the European Blame World

> "There has been a lot of finger pointing. Not enough finger painting,
> but too much finger pointing in the past weeks."[1]

When policies are publicly contested, policy-makers have a strong incentive to deflect blame by shifting it to each other (Weaver 1986; Hood/Rothstein 2001; Sulitzeanu-Kenan/Hood 2005; Hood 2011).[2] This seems to apply particularly to the European Union (EU), where EU institutions and member states shift blame for perceived policy failures back and forth to one another (Gerhards et al. 2009, 2013; Greuter 2014; Roose et al. 2016). However, the main direction of EU policy-makers' public blame attributions varies across European blame games. For example, during the 'financial crisis', Greek politicians tended to blame the EU rather than other Eurozone member states for Greece's disastrous economic situation (Scholl et al. 2014). On the contrary, member states attributed the bulk of blame for the failed distribution of asylum seekers to each other during the 'refugee crisis' (see chapter 4). This leads to the question: whom do EU institutions and member states blame for contested EU policies in the public? More precisely, *under which conditions do policy-makers' shift blame predominantly to actors at the national level or to actors at the EU-level?*

While blame shifting has been a subject of scientific debate with regard to the EU's institutional design and its consequences for policy-makers' accountability for some time[3], a growing literature examines the conditions under which blame is directed to the national or the EU-level. In particular, two strands of research focus on different independent variables explaining the direction of blame attributions. One strand points to *policy-makers' diverging preferences* that are derived from the general motivation to avoid blame as well as an actor's position within the EU's multi-level

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1   Commission president Jean-Claude Juncker (cited by Weaver 2015a) joking about blame shifting during the 'refugee crisis' – and indirectly blaming member states for the non-registration of asylum seekers.

2   Blame shifting is defined as "actors attribute failure to other actors" (Greuter 2014: 75). While the literature points to a variety of blame-avoidance strategies like designing governance arrangements and individual policies (Hood 2011: 16-22; for the EU see Daugbjerg/Swinbank 2007), in this thesis, the focus is on how EU policy-makers, i.e. member states and EU institutions, seek to deflect blame after a policy is perceived as a failure in the public by impression management: limiting blame by blaming others and thereby distancing themselves from the problem (Gerhards et al. 2009, 2013; Hood 2011: 50-53; Greuter 2014: 75).

3   See e.g. Schmidt 2006: 30, 37, 129, 271f.; Daugbjerg/Swinbank 2007; Papadopoulos 2010: 1039; Rijpma 2010; Hood 2011: 42, 83, 122; Vasilopoulou et al. 2014; van Kessel/Castelein 2016; Baider/Constantinou 2017.

governance system (Gerhards et al. 2009, 2013; see also, Kumlin 2011; Greuter 2014; Roose et al. 2016; Schlipphak/Treib 2017; Hobolt/Tilley 2014: 100-119). The other strand focuses on the influence of the governance design: under the condition of institutional complexity, it assumes that the *policy-implementation structure*, due to the visibility of implementing actors, determines the direction of blame attributions in the general public and theorises about the consequences for policy-makers' blame shifting (Rittberger et al. 2016; Heinkelmann-Wild et al. 2018).

So far, these two strands barely refer to each other. The blame-avoidance literature assumes that policy-makers can generally take advantage of the EU's multi-level governance system to deflect blame. However, it fails to account for the influence of policy-specific institutional properties, as suggested by advocates of the governance design literature. Reversely, the latter research strand expects the policy-implementation structure to determine the direction of policy-makers' blame attributions. However, it theoretically neglects the diverging preferences of policy-makers, emphasised by proponents of the blame-avoidance literature. Thus, the state of the art lacks a sound theoretical account of the relationship between policy-makers' preferences and varying institutional opportunities for blame shifting as well as a systematic empirical examination thereof.

Against this backdrop, this thesis develops a *two-step model* that integrates insights of both strands and explains the direction of policy-makers' blame attributions for contested policies by the interaction of the demand for blame shifting ('Whom do I want to blame?') and supply conditions ('Whom can I blame?'). In line with the blame-avoidance literature, the demand for blame shifting is assumed to be shaped by policy-makers' preferences. Based on their position in the EU's multi-level system as well as their motivation to minimise blame, two types of EU policy-makers favour different blame targets: EU institutions desire to shift blame to the national level; member states prefer to blame the EU-level, while, as a 'second best' alternative, they also blame other member states. Whether their demand can be met depends on supply conditions constituted by the institutional opportunities for blame shifting, as proposed by the governance design literature: while the EU's complex governance design opens scope for strategic communication, the latter is not necessarily unconstrained. If EU policies require active implementation, the public visibility of the implementer constrains or enables interest-led blame attributions since policy-makers also want to obtain an 'illusion of objectivity' vis-à-vis their

audience. Taken together, *the combination of policy-makers' diverging preferences (demand) as well as the varying policy-implementation structure (supply) shapes the direction of their blame attributions.* Based on this assumption, conjectures for the six constellations (1-6) of the two independent variables can be deduced:

- If policy-implementation is executed by an EU-level actor, (1) for EU institutions, supply and demand are in tension and thus blame to the EU-level will be moderate, while (2) the supply side enables member states to realise their first preference and attribute the bulk of the blame to the EU-level.
- If policy-implementation is executed by member state authorities, (3) EU institutions and (4) member states fulfil their demand in accordance with the supply side and shift the blame predominantly to the national level – the share of blame to the EU-level is thus low.
- If active policy-implementation is not required, supply side constraints are absent and policy-makers freely realise their demand: (5) EU institutions blame the national level while (6) member states blame the EU-level.

The plausibility of the two-step model is checked by conducting a media content analysis, examining policy-makers' blame shifting in three cases of contested migration policies with varying implementation structure: (i) the EU's external border policy; (ii) the Common European Asylum System (CEAS) and its cornerstone, the 'Dublin system'; (iii) and freedom of movement-related policies on the entitlement of intra-EU migrants to claim access to social assistance at their place of residence. The analysis finds the two-step model able to account for variation both across cases as well as between the two types of EU policy-makers:

- regarding the external border control regime, implemented by the EU agency Frontex, (1) EU institutions blamed the national and EU-level to a similar degree while (2) member states shifted the bulk of blame to the EU-level while;
- in the asylum system case where member state authorities were the implementers, (3) EU institutions and (4) member states alike shifted the bulk of blame to actors at the national level;
- concerning the rules entitling intra-EU migrants to social assistance which do not require active implementation, (5) EU institutions exclusively blamed the national level, while (6) member states shifted the large part of blame to the EU-level.

This thesis thereby makes a twofold contribution. *Theoretically*, the relationship between policy-makers' preferences and the governance design, which so far

remained ambiguous in the literature, is clarified and their combined influence on the direction of blame shifting is theorised. Finding the two-step model to account for the observed empirical variation allows to *qualify assumptions of both research strands*. Contrary to the blame-avoidance literature, the opportunity structure for strategic blame attributions in the complex EU multi-level system is not constant but varies across policies according to their implementation structure. Against the expectations of the governance design literature, policy-makers' preferences have a considerable influence on their blame attributions.

Empirically, this thesis offers the first systematic analysis of blame shifting by two types of policy-makers and across policies with varying governance designs. Thereby, *empirical variation across and within European blame games* that has so far been overlooked by existing research is uncovered. Proponents of the blame-avoidance literature only analysed blame shifting above the level of individual policies and thus are unable to account for the impact of policy-specific institutional properties. Advocates of the governance design literature only examined the direction of blame in the general public, neglecting policy-makers and their diverging preferences. Thus, they could not test their assumptions about the influence of the implementation structures on policy-makers' blame shifting patterns.

In the next chapter (2), I briefly conceptualise the dependent variable, i.e. the direction of EU policy-makers' blame attributions. Then, I critically review the state of the art with regard to explanations for blame shifting as well as the relationship between policy-makers' preferences and institutional opportunities. Building on these insights, the two-step model is developed in order to explain the direction of policy-makers' blame attributions. The third chapter (3) introduces the research design and describes the method used for data collection. The next three chapters are dedicated to the case studies: the direction of EU institutions' and member states' blame attributions are examined within the cases of EU border control (4), the distribution of asylum seekers (5), and the so-called 'welfare migration' (6). Against the backdrop of the results across the three cases and between the types of policy-makers, the superiority of the combined two-step model over the alternative explanations, based on only one of the independent variables, is demonstrated (7). The concluding chapter (8) summarises the theoretical argument as well as the contributions of this thesis and gives an outlook on political consequences and their effect on policy-makers' accountability.

2 Explaining Blame Shifting in the EU

In order to explain when EU institutions and member states publicly shift blame to actors at the national or at the EU-level, this thesis develops a two-step model that brings together policy-makers' diverging preferences (the demand side) as well as policy-specific institutional opportunities (the supply side). In the following, the dependent variable, i.e. the direction of policy-makers' blame attributions, is conceptualised (2.1). By reviewing the state of the art on blame shifting in the EU, I identify two independent variables of central importance: policy-makers' preferences and institutional properties of the policy-specific governance design. Particular focus is on these approaches' assumptions about the relationship between institutional opportunities and policy-makers' preferences (2.2). Building on these insights, I then theorise on how policy makers' preferences, and the policy-implementation structure shape their blame attributions. On the basis of the two-step model, conjectures about the influence of combinations of the two independent variables on the direction of policy-makers' blame shifting are derived (2.3).

2.1 Conceptualising blame shifting

This thesis aims at explaining when EU policy-makers shift blame for contested policies predominantly to the national or the EU-level. Thus, the dependent variable is the direction of EU policy-makers' blame shifting. In general, *blame* describes "the act of attributing something considered to be bad or wrong to some person or entity" (Hood 2011: 6). Blame thus consists of two components: (i) an element of perceived and avoidable harm or loss, i.e. "something is seen as being worse for some person or group than it could have been if matters had been handled differently" (ibid.); and (ii) the attribution of agency, i.e. "harm was avoidable because it was caused by acts of omission or commission by some identifiable individual or organisation" (ibid.; cf. Sulitzeanu-Kenan/Hood 2005: 2f.).

A *blame attribution* consists of (i) an actor that attributes blame ('sender of blame'); (ii) a subject for which blame is attributed ('subject of blame'); and (iii) an actor to whom blame is attributed ('direction of blame'). Depending on the direction of blame, blame shifting, i.e. "actors attribute failure to other actors" (Greuter 2014: 75) can be differentiated from blame acceptance, i.e. "actors acknowledge their past

failures" (ibid.). Since the latter is not subject of this analysis, the terms attributing and shifting blame are used interchangeable.[4]

This thesis focusses on *EU policy-makers shifting blame for contested policies to actors at the national or the EU-level*. The senders of blame, EU policy-makers, are defined as entities participating in the EU's decision-making process. They are differentiated into two types: (i) EU institutions (the Commission, the Council, and the European Parliament) and (ii) member states (national governments).[5] The targets of blame include the latter as well as any other actor participating in policy-implementation. Blame targets are categorised according to their governance level in (i) actors at the EU-level and (ii) actors at the national level. These categories constitute the two values of the dependent variable. Finally, the subject – and context – of EU policy-makers' blame attributions are *contested policies*, i.e. EU policies that are publicly perceived and criticised as failures.[6]

Consider as an example Commissioner Viviane Reding stating "that only Britain was to blame for any abuses of the benefit system by European nationals" (cited by Waterfield 2013b: 12). Here, the sender of blame ('Viviane Reding') represents an EU institution while the direction of blame ('Britain') represents an actor at the national level. The contested policy constituting the subject of blame comprises the EU rules on the entitlement of intra-EU migrants to social services that were publicly criticised for promoting welfare migration (e.g. Lynch 2013: 11; see 6.1).

Summarising, the dependent variable consists of an EU policy-maker attributing blame for a contested policy to actors at the national or the EU-level and thus can have one of two values.

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4   This definition of 'blame attributions' corresponds to the concept 'assignment of negative causal responsibility' that underlies most of the empirical research on this topic (e.g. Gerhards et al. 2009, 2013; Greuter 2014; Rittberger et al. 2016). Both have to be differentiated from 'competence attributions' whereby an actor demands that a certain entity should be responsible to address a particular policy problem or issue (Gerhards et al. 2009: 116).

5   The Council is treated as an EU-level rather than national actor since the EU institution is assumed to be more than the sum of member state governments: as a sender of blame, it is represented by the President of the European Council and thus speaks with one voice; regarding the direction of blame, policy-makers attributing blame can always choose between blaming individual (or fractions of) member states and the Council in general, particularly when decision-making authority was pooled through qualified majority voting (cf. Gerhards et al. 2009: 535, 537; 2013: 121, 125; Heinkelmann-Wild et al. 2018).

6   This definition builds on the insight that "'success' and 'failure' are not inherent attributes of policy, but rather labels applied by stakeholders and observers" (Bovens/'t Hart 2016: 654; see also, Howlett 2012; Oppermann/Spencer 2016). For reasons to opt for contested policies as a 'research window' for analysing policy-makers' blame shifting, see 3.1.2.

2.2 Reviewing the state of the art: independent variables and theoretical gaps

A growing literature aims at explaining the attribution of blame in the EU's multi-level governance system. Two strands of research focus on different independent variables that are of central importance for explaining the direction of blame: policy-makers' preferences as well as the governance design. In the following, these two approaches are presented and critically discussed. Thereby, particular attention is on how the state of the art conceptualises the relationship between policy-makers' preferences – the demand side – and institutional opportunities – the supply side.

2.2.1 Policy-makers' preferences: the motivation for blame-avoidance and social-structural positions

One strand of research explains the direction of blame attributions by *policy-makers' preferences stemming from their general motivation to avoid blame as well as their social-structural position within the EU's political system.* Their basic assumption is that *policy-makers' central motivation is to avoid blame.*[7] They thus are expected to communicate strategically in the public and attribute responsibility for success to themselves, while blaming others for failures – the admission of mistakes is seen as the least desired option. In a nutshell: "It's always the others' fault." (Gerhards et al. 2013: 113; translation THW; cf. ibid. 2009: 533; Greuter 2014: 72-74; Roose et al. 2016: 41).

Against this backdrop, Gerhards et al. (2009: 534, 2013: 113) derive the preferences about the direction of blame shifting of two types of EU policy-makers from their different *positions in the EU's multi-level political system* (see also, Hood 2011: 42). They assume the Commission to shift blame only to member states and not to other EU institutions: "as a supranational institution, it is primarily committed to the EU, and it is in its immediate interest to present the EU and its institutions in a positive light" (Gerhards et al. 2013: 125, cf. 2009: 537; translation THW). On the contrary, member state governments are expected to blame the Commission as well as other member states (Gerhards et al. 2009: 535f., 2013: 121-123). Furthermore, they find in their empirical analysis that national governments frequently shift blame to the Council or 'the EU' in general even though this constitutes a quasi self-attribution:

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7   This builds on insights from the domestic context (Weaver 1986, 1988; Hood 2002a, 2002b, 2007, 2011; Hood/Rothstein 2001; Hood et al. 2009, 2016; Sulitzeanu-Kenan/Hood 2005).

"The national governments obviously play a double game: […] unpopular decisions, which they themselves […] have co-decided, are attributed to the Council or 'the EU'" (Gerhards et al. 2009: 553; translation THW).

Regarding the relationship between institutional opportunities and policy-makers' preferences on the direction of blame attributions, the blame-avoidance literature assumes that the *EU multi-level system generally provides actors with an opportunity structure for their blame-avoidance strategies*:

> "[…] there is a particular margin in the EU's multi-level system. As soon as several actors and political levels are involved in a decision, it becomes more difficult for the observer to determine who has to take responsibility for specific measures and decisions; accordingly, the opportunities for an interest-led interpretation of political responsibility for […] failures grow." (Gerhards et al. 2009: 533; translation THW; cf. ibid. 535, 2013: 113-115, 127-132; see also, Roose et al. 2016: 41; Hood 2011: 83, 122)

The underlying rational is that "since responsibility for most policy outcomes is shared between national and EU Institutions […] policy outcomes may legitimately be attributed to either level" (Hobolt/Tilley 2014: 15). This then provides "ample possibilities for every major player in the structure *to blame every other*" (Hood 2011: 122; emphasis THW). In a nutshell, "attribution opportunities in the European multilevel system are manifold" (Gerhards et al. 2013: 121; translation THW).

Beyond this very general theoretical assumption, the blame-avoidance literature fails to theoretically account for the impact of varying properties of the policy-specific governance design on the direction of policy-makers' blame attributions, which is suggested by advocates of the governance design literature. As a consequence, this strand of research empirically analysed blame shifting patterns only above the level of individual policies. Studies either examined the coverage of the EU in general (Gerhards et al. 2009, 2013) or broader topics like the 'financial crisis' (Greuter 2014; Roose et al. 2016; Hobolt/Tilley 2014: 100-119; Scholl et al. 2014). Thereby, the blame-avoidance literature risks flawed inferences. Finally, advocates of this strand assume that the EU in general and the Commission in particular is structurally disadvantaged in blame games due to the lack of a European public sphere and the dominance of national governments in their national publics. In consequence, the EU is expected to fulfil the "ideal scapegoat function" (Gerhards et al. 2005: 9; translation THW; cf. ibid. 2009: 533; see also, Hobolt/Tilley 2014: 100f.). However, this insight does not lead to explicit assumptions about member states' preference order, i.e. if they prefer blaming EU institutions or other member state governments.

Summarising, the blame-avoidance literature explains the direction of policy-makers' blame shifting by their preferences stemming from the motivation in minimising blame as well as their position in the EU's multi-level system. While this research strand offers a compelling explanation for different types of policy-makers' diverging preferences for the direction of blame shifting – the demand side –, it neglects variation in the governance design constituting supply conditions.

2.2.2 *The governance design: the endogenous complexity of EU policy-making and the visibility of implementers*

A second research strand examines the influence of the governance design on the direction of blame attributions. While its focus is on responsibility attributions in the general public and not on policy-makers' blame shifting behaviour, it offers valuable insights for the margin of the latter. The governance design literature assumes that, *under the condition of institutional complexity, the policy-implementation structure determines the direction of blame attributions in the public due to the visibility of implementing actors* (Rittberger et al. 2016; Heinkelmann-Wild et al. 2018).

The basic assumption is that the *institutional complexity of policy-making* in the EU affects the direction of public responsibility attributions by endogenously reducing the clarity of responsibility (cf. Hobolt/Tilley 2014: 24). In the EU, policy-making is usually complex, i.e. multiple actors across multiple levels of governance share policy-making authority in a multi-stage process.[8] For example, in the EU's ordinary legislative procedure, policy-making authority is divided between the Council and the European Parliament (EP), acting on the initiative of the Commission. Due to the general public's lack of knowledge about how policy-making authority is distributed in the EU's multi-level system, the latter is expected to be unlikely to inform their responsibility attributions (Rittberger et al. 2016: 4; cf. Hobolt/Tilley 2014: 45).[9]

Against this backdrop, the *structure of policy-implementation* is generally assumed to determine the direction of blame attributions in the public. If policies do not need active implementation, due to institutional complexity, public responsibility attributions for policy failures are expected to be "infrequent, untargeted and thus

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8   Thanks go to Bernhard Zangl for this straightforward definition of institutional complexity; see also, Rittberger et al. 2016: 5; Heinkelmann-Wild et al. 2018.

9   This insight is based on voting research finding that the clarity of responsibility in federal systems conditions voters' ability to make 'correct' judgements about who is responsible for policy outcomes (Anderson 2000; de Vries et al. 2011; Hellwig 2001; Hellwig/Samuels 2008; Powell 2000; Powell/Whitten 1993; Whitten/Palmer 1999; Cutler 2004, 2008; Hobolt et al. 2013; see also, Javeline 2003).

diffuse" (Rittberger et al. 2016: 4). If an implementing actor is required, the latter is assumed to become focal and thus the prime target of blame (ibid. 3).[10] In other words, when looking for an actor to blame for policy failures, the public is seen likely to employ a "policy-implementation heuristic" (Heinkelmann-Wild et al. 2018). Thus, an implementing actor, due to its public exposure and visibility, is expected to substitute for the lack of institutional clarity in the EU's multi-level policy-making processes and attract the general public's blame. While Rittberger et al. (2016) do not make this an explicit assumption, in the case of EU-level implementation, the public might use the 'policy-implementation heuristic' as a 'short cut' to blame not only to the specific implementing actor but the whole EU-level (see also, Hobolt et al. 2013: 170). Indeed, their empirical analysis finds public responsibility attributions under the condition of EU-level implementation to target the specific implementer and 'the EU' in general to a similar degree.

What follows from these assumptions on responsibility attributions in the general public for EU institutions' and member states' blame shifting? Regarding the relationship between institutional opportunities and policy-makers' preferences on the direction of blame attributions, the governance design literature assumes *the primacy of the policy-implementation structure*: policy-makers are expected to shift blame to the actor (or governance level) responsible for policy-implementation (Rittberger et al. 2016: 5, 13f.). If active implementation is not required, policy-makers are generally expected to exploit the "beneficial opportunity structure" (ibid. 4). Hence, the institutional opportunities of the policy-specific governance design are assumed to determine the direction of policy-makers' blame attributions.

However, while this literature provides valuable insights on the general influence of the governance design on public responsibility attributions, regarding policy-makers' blame shifting, it remains merely theoretical. Rittberger et al. assume that "the personal involvement of the attributing actors [did not] contaminate our findings on the impact of authority structures" (2016: 7, note 3) and thus neglect policy-makers' diverging preferences. In this regard, the direction of policy-makers' blame attributions for policies that do not require active implementation remains a theoretical blindspot. As a consequence, this research strand empirically only examined the general direction of blame in the public, including statements by

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10 The 'implementer hypothesis' builds on studies in experimental economics that have demons-trated that in principal-agent relationships, blame is primarily attributed to implementing agents (Bartling/Fischbacher 2008; Coffman 2011; Hill 2015; Oexl/Grossman 2012).

politicians, while neglecting the variety on site of blame senders. Thus, it is unable to detect variation regarding the direction of EU institutions' and member states' blame shifting, emphasised by proponents of the blame-avoidance literature, even when the institutional context remains the same. Hence, the impact of the policy-specific governance design on policy-makers' blame shifting so far remained an assumption.

Summarising, the second research strand expects the governance design to predominantly shape blame shifting. If policy-making is complex, the structure of policy-implementation is expected to determine the direction of blame. While this literature offers a first viable account of institutional opportunities and constraints for policy-makers' blame shifting in the EU – and thus the supply conditions –, these assumptions remain theoretical and vague for some parts.

The two discussed strands of research each focus on a different variable shaping the direction of blame attributions: policy-makers' preferences as well as the policy-specific governance design.[11] However, the literature so far lacks a clear account of their relationship of these two factors. In the next section, this gap is addressed by developing a synoptic two-step model of how policy-makers' preferences (the demand side) and the governance design (the supply side) interact shaping the direction of EU institutions' and member states' blame attributions.

2.3 A two-step model of blame shifting: bringing preferences and the governance design together

What effect do policy-makers' preferences and the governance design have on blame shifting in the EU? To address this question, I develop a theoretical approach that brings together insights from both existing research strands. In the following, the two-step model that integrates policy-makers' preferences (the demand side) as well as the governance design (the supply side), is presented. By clarifying their relationship and influence on the direction of blame attributions, the gap in the state of the art is closed.

The theoretical framework starts from the basic assumption that both opportunities and preferences are important for social science explanations (cf. Elster 2015: 190f.). Against this backdrop, conflating the insights of the existing literature, I propose a two-step model to explain the direction of policy-makers' blame attributions.

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11   Note that for both approaches, a complex governance design is a scope condition.

Thereby, I distinguish between the demand for blame shifting, i.e. policy-makers' preferences based on their motivation ('Whom do I want to blame?'), as well as the supply for blame shifting, i.e. the institutional opportunities within the governance design ('Whom can I blame?').[12]

The *demand for blame shifting* is shaped by *policy-makers' preferences*. Policy-makers are assumed to follow two goals when attributing blame (cf. Kunda 1990; see also, Schwarzenbeck 2015: 43). Firstly, they are driven by *motivations to achieve a desired outcome*, i.e. "any wish, desire, or preference that concerns the outcome of a given reasoning task" (Kunda 1990: 480). Building on the blame-avoidance literature, policy-makers' main motivation is assumed to be minimising blame for themselves. Policy-makers communicate strategically in public and thus refrain from attributing blame to themselves.[13] Based on their position in the EU's multi-level system, the two types of EU policy-makers have diverging preferences about the direction of blame shifting: (i) EU institutions are assumed to prefer attributing blame to the national level. (ii) Member states can blame each other or the EU-level. However, the latter is assumed to be more attractive since, due to the lack of a European public sphere, "the European Union is structurally disadvantaged […] and thus fulfils an ideal scapegoat function" (Gerhards et al. 2005: 9; translation THW).[14] Thus, while member states prefer to shift the blame to the EU-level, blaming other member states constitutes a 'second best' option; for EU institutions, blaming the EU-level is the 'second worst' alternative since it means a quasi self-attribution.

Secondly, it is assumed that policy-makers can only shift blame according to their directional goals up to the point where they can still maintain the *'illusion of objectivity'* (Kunda 1990: 482f.; see also, Schwarzenbeck 2015: 37). The importance of coherence with the institutional context for blame-avoidance strategies to be successful is also emphasised by Hood (2010: 146f., 160). The conditions that shape the margin of preference-led blame attributions within the EU multi-level system constitute the supply side.[15]

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12   The inspiration for the demand-supply-framework stems from Leuffen et al. 2013: 34-39.
13   It is generally assumed that if policies are publicly contested, every policy-maker has a basic incentive to engage in blame-avoidance strategies since the "blame risk" (Hood 2011: 8) rises.
14   Member states' first preference for "playing the blame game on Brussels" (Schlipphak/Treib 2017: 355) is also in line with the general thrust of the literature (cf. Hobolt/Tilley 2014: 100f.).
15   The relationship between supply and demand side factors is assumed to be probabilistic.

Figure 2.1: The two-stage model

Demand	Supply	Outcome
Preferences of blame senders • **EU:** blame MS • **MS:** blame EU > other MS • Constant: obtain **'illusion of objectivity'**	**Governance design** • **Implementation structure:** EU-level, MS level, non-active • Constant: **decision-making complexity**	**Direction of blame** • Actors at **EU-level** • Actors at the **national level**
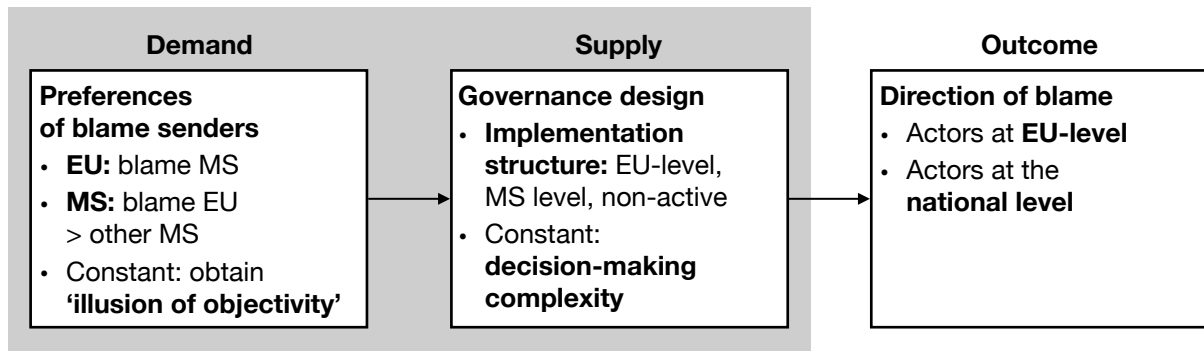
Source: own compilation.

Whether the demand for blame shifting can be realised depends on *supply conditions for blame shifting*, i.e. the *opportunities shaped by the institutional context*. In general, the margin of strategic blame shifting is shaped by the governance design, more precisely, its endogenous transparency: the larger the in-transparency, the more subjective blame attributions can be argumentatively stretched (Schwarzenbeck 2015: 43, cf. 2017: 49-51). Building on the governance design literature, while the often complex institutional structure of decision-making opens up a great margin for preference-led blame attributions, it is constrained by the structure of policy-implementation. Due to its public visibility, an active implementing actor is assumed to influence the general public discourse by attracting blame to itself or, in the case of EU-level implementation, the whole governance level.[16] Since policy-makers' want to maintain an 'illusion of objectivity' when shifting blame in the public, the focal position of implementing actors is thus assumed to constrain their blame attributions.[17] If no active implementation is needed, policy-makers can freely exploit the complexity of the EU's multi-level governance system and shift blame solely according to their preferences. Taken together, demand and supply factors for blame shifting result in an *outcome*: an attribution pattern characterised by a specific degree of blame to actors at the national and/or the EU-level (see Figure 2.1).

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16   While this remains a mere implicit assumption in the governance design literature, as discussed above, research in other fields support this expectation: under conditions of institutional complexity, the public also tends to blame collective organisations instead of individual actors (cf. Schwarzenbeck 2015: 47f., 219, 2017: 54; see also Pfeiffer 1995: 16).

17   Note that the exact cognitive mechanism underlying the attribution decision is not of prime interest for this thesis. For example, policy-makers do not necessarily need believe their own blame attributions but adapt them in order to increase public resonance (cf. Gerhards et al. 2009: 531). Furthermore, it does not matter whether policy-makers public communication neglects the implementation structure and then the public discourse filters out 'unreasonable' statements; if politicians anticipate this and adapt their strategies; or if they learn over time.

After clarifying the relationship between policy-makers' preferences (the demand side) and the governance design (the supply side), in the next step, conjectures about the direction of policy-makers' blame shifting are derived from the two-step model. Under the condition of institutional complexity, it is expected that the combination of the type of policy-maker, either an EU institution or member state with corresponding preferences, and a particular policy-implementation structure, results in a certain direction of blame. This allows to derive *conjectures about the direction of blame shifting* for the six possible constellations (1-6) of the independent variables (see also, Table 2.1).

- If policy-implementation is executed by an EU-level actor, (1) for EU institutions, supply and demand are in tension and thus blame to the EU-level will be moderate, while (2) the supply side enables member states to realise their first preference and attribute the bulk of the blame to the EU-level.

- If policy-implementation is executed by member state authorities, (3) EU institutions and (4) member states fulfil their demand in accordance with the supply side and shift the blame predominantly to the national level – the share of blame to the EU-level is thus low.

- If active policy-implementation is not required, supply side constraints are absent and policy-makers realise their demand: (5) EU institutions blame the national level while (6) member states blame the EU-level.

Summarising, the two-step model combines insights from the existing research strands to explain the combined impact of policy-makers' preferences (the demand side) and the governance design (the supply side) on the direction of their blame attributions. By clarifying the interaction of the two independent variables, I am able to make more differentiated predictions about blame shifting in the EU.

3 Research Design: Analysing Blame Shifting

The plausibility of the two-step model will be evaluated by checking the theoretical conjectures about the direction of policy-makers' blame shifting by congruence analyses of three cases. Based on a Most Similar System Design (MSSD), three contested EU migration policies with varying policy-implementation structures are selected and blame attributions by EU institutions and member states are examined. Data was collected by qualitative content analyses of the quality press coverage. In the following, the case selection is presented (3.1). Subsequently, the methodological approach as well as the data collection procedure including sample selection and coding rules are described (3.2).

3.1 Selecting three cases of contested EU migration policies

In the last chapter, the two-step model was developed and conjectures for different combinations of the independent variables, i.e. policy-makers' preferences and the policy-specific governance design, were derived. The plausibility of the conjectures shall be evaluated by comparing these theory-led expectations about the direction of blame shifting with the distribution of policy-makers' blame in three cases.

Case selection is based on a *Most Similar System Design (MSSD)* (Leuffen 2007:

Table 2.1: Conjectures about the direction of policy-makers' blame shifting (share of blame shifted to EU-level)

		Policy-implementation		
		EU	MS	Non-active
Type of policy-maker (blame sender)	EU	(1) moderate	(3) low	(5) low
	MS	(2) high	(4) low	(6) high

Source: own compilation.

207; Hönnige 2007: 226; see also, Przeworski/Teune 1982: 32f.). This allows to control for potentially confounding factors (cf. Sieberer 2007: 258-262) while the independent variables vary across the cases. If the dependent variable, i.e. direction of the policy-makers' blame shifting, varies along with the independent variables, inferences can be made on their causal effect. The effect of the variables is traced in

qualitative case studies. Thereby, the congruence between the relative distribution of aggregated blame attributions by EU institutions and member states in the media discourse and theoretical explanations is checked.[18] As a supplement, the plausibility of the theoretical model is further corroborated on the basis of individual policy-makers constituting 'least likely' observations, i.e. their specific preferences would suggest not to shift blame according to the theoretical assumptions. If their attributions nevertheless show the predicted blame patterns, this strengthens the model (cf. Schwarzenbeck 2017: 71f.; see also, King et al. 1994: 209; Leuffen 2007: 210f.). In a last step, findings are compared and the explanatory power of alternative explanations for which case selection could not control are checked across cases.

Against this backdrop, case selection must meet two criteria: the policies for which blame is assigned must be similar in all cases to ensure the comparability of blame shifting patterns; and blame shifting by EU institutions and member states must be measurable and relatively frequent. Where can we observe manifestations of blame shifting by policy-makers best? According to Hood (2011: 8), this depends on the "blame risk": "We will be more motivated to engage in efforts to avoid blame the more likely we think blame will occur and the more serious we think the consequences will be for us if we do come to be blamed." *Publicly contested policies* are particularly suitable to studying blame shifting since the public demand of accountability and thus the legitimacy pressure on them tends to be higher in the case of EU policy outputs or outcomes that trigger publicly salient dissent and dissatisfaction (cf. Zangl/Rittberger 2017: 5). Thus, strategic communication by EU institutions and member states in cases of publicly contested policies can be expected to be frequent.

In order to evaluate the plausibility of the two-step model, *three contested EU migration policies* were selected: (i) the case of EU border control, (ii) the case of EU asylum policy, and (iii) the policy on the entitlement of intra-EU migrants to social services. The *need for implementation as well as the type of the implementing agent varies* across the three cases: Frontex is implementing the EU's border control policy, while EU member states are the main implementing actors in the asylum case. In the 'welfare migration' case, policies do not require an implementing agent but obliges EU institutions and member states to refrain from direct political

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18   According to Schwarzenbeck (2017: 71), the congruence method is well suited for this purpose since the causal process between the variables and policy-makers' blame attributions does not have to be traced down to the smallest detail, but cognitive processes are left in a 'black box'.

intervention such as from discriminating between their nationals and Union citizens. Variance with regard to the preferences of blame senders is ensured by examining two types of policy-makers, EU institutions as well as member states, in all cases.

In other dimensions, the three policies are similar allowing to *control for potentially confounding factors.* First, all three policies were *publicly contested* as they were broadly perceived as policy failures in the public.[19] Since the subjects of public criticism were not prescribed in advance but coded during the analysis (see Annex, Table A.4), this should have prevented selection bias.

Second, the institutional structures underlying the three policies were all *instances of complex governance design*, that is assumed to be a scope condition for the theoretical model. For the purpose of this thesis, a policy-specific governance design is assumed to be sufficiently complex if the underlying decision-making process meets the following characteristics: following a proposal of the Commission, the Council decides on legislation (unanimously or by qualified majority voting); the European Parliament is either co-legislator or at least consulted.[20] In all three cases, decision-making either followed the 'community method' where the Commission proposes a policy, which the EP jointly enacts with the Council or legislation was initiated by the Commission and then decided by the Council after consulting the EP under special provisions due to a transitional period of five years following the Treaty of Amsterdam (Art. 67(1) of the Treaty of the EC). Most importantly, for a large part of the examined period and legislation, decision-making across all cases was constant and based on the ordinary legislative procedure, i.e.

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19   The identified policy failures are presented in the case studies (see 4.1.2, 5.1.2, 6.1.2). It is generally assumed that properties of policy failures (e.g. their perceived severity) did not contaminate findings on the direction of blame shifting (cf. Rittberger et al. 2016: 7, note 3).

20   Complex governance design encompasses decision-making processes that equal the categories 'joint decision-making I or II' as conceptualised by Börzel (2005: 221) and commonly referred to as 'community method' (Leuffen et al. 2013: 14): following a proposal of the Commission, which possesses the exclusive right of initiative, the Council and EP bargain over the final legislative outcome; the EP can exercise legislative influence by proposing amendments, which the Council has to take into account; the latter then decides by unanimity or qualified majority voting. This definition thus comprises the ordinary legislative procedure, the EU's main process of decision-making since the Lisbon Treaty took effect on 1 December 2009 (see Art. 294 of the TFEU), as well as its predecessor, the co-decision procedure, introduced by the Maastricht Treaty (1992) and extended by the Amsterdam Treaty (1999). Additionally, if decision-making equals 'intergovern-mental cooperation', a policy-specific governance design might also be assumed complex according to the degree of supranational involvement: in general, this category encompasses policies for which the Commission shares right of initiative with the Council; the latter decides unanimously after the EP has been consulted. For the purpose of this thesis, the governance design underlying a policy is sufficiently complex if the Commission (and not the Council) enacted its right of initiative and proposed the legislation examined.

the 'community method' (cf. Rittberger et al. 2016: 6).[21] Thus, the governance design underlying the three policies is sufficiently complex to a comparable degree.

Finally, the substance of the three policies is similar: they all can be subsumed under the *policy area 'migration'* (cf. Rittberger et al. 2016: 6). Furthermore, the three policies are all linked to the free movement of persons principle of the EU's common market and the Schengen agreement that abolished border controls among signatory states and created a common external border. Free mobility triggered a number of cross-cutting challenges to further integration in Europe towards the establishment of an "area of freedom, security and justice" (AFSJ) (see Art. 3(2) TEU; Title V, Art. 67-89 TFEU). In particular, they prompted the need to regulate labour migration within the EU in context of the nascent economic and monetary union as well as a harmonised policy towards third country nationals (TCNs) like asylum seekers at its doorstep. The EU therefore needed to establish, inter alia, a common border control and a common asylum policy since, without common external frontiers, a TCN admitted to any Schengen state, could freely move to any other (Moses 2014; also see, Lavenex 2015: 369; Monar 2015: 620f.). Hence, all selected policies represent measures necessitated by the "shadow of Schengen" (Moses 2014: 600) to manage migration in a common area of free movement. The analysed material and time period were also constant in all cases (see 3.2.1).

Summarising, the selection of three similar cases of contested EU migration policies with varying implementation structures permits a controlled plausibility probe of the two-step model. In the next part, the methodological approach used for data gathering is introduced.

3.2 Measuring blame shifting by media content analysis

How can blame shifting be measured? The theory-led expectations are examined on the basis of a qualitative media analysis of coverage on the three contested EU migration policies.[22] It follows the process model of a structuring content analysis

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21   The specific legislation is discussed in the three case studies (see 4.1.1, 5.1.1, and 6.1.1).
22   The qualitative content analysis of the public media discourse is broadly acknowledged as suitable method used to analyse public responsibility attributions like blame shifting (e.g. Gerhards et al. 2007, 2009, 2013; Greuter 2014; Mortensen 2013; Schwarzenbeck 2017; Roose et al. 2016; Rittberger et al. 2016).

developed by Mayring (2010: 92).[23] In the following, the sample selection process is described and then the coding rules are presented.

This thesis aims at investigating blame shifting by policy-makers in the public, represented by the media discourse.[24] The quality press is chosen as a proxy for the latter.[25] In particular, the coverage of two leading quality newspapers in Austria (Die Presse, Der Standard), Germany (Süddeutsche Zeitung, Frankfurter Allgemeine Zeitung), Ireland (The Irish Times, The The Irish Examiner) and the UK (The Guardian, The Daily Telegraph) as well as one quality newspaper with transnational reach (The European Voice) were examined.[26] Since the selected newspapers are constant across the cases, comparative results are not affected by the choice of sources.

Relevant articles covering the respective policies were identified by conducting a keyword search in digital newspaper archives.[27] The type of article was not restricted and thus the sample includes reports, editorials, commentaries as well as opinion pieces by politicians published online and in print editions. Search results were then reviewed and 'false positive hits', i.e. articles that did not address the respective policy and/or did not evaluate it as a failure, as well as duplicates were sorted out manually (see Annex, Table A.1). The case analyses cover a six-year period between 2010 and 2016.[28] The final sample included 911 articles which then were searched for blame attributions by policy-makers.

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23   A structuring content analysis is best suited to answering the research question as it (i) requires a deductive design; (ii) the analytical model is theoretical and rule-based, thus meeting the scientific criteria of reliability and validity to a greater extent than many other qualitative analytical methods; (iii) allows the precise construction of blame attributions to be filtered out and revealed in the text context since "minor differences in wording may have major attributional implications" (Ross/DiTecco 1975: 102; cf. Mayring 2010: 92-99).
24   Research has characterised the role of the media regarding the direction of blame attributions as mere reproducing (Gerhards et al. 2009, 2013; Greuter 2014; Rittberger et al. 2016).
25   Quality newspapers are broadly assumed to be a good proxy for debates about policies in the public (e.g. Kriesi et al. 2012: 39-40; Dolezal et al. 2016: 45; Brüggemann et al. 2009: 396; Gerhards et al. 2007, 2009; see also, Schwarzenbeck 2017: 73f.; Koopmans/Statham 2010).
26   The selection of newspapers is regarded as a proxy for the European public discourse (cf. Rittberger et al. 2016: 7). Not country-based differences but pragmatic reasons informed the selection of countries: the author's language skills and the accessibility of newspaper archives. For each country, a liberal-democratic and a conservative newspaper was chosen to prevent bias. The European Voice was selected due to its detailed coverage of EU policies and policy-makers. Differences of results across countries are discussed in subchapter 7.1.
27   The general objective was to use the same keywords within one case as well as following a similar structure in all three cases. Beyond language specific adaptions, modifications were made if an initial search scored too few relevant articles (see Table A.1 in the Annex for an overview of the concrete search terms). Since data of Rittberger et al. (2016) was partially used, the comparability with their keywords also informed the search strategy.
28   Note that this does not apply for the European Voice since the digital archive only comprised articles from Mai 2013 to April 2015. Temporal effects are not assumed to influence the direction of policy-makers' blame shifting – and, indeed, no such deviations were observed.

In a content analysis, all text components corresponding to the *theory-led category system* are extracted (cf. Mayring 2010: 92-99). In the following, the central categories are briefly presented while a detailed codebook with precise definitions and anchor examples as well as decision rules for cases of doubt are provided in the Annex (see Tables A.4, and A.5).[29] The central text component of interest – or evaluation unit – in this thesis are *blame attributions by policy-makers*. It is defined to consist of (i) an individual or corporate policy-maker that attributes blame (sender of blame); (ii) a perceived policy failure for which causal responsibility is attributed (subject of blame); (iii) a actors at the national or EU-level to whom blame is attributed (direction of blame) (cf. Gerhards et al. 2009: 115f.; also see, 2.1).

Blame attributions can take various forms and thus require detailed coding rules (see Table 3.1 and Annex, Table A.4): they can refer to the actions (i.e. commission of an act caused harm) or the neglecting of actions by the blame target (i.e. the omission of an act caused harm) (cf. Sulitzeanu-Kenan/Hood 2005: 2f.; Hood 2011: 6); and can be retrospective (i.e. a factual statement for the past) or prognostic (i.e. a prediction for the future) (cf. Gerhards et al. 2013: 116).

A statement was only coded if all three constitutive criteria of blame attributions were present (or at least could be deduced from the direct context).[30] In the example below, (i) Italian interior minister 'Mr Maroni' (i.e. national level), shifts blame for (ii) the alleged failure that 'Italy had been left entirely alone to deal with this latest wave of boat people' (i.e. a retrospective blame for a failure caused by the omission to act), (iii) to 'the EU' (i.e. EU-level): "Mr Maroni complained that Italy had been left entirely alone to deal with this latest wave of boat people. The EU is doing absolutely nothing" (Agnew 2011: 12). All in all, 401 blame attributions by policy-makers to the national or EU-level were identified in the sample.

To assess the predominant *direction of policy-makers' blame attributions* – and thus to evaluate the conjectures – the distribution of blame targeted to actors at the national or EU-level was calculated. The share of blame attributions to the EU-level was divided in three categories: low (0-33%), moderate (33-66%), and high

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29   I conducted two coding rounds using qualitative content analysis software (MaxQDA). Based on the experience of the first round, the codebook was further elaborated.

30   The analysis included not only statements by the governments of the examined countries and the EU institutions but also attributions from governments of other member states since it is interested in the general distribution of blame between the two types of policy-makers. The high abstraction level was necessitated by the relative low observations numbers.

Table 3.1: Types of blame shifting

		Temporal reference	
		retrospective	prognostic
Behaviour of blame target causing harm	active	An actor's action caused harm in the past.	An actor's action will cause harm in the future.
	passive	An actor's inaction caused harm in the past.	An actor's inaction will cause future harm.

Source: own compilation based on blame dimensions derived from Sulitzeanu-Kenan/Hood (2005: 2f.), Gerhards et al. (2009: 115f.), and Hood (2011: 6).

(67-100%). On this basis, the plausibility of the theoretical expectations for the three cases will be evaluated (see Table 3.2).

Table 3.2: Theoretical expectations for the three cases (share of blame shifted to EU-level)

		Policy-implementation		
		EU (border control case)	MS (asylum system case)	Non-active ('welfare migration' case)
Type of policy-maker (blame sender)	EU	moderate (33-66%)	low (0-33%)	low (0-33%)
	MS	high (67-100%)	low (0-33%)	high (67-100%)

Source: own compilation.

Summarising, the collection of data was based on a qualitative content analysis of the quality press coverage on three contested EU migration policies. This methodological apparatus was used to identify the direction of policy-makers' blame shifting within the three case studies presented in the subsequent chapters (4-6).

4   Playing the Blame Game on the EU-level:
Blame Shifting for the Contested External Border Policy

Whom do EU institutions and member states blame for the perceived failure of the EU border control regime? The findings of this case study lend support to the two-step model: under the conditions of a complex governance design and active EU-level implementation, member states attribute the bulk of blame to EU institutions while the latter only attribute blame to the EU-level to a moderate extend. The chapter is divided into two parts: first, after a brief introduction to the policy's governance design and its public contestation, case specific expectations about the distribution of blame by EU institutions and member states are derived from the theoretical framework (4.1); second, the plausibility of these expectations is checked based on a qualitative content analysis of the quality press coverage (4.2).

4.1 The EU's external border policy

The abolishment of internal border controls due to the Schengen agreement caused the need for a common external border control system.[31] As a consequence, member states deepened their co-operation regarding the border protection during the 1990s. The EU enacted various regulations regarding the management of the external border, and created institutional as well as financial capacities to assist 'frontier-states' bearing disproportionate costs regarding border management. For example, the External Border Fund and the Internal Security Fund were set up. The most important institutional artifice established to secure Europe's common external borders is the EU agency Frontex (Moses 2015: 606; Lavenex 2015: 381; Rittberger et al. 2016: 8). In the following, the complex governance design of the underlying policies as well as Frontex' role as policy-implementer are depicted. Subsequently, aspects of the EU's external border policy that were publicly contested are outlined. Against this backdrop, expectations about the distribution of blame shifted by EU institutions and member states under the conditions of a complex governance design and active EU-level implementation are derived from the theoretical framework.

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31   The external borders of the Schengen area are not identical with those of the EU due to opt-ins of several non-member states as well as opt-outs of some member states with regard to the Schengen acquis (cf. Leuten et al. 2013: 19). In the following, the term EU's external border management refers to the external borders of the Schengen area.

4.1.1 Complex governance design and EU-level implementation

Frontex was established to assist member states operationally and to coordinate joint operations at the EU's external land and sea borders (Moses 2015: 606).[32] The EU agency was characterised as "a key actor" (Rijpma 2017: 217) in the EU's external border management as well as "the common face of the European Union to TCNs entering into the Schengen space" (Moses 2015: 606). Under its operational mandate, Frontex inter alia conducted two missions in the central and eastern Mediterranean funded by the EU to protect its external sea borders: "EU Naval Operations in the Mediterranean Sea work to save lives at sea, strengthen border control and disrupt the business model of traffickers and human smugglers" (European Commission 2016a: 1). Most prominently, operation Triton was established in 2014 and "supports Italy with border control, surveillance and search and rescue in the Central Mediterranean" (ibid.; cf. Rittberger et al. 2016: 8). Furthermore, operation Poseidon "provides Greece with technical assistance with the goal of strengthening its border surveillance, its ability to save lives at sea and its registration and identification capacities" (European Commission 2016a: 1).[33]

EU border control policies were decided through *complex governance structures*. All regulations establishing and transforming Frontex followed the 'community method' and thus can be subsumed under the category of joint decision-making where the Commission proposes a policy, which the EP jointly enacts with the Council.[34] EU border control operations require active *implementation by Frontex.* While the EU agency coordinates joint missions in the Mediterranean like Triton and Poseidon, the deployed officers work under the command of the authorities of the country hosting the operation (Frontex 2018). However, for the purpose of this thesis, it is decisive

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32   Frontex was established in 2004 by Regulation 2007/2004/EC that was repealed by Regulation 2016/1624/EU replacing the 'European Agency for the Management of Operational Cooperation at the External Borders of the EU' with the 'European Border and Coast Guard Agency', officially launched on 6 October 2016, while the short name remained the same.

33   During the examined period, Frontex also administered three smaller missions in the western Mediterranean: the operations Hera, Indalo, and Minerva (European Commission 2016a: 2).

34   While Regulation 2007/2004/EC establishing Frontex as well as its amendment by Regulation 863/2007/EC were decided under the co-decision procedure, its amendment through Regulation 1168/2011/EU, the changes to its mandate introduced by Regulations 1052/2013/EU, 656/2014/EU, 2016/399/EU as well as its replacement through Regulation 2016/1624/EU both followed the ordinary legislative procedure. The operational design of Frontex is also complex: the management board of Frontex consists of two officials of the Commission as well as representatives of EU and Schengen member states and can be thus characterised as a "blend of intergovernmental and supranational control" (Moses 2015: 606). Moreover, while Frontex can draw on its budget to finance joint operations, any increases have to be approved by the EU's budgetary authority, the Council and the EP. Despite their Schengen opt-outs, the UK and Ireland both have been granted observatory status in Frontex's management board and were also involved in operations (Monar 2015: 621).

that Frontex is "the most obvious institutional artifice in securing Europe's common borders" (Moses 2015: 606; see also, Rittberger et al. 2016: 6). A differentiation between Frontex and its host countries is not made in the public discourse, where the EU' border control regime was increasingly criticised in the examined period.

4.1.2 Public contestation: death at EU's external borders

The EU's border control policy was harshly contested in the public. The main critique focused on its inability to prevent the deaths of refugees who aim at entering the EU via the Mediterranean and to deal with refugees at the EU's external borders: "Refugees have been dying for decades trying to reach Europe" (Prantl 2013; translation THW). The reports about "flagrant conditions" (von Altenbockum 2014: 1; translation THW), "mass mortality" (Gabriel 2015a; translation THW) and "refugee dramas with thousands of deaths" (Die Presse 2015d; translation THW). Critics see EU border control operations contributing to the death of migrants either by doing not enough or too much.

On the one hand, the EU border control policy was seen to be *unable to prevent the death of migrants in the Mediterranean*: "The dead refugees are victims of neglected assistance" (Prantl 2011: 4; translation THW) or even "mass murder […] committed by accepting and taking into account death" (Menasse 2015; translation THW). Symbol of the EU border control policies' failure was the "refugee disaster" (FAZ 2013b: 1; translation THW) in 2013, when the sinking of a ship off the coast of the Italian island of Lampedusa caused over 350 deaths. Since its establishment in 2014, the budget and resources of operation Triton were criticised as "short-comings" (Agnew 2015) and insufficient for saving lives lacking far behind the preceding Italian search and rescue operation 'Mare Nostrum'.[35] Also with regard to the objectives of the EU border control policy in general and operation Triton in particular, the pre-eminently security-oriented perspective was criticised: "Operation Triton […] was not conceived as a rescue operation, but was intended to serve border security – an inadequate approach in light of the refugee drama in the

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35 To respond to the incessant increase of migrants crossing the Mediterranean, in 2013, the Italian government launched the search and rescue operation 'Mare Nostrum'. Italy abandoned the operation in October 2014 because EU member states' contributions were only marginal. Since search and rescue operations are not primarily part of the EU border control policy, this operation is not of concern for this thesis – however, critique for not including those goals in EU policies is. After yet more shipwrecks in 2015, which caused over thousand victims, Triton's funding was expanded (European Commission 2016a: 1) while still falling short of 'Mare Nostrum' levels and without extending its operational scope (Der Standard 2015a: 11).

Mediterranean" (Die Presse 2015c; translation THW). Thus, the "failure to mount effective naval patrols charged with saving lives is has been loudly condemned as a scandal" (Kirchgaessner et al. 2015). As a consequence, it is claimed that "the number of deaths has spiked" (Kingsley/Gayle 2015). During the 'black week' in April 2015, more than thousand people died (Gutschker 2016: 4).

On the other hand, the EU border control policy was criticised for *attracting migrants to take the dangerous route via the Mediterranean* in the first place. For example, operation Triton was criticised to "serve as a 'pull factor' for more asylum seekers to seek to cross the Mediterranean" (Sutherland 2015: 13) or to "encourage people to take perilous journeys" (The Guardian 2014). Furthermore, people traffickers would exploit EU missions – they switched from seaworthy ships to dinghies expecting migrant to be rescued: "The 160,000 migrants were overrun by European ships, not traffickers. […] This system is now as well established as that of the traffickers. Both systems really interact – a rescue chain from Tripoli to Catania. […] The bridge has become wider and more dangerous at the same time" (Gutschker 2016: 4; translation THW).

Finally, further critique focused on *operational practices* such as "turning away smaller boats on the high seas" (Der Standard 2013: 8; translation THW) or the illegal refoulement of asylum seekers, i.e. "push-backs of intercepted unauthorised migrants – their return to the last transit country without allowing them to make an application for asylum" (Vogel 2013c; cf. Prantl 2015).

4.1.3   Theoretical expectations: blame shifting to the EU-level

Taken together, the EU's external border policy (i) was perceived as a policy failure in the public due to its inability to prevent the deaths of refugees who aim at entering the EU via the Mediterranean; (ii) was characterised by a complex governance design since legislation was decided under the 'community method'; (iii) required active implementation which was executed by the EU agency Frontex that, inter alia, coordinated joint missions in the Mediterranean like Triton and Poseidon.

If a contested policy's governance design is complex and its implementation requires active execution by an EU-level actor, policy-makers' blame is expected to be distributed as follows between the EU and the national level:

- Member states' first preference is to shift blame to the EU – and the policy-implementation structure enables them to realise this: *member states' share of blame to the EU-level is expected to be high* (67-100%).

- EU institutions' preference is to blame the national level while the implementation structure points to the EU-level and thus constrains interest-led interpretations; since blaming the EU-level means a quasi self-attribution for EU institutions, they will at least try to also shift some of the blame to member states: *EU institutions' share of blame to the EU-level is expected to be moderate* (33-66%).

4.2 Blaming the EU-level for death in the Mediterranean

Whom do EU institutions and member states blame for the perceived failure of the EU border control regime? In the remainder of this chapter, the theoretically derived expectations are checked on the basis of a qualitative content analysis of the press coverage from 2010 to 2016. The measured distribution of policy-makers' blame attributions between the EU and the national level lends support to the plausibility of the two-step model. In the following, the aggregated results for member states' and EU institutions' blame shifting are presented and illustrated by examples. Thereby, a particular focus is on the Commission constituting a 'least likely' observation.

4.2.1 Member states blaming the EU-level

In line with theoretical expectations, the bulk of member states' blame attributions (n=49) are targeted to the EU-level (84%) while only small a minority of statements shift blame to the national level (16%).[36] Hence, *the majority of member states' statements blame the EU-level*. On the one hand, it was criticised that the mandate of EU border control operations had been too narrow and thus did not prevent the death of migrants at the Mediterranean. For example, Italian prime minister, Matteo Renzi "accuse[d] the EU of betraying its basic values and decency in the handling of the crisis" (Traynor 2015b). Already four years earlier, Italian interior minister Roberto Maroni claimed: "The EU is doing absolutely nothing and is too slow and bureaucratic." (cited by Agnew 2011: 12) Furthermore, the general director of the Greek coastguard blamed Frontex after the death of refugees off the coast of

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36   In detail, member states attributed blame more often to 'the EU' in general (26) and Frontex (15) than member states (8). The same pattern is found for individual blame senders represented with ten or more observations in the sample: the Italian (n=21) and the British government (n=13) both shift the bulk of blame to the EU-level (86% respectively 92%).

Lesbos: "She (Frontex; THW) could have reacted better. […] We had expected additional ships and helicopters" (Der Standard 2015b: 9; translation THW).

On the other hand, EU border control operations were criticised for attracting migrants to take the dangerous route via the Mediterranean by doing too much. For instance, even before Triton became operational, British foreign office minister Joyce Anelay accused Frontex that the planned mission would act as "an unintended 'pull factor', encouraging more migrants to attempt the dangerous sea crossing and thereby leading to more tragic and unnecessary deaths" (Travis 2014). Similarly, French President François Hollande reportedly noted that Frontex' missions "led more and more migrants to cross the Mediterranean" (Marlowe 2015: 10).

On the contrary, *statements by member states' blaming national actors are rather rare*. For example, after more than 700 people dying in the Mediterranean in one week in April 2015, Renzi "issued a harsh critique of his European partners for not assisting Italy" (Kirchgaessner et al. 2015).

4.2.2   EU institutions stuck in the middle

As theoretically expected, EU institutions attribute blame more balanced (n=31): they direct responsibility for policy failures in 52% to the EU-level while in 48% member states are targeted.[37] Hence, *a minority of EU institutions' blame is targeted to member states*. For example, Commissioner Avramopoulos reacted to allegations that Frontex was doing too little to save lives by claiming: "Frontex is not a European border-protection system. If we want one we will have to build one. […] Building an EU coastguard is something which member states are not ready to countenance." (cited by Panichi 2015a) Furthermore, Claude Moraes, member of the EP (MEP) and Chair of its committee responsible for monitoring Frontex, claimed: "I will be pushing for an inquiry into the ethics and resources being utilised by member states in the this region" (The Guardian 2014).

The slight majority of EU institutions' blame targets the EU-level. For instance, members of the EP blamed the Council, criticising their political actions as deficient rendering them responsible for the death in the Mediterranean: "Political will lags

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37   In detail, EU institutions attributed blame to 'the EU' in general (12), the Council (2), and Frontex (2) as well as to member states in general (13) and Italy in particular (2). For the Commission, the only individual blame sender represented with ten or more observations in the sample, the same blame shifting pattern is found (also see below).

behind reality"[38] or "empty lip service and crocodile tears"[39]. Moreover, against the backdrop of the 'black week', High Representative Federica Mogherini noted: "I hope today is the turning point in the European conscience, not to go back to promises without actions." (cited by Traynor 2015c) "With this latest tragedy […] we have no more excuses, the EU has no more excuses" (cited by Kirchgaessner et al. 2015), she said, "it is time for the EU to tackle the tragedies without further delay" (cited by Straub 2015: 2; translation THW). Similarly, Commission president Manuel Barroso admitted: "the EU could 'do significantly more than it has done so far' to improve the lot of asylum seekers" (FAZ 2013b: 1).[40]

Among EU institutions, *the Commission can be seen as the least likely actor to attribute blame to the EU-level*. The Commission represents the interests of the EU as a whole and it is thus "in its immediate interest to present the EU and its institutions in a positive light" (Gerhards et al. 2013: 125, cf. 2009: 537; translation THW). Thus, the Commission has a strong preference not to blame the EU-level. However, the two-step model expected EU institutions' blame shifting to be generally constrained by the visibility of Frontex implementing the policy and thus expected the share of blame to the EU-level to be relatively high or, in absolute terms, moderate. Indeed, in the sample, the Commission (n=24) attributed the same amount of blame at actors at the national and at the EU-level (50%).

4.2.3 Summarising the results: the EU-level blame game

For the case of the contested EU border control policy, characterised by a complex governance design and active implementation by the EU agency Frontex, the two-step model suggested policy-makers' blame to be distributed as follows: member states' shift blame to the EU-level to a high degree (67-100%) while EU institutions' respective share is moderate (33-66%).

The results of the content analysis of the quality press coverage confirmed these expectations (see Figure 4.1): member states shifted the bulk of blame to the EU-level (84%) while the respective share of EU institutions' blame amounted to a slight majority (52%). The examination of the attribution patterns of the Commission, constituting a 'least likely' observation, lends further support to the.

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38   Othmar Karas, MEP, cited by Gabriel 2015b; translation THW.
39   Rebecca Harms, MEP, cited by FAZ 2013b: 1; translation THW.
40   An alternative explanation for the COM's attribution pattern is discussed in the conclusion (see 7.1). Interestingly, the bulk of blame directed to the EU-level by the Commission addresses 'the EU' in general (see above examples); this will be closer discussed in the conclusion (see 8.2).

Figure 4.1: Blame shifting for the border control policy
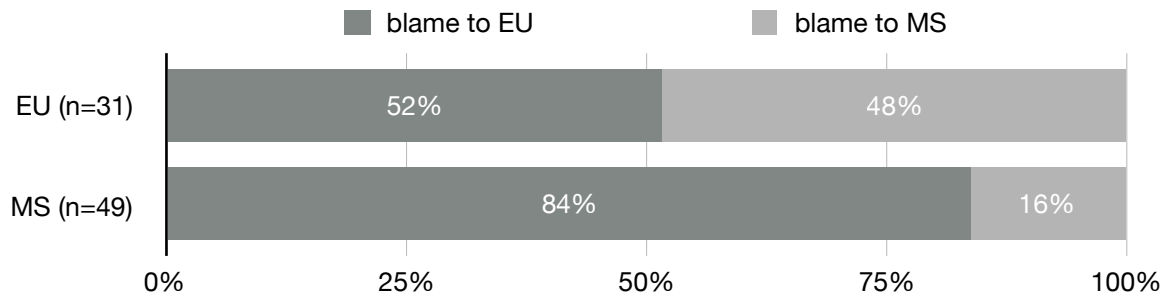
Summarising, the congruence analysis of the border control case strengthens confidence in the two-step model: under the conditions of a complex governance design and active EU-level implementation, member states – unconstrained to realise their first preference – attribute blame to EU institutions while the latter also substantially blame the EU-level since they are constrained by the policy-implementation structure. As a consequence, when policies that meet these conditions get publicly contested, the blame game is dominantly played on the EU-level. In such *EU-level blame games*, EU institutions have a bad hand: with member states pointing the finger to them and unable to shift the blame completely away from the EU-level, the buck is likely to stop there.

5 Playing the Blame Game on the National Level: Blame Shifting for the Contested Asylum System

Whom do EU institutions and member states blame for the publicly perceived failure of the Common European Asylum System (CEAS)? The findings of this case study are in line with the two-step model: under the conditions of a complex governance design and active implementation by national authorities, both EU institutions and member states both shift the bulk of blame to the national level. This chapter is divided into two parts: first, after a brief introduction to the policy's governance design and its public contestation, case specific expectations about the distribution of blame by EU institutions and member states are derived from the theoretical framework (5.1); then, the plausibility of these expectations is checked based on a qualitative content analysis of the quality press coverage (5.2).

5.1 The Common European Asylum System

The elimination of internal border controls in the Schengen area has de facto created a common zone where asylum seekers can move freely across borders. Thus, a joint EU approach to asylum was required. Between 1999 and 2005, the EU agreed on several legislative steps assembling the CEAS in order to "harmonise the Union's sundry asylum policies and to share responsibility for asylum seekers" (Moses 2015: 606; cf. Monar 2015: 619; Rittberger et al. 2016: 9). In the following, the complex governance design of the CEAS as well as member states' role as implementers regarding the examination of asylum claims are depicted. Then, aspects of the EU's asylum system that were publicly contested are outlined. Against this backdrop, expectations about the distribution of blame shifted by EU institutions and member states under the conditions of a complex governance design and active policy-implementation by member states are derived from the theoretical framework.

5.1.1 Complex governance design and implementation by member states

The 'Dublin system' regulating the handling of asylum claims constitutes the "cornerstone" (Lavenex 2015: 381) of the CEAS by determining a "system of exclusive responsibility for the examination of asylum claims" (ibid.). In order to prevent an uncontrolled influx of refugees, secondary movements as well as the so-called 'asylum shopping' and, at the same time, to guarantee the free movement of

people, one member state is obliged to decide for all on an asylum application (Monar 2015: 619; Moses 2015: 606; Biermann et al. 2017: 9)[41] In a nutshell, the member state where an asylum seeker first enters the EU is responsible for the asylum claim; if the latter travels to other EU countries, he or she must be sent back to the member state where they first entered the EU ('Dublin transfers') (European Commission 2014: 7; cf. Rittberger et al. 2016: 9f.; Biermann et al. 2017: 9).[42] Moreover, since this system of responsibility allocation implies the mutual recognition of decisions on asylum, it necessitated further regulation like a common definition of the term refugee as well as minimum standards for reception conditions and procedures (Lavenex 2015: 381; Monar 2015: 619).[43]

The legislation underlying the CEAS was decided through *complex governance structures*. Decision-making either followed the 'community method', where the Commission proposes a policy, which the EP jointly enacts with the Council[44] or the special provisions of the transitional period after the Treaty of Amsterdam (Art. 67(1) of the Treaty of the EC), where, following a proposal of the Commission, the Council decides unanimously while the EP is consulted.[45] The CEAS requires *active implementation which is executed by national authorities*: the member state where an asylum seeker first enters the EU is responsible for processing the asylum claim under common standards (Rittberger et al. 2016: 9f.; also see, Lavenex 2015: 385f.; Moses 2015: 607).[46]

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41   The Dublin regime was established by the intergovernmental Dublin Convention in 1990 which was subsequently replaced by 'Dublin II' (Regulation 343/2003/EC) and 'Dublin III' (Regulation 604/2013/EU). Besides EU member states (except Denmark), Norway, Iceland and Switzerland apply its provisions in their territories (the latter were not included in the analysis).

42   While the hierarchy of legal criteria for determining the member state responsible for evaluating asylum claims highlight the aspect of family reunion, visa issuance and asylum applicant's physical circumstances (see chapter III of Regulation 2013/604/EU; cf. Chalmers et al. 2014: 541), the bulk of asylum seekers is not covered by those rules (cf. Biermann et al. 2017: 9, note 3).

43   Beyond 'Dublin I-III', the CEAS thus encompasses several further regulations and a set of legislative measures aiming at adoption of common minimum standards for asylum procedures: Directives 2003/9/EC (recast by Directive 2013/33/EU); Directive 2004/83/EC (recast by Directive 2011/95/EU); Directive 2005/85/EC (recast by Directive 2013/32/EU). The enforcement of the 'Dublin system' is supported by the electronic fingerprint database EURODAC (Regulation 2725/2000/EC, 603/2013/EU).

44   While Directive 2005/85/EC was decided under the co-decision procedure, 'Dublin III' (Regulation 604/2013/EU) as well as Directives 2011/95/EU, 2013/32/EU, and 2013/33/EU followed the ordinary legislative procedure.

45   Besides 'Dublin II' (Regulation 343/2003/EC), this was the case for the procedures leading to Directives 2003/9/EC, and 2004/83/EC.

46   The EU established the European Asylum Support Office (EASO) in 2010, which is tasked with "the facilitation of information exchange, the identification and transfer of best practices and the provision of support to Member states whose asylum and reception system are facing disproportionate pressures" (Monar 2015: 619; cf. Lavenex 2015: 381). However, the EASO was excluded as an implementer since it only played a minor role in the examined period.

5.1.2 Public contestation: systematic deficiencies of the CEAS

In the public discourse, the CEAS in general and the Dublin Regulation in particular were heavily criticised for a long row of dysfunctions. First, the 'Dublin system' was claimed to be unfair by *overburdening member states at the EU's external borders* that have to carry the brunt of the burden of incoming asylum seekers due to their geographical position. The Dublin rules were criticised for placing "unbearable administrative and political burdens" (The Guardian 2016) on countries like Greece, Malta, Italy, Bulgaria and Hungary. The latter "have simply been overwhelmed" (The Daily Telegraph 2015b: 19) and thus "have continually argued they carry an unfair burden" (Lynch 2015b: 9, cf. 2015a: 2; Rahmsdorf 2011: 13; Keating 2013).

Second and related, the CEAS was criticised for *discrepancies in quality of national asylum systems in spite of common EU standards*. In particular, criticism focused on the overcrowded and inadequate reception centres where asylum seekers arriving in such 'frontier-states' were often detained. Living conditions for asylum seekers in Italy, Greece, Bulgaria and Hungary were described as "poor" (Costello 2015: 14), "inhumane" (SZ 2011: 9; translation THW) and "catastrophic" (Kirchner 2010: 7; translation THW). For example, the UNHCR has described the situation in Greece as a "humanitarian crisis" (cited by Watt 2011a: 10). In Italy, a recognised refugee noted: "Frankly, in Africa, if someone had told me […] that even when you have the legal papers you still sleep on the street, I would've said that's wrong […] You must see it to believe it." (cited by Grant/Domokos 2011: 24) Furthermore, Hungary was criticised for holding refugees in prison-like facilities and the "often brutal treatment […] by guards" (Brickner/Mayer 2015: 2; translation THW).

Third, the incentives for 'frontier-states' to shun compliance with the Dublin regulation, created by the latter in combination with the Schengen area, also draw criticism. Member states at the EU's external borders were accused for applying a "wave-through approach" (Tusk 2016) by not registering asylum seekers who thus were able to transit to other EU countries: "Italy, Hungary and Greece have been permitting, or even quietly inviting, their asylum seekers to relocate to other countries" (The Daily Telegraph 2015b: 19; cf. Hannan 2011: 19; The Irish Examiner 2015a, 2015b; Straub 2016: 7; Swinford/Holehouse 2015: 1; SZ 2015b: 8).[47]

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47   As a consequence, the 'Dublin system' was also criticised for putting disproportional pressure on states offering comparatively attractive asylum conditions and high recognition rates. For example, the Swedish immigration minister stated: "We cannot be the one country, year after year, that is doing more than any other country" (cited by Holehouse 2015: 26).

A fourth alleged failure of the 'Dublin system' was that *'Dublin transfers' back to 'first-arrival states' were not possible*: Due to the lack of registration as well as miserable conditions in detention centres, the return of asylum seekers to 'frontier-states' was often unfeasible and in some cases even legally impermissible.[48] For example, it was criticised that "if Greece does not respect human rights, it is not a 'safe host country' and asylum seekers cannot be deported there" (Die Presse 2012; translation THW; cf. Huggler 2015: 15).

Finally, several *unilateral actions by member states* regarding the 'Dublin system' draw critique. For instance, Germany has been accused of breaking Dublin rules by refraining from repatriating Syrian refugees in summer 2015. Even though this was strongly rejected by the German government[49], some voices claimed that the country "deliberately broke an EU law (Dublin III)" (Die Presse 2015f; translation THW) or "effectively waived the convention" (Lynch 2015d: 13). The German behaviour was denounced as "ill-judged" (Johnston 2015: 18), "toxic" (The Daily Telegraph 2016: 17) and "game-changing mistakes" (ibid. 2015c: 23). The consequence, according to the Commission, was "the collapse of the Dublin convention" (cited by Traynor 2015a) by creating, in the words of Hungarian prime minister Victor Orbán, a "surge of migrants to Europe" (cited by McLaughlin 2016: 4; cf. Kirchner/Rossmann 2015: 2; Ultsch 2015).[50] Furthermore, Hungary and Austria were criticised for rejecting 'Dublin transfers' from other Member states: "The Hungarians and the Austrians have even unilaterally suspended the Dublin Convention under which they are required to take back refugees who have travelled through their countries to other parts of the EU" (The Daily Telegraph 2015a: 21; cf. Die Presse 2015e; Der Standard 2015c: 7). De facto lacking the possibility to send asylum seekers back to 'first-arrival states', several states unilaterally reintroduced border controls. For example, Hungary was criticised for "closing its external borders and pushing the problem on to neighbouring states" (Lynch 2015c: 13; cf. Laczynski 2015a).

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48   Multiple rulings by national as well as European courts prohibited 'Dublin transfers' back to 'first-arrival states' in single cases (e.g. Hungary, Italy, Malta) as well as in general (Greece) (cf. Grant 2011: 17; Whitehead 2011: 4; Costello 2015: 14).

49   The German government argued that the decision had been in line with 'Dublin III' since its Art. 17 contains the right of self-admission (McLaughlin 2015a: 9; Löwenstein/Lohse 2016: 3). Some legal scholars however disagreed with this position (see Prantl 2016: 4). For the purpose of this thesis, the German decision to refrain from 'Dublin transfers' for certain asylum seekers qualifies as a policy failure since it was partially perceived and presented as such in the public.

50   Hungary and Austria then sent asylum seekers to Germany without registration and were accused for "breaking Dublin rules" (Thalhammer 2015; cf. The Irish Examiner 2015c; Rasche 2015: 10).

Against the backdrop of these developments, the whole *EU asylum system faced strong public contestation and was widely perceived to have failed*. For example, the media reported about "the lack of a functioning EU asylum policy" (Lynch 2015d: 13) and noted: "The European asylum system has failed in practice, the Dublin Regulation […] has not served its purpose" (Die Presse 2016a; translation THW). Similarly, a Commission spokesman stated that there were "systemic deficiencies" (cited by Rankin/Watt 2016) and Commissioner Timmermans claimed that "the present system is not working" (cited by The Irish Examiner 2016).[51] Moreover, German chancellor Angela Merkel reportedly said that "the Dublin Agreement is not working" (Wölfl 2015: 4) and is thus "obsolete" (cited by Holehouse 2015a: 19).

5.1.3 Theoretical expectations: blame shifting to the national level

Taken together, the CEAS in general and the Dublin Regulation in particular (i) were perceived as policy failures and even as totally broken in the public; (ii) were characterised by complex governance structures since decision-making followed the 'community method' or the Council decided at least under the involvement of both the Commission and the EP; (iii) and required active implementation which was executed by member state authorities responsible for processing asylum claims.

If a contested policy's governance design is complex and its implementation requires active execution by national authorities, policy-makers' blame is expected to be distributed as follows between the EU and the national level:

- Member states' generally prefer shifting blame to the EU-level over blaming other member states; however, the policy-implementation structure constrains them in favour of their 'second best' option and blame the national level: *member states' share of blame to the EU-level is expected to be low* (0-33%).

- EU institutions' preference is to shift blame to the national level – and the policy-implementation structure enables them to realise this: *EU institutions' share of blame to the EU-level is expected to be low* (0-33%).

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51 During the so-called 'refugee crisis', the Commission proposed a temporary but mandatory quota-based scheme to relocate asylum seekers from Italy and Greece to other EU countries as well as a regulation establishing a permanent relocation mechanism under the 'Dublin system' (European Commission 2015a, 2016b). These were excluded from the analysis since public debate in the examined period only concerned procedural questions as well as the appropriate governance level to solve the crisis.

5.2 Blaming the national level for a dysfunctional asylum system

Whom do EU institutions and member states blame for the publicly perceived failure of the Common European Asylum System (CEAS)? In the remainder of this chapter, the theoretically derived expectations are checked on the basis of a qualitative content analysis of the press coverage from 2010 to 2016. The measured distribution of policy-makers' blame attributions between the EU and the national level lends support to the plausibility of the two-step model. In the following, the aggregated results for member states' and EU institutions' blame shifting are presented and illustrated by examples. A particular focus is on the Eurosceptic Hungarian government constituting a 'least likely' observation.

5.2.1 Member states blaming each other

Member states (n=212), in line with theoretical expectations, shift the bulk of blame to other member state authorities (80%) while only a minority of blame attributions is targeted at the EU-level (20%).[52] Hence, *member states predominantly blame each other*. For instance, 'first-arrival states' were blamed for detaining asylum seekers in overcrowded and inadequate camps: French foreign minister Laurent Fabius condemned the "scandalous" and "extremely harsh" conditions for asylum seekers in eastern member states and particularly the Hungarian government: "Hungary is not respecting Europe's common values." (cited by McLaughlin 2015b: 8). Furthermore, Italy but also Greece and Hungary were blamed for waving through asylum seekers to other EU countries without registering them. For example, the Austrian and German foreign ministers reportedly "accuse[ed] the government in Rome for committing a breach of the Dublin II agreement, according to which the country responsible for a refugee is the one in which he first enters European soil: Italy […] would instead simply allow the refugees to move north" (Die Presse 2014b; translation THW). Additionally, some governments blamed Germany for having broken the Dublin rules by refraining from repatriating Syrian refugees. For example, Victor Orbán reportedly "accused the German chancellor […] of triggering a surge of

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52   In detail, member states attribute blame more often to unspecified (groups of) member states (29) as well as certain countries like Hungary (37), Germany (33), Italy (27), Greece (23), Austria (15) and others (6) than 'the EU' in general (36) and EU institutions like the Commission (3), the Council (1), and the EP (1). The same pattern is found for three out of four individual blame senders represented with ten or more observations in the sample: the German (n=55) and Austrian government (n=42) both shift the bulk of blame to the national level – the share to the EU-level is low (7% respectively 5%); the same is true for Hungary (see below). However, the Italian (n=11) government attributes blame to the EU-level to a moderate degree (55%).

migrants to Europe by making Syrians exempt from the EU's so-called Dublin rules" (McLaughlin 2016: 4) and "blamed Germany for encouraging people to risk their lives coming to Europe with its promise of more places for refugees" (Khomami 2015). Finally, the German government, inter alia, criticised Hungary for rejecting 'Dublin transfers' from other member states: "We must regard what the Hungarian government is doing as a clear violation of the (Dublin III; THW) rules." (cited by Brickner/Mayer 2015: 2; translation THW)

On the contrary, *member states blaming the EU-level is comparatively rare*. For instance, justifying the practices of the Hungarian government, Orbán's chief of staff accused the Commission for high numbers of asylum seekers in his country criticising "the policies of the past 10 years […] [representing] the leftist approach of the European Commission, according to which anybody should be allowed into the territory of the European Union" (cited by McLaughlin 2015a: 9). Furthermore, Orbán himself refused allegations of applying a 'wave-through approach' and reportedly accused the EU-level: "The EU Commission is to blame for the fact that approximately 200 migrants come to Austria each week. It had banned placing asylum seekers in closed camps" (Löwenstein 2016: 4; translation THW). Similarly, UK home secretary Theresa May reportedly stated that "the failings of a 'broken European migration system' were exacerbated by passport-free travel through much of the bloc" (McLaughlin 2015b: 8).

Governments with a generally Eurosceptic position can be assumed least likely to choose blaming other member states over shifting blame to the EU-level. In the sample, the governing parities of Hungary, Orbán's national-conservative Fidesz and the far-right Jobbik, are both Eurosceptic (Batory 2008; Schlipphak/Treib 2017: 358-360). Thus, they can be assumed to have a strong preference to blame the EU instead of other member states. However, the two-step model expected member states' blame shifting to be generally constrained by the visibility of national authorities implementing the policy and thus the share of member states blaming the EU-level to be low. In the sample, the Hungarian government (n=46) shifted blame to the EU-level ten percentage points above member states' average (30%). Hence, while this distribution of blame meets theoretical expectations, a Eurosceptic position of government parties seems to exert a 'shuttle effect' ('Fahrstuhleffekt') on the share of blame shifting to the EU-level.[53]

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53   Further implications of this finding will be discussed in the last chapter (see 8.2).

5.2.2   EU institutions blaming the national level

As theoretically predicted, EU Institutions (n=40) shift the vast majority of blame to member state authorities (90%), while only few statements are directed to the EU-level (10%).[54] Thus, *member states received the bulk of EU institutions' blame*. For instance, EU institutions blamed 'first-arrival states' for their inadequate treatment and accommodation of asylum seekers: Juncker reportedly "complained that national governments were failing to observe agreements on asylum proce-dures" (Weaver 2015a), Cecilia Malmström "accused EU governments of […] failing to protect refugees from North Africa" (Watt 2011b: 10) and MEP Sylvie Guillaume described certain member states' asylum systems as a "catalogue of the worst […] practices" (cited by The Irish Examiner 2013c). Furthermore, EU institution officials also repeatedly criticised what Council president Donald Tusk denounced as a "wave-through approach" (Tusk 2016). Finally, some EU-level actors also blamed Germany for having broken Dublin rules by refraining from repatriating Syrian refugees. For example, Tusk implicitly accused Merkel for her "weakness and indecision": "One consequence of this was to suspend the EU's […] Dublin rules, leading to the opening up of our territory to uncontrolled migration." (cited by Holehouse 2016: 17) Also the Commission reportedly stated that "Germany's policy had led to the collapse of the Dublin convention" (Traynor 2015a).

On the contrary, *only a few blame attributions by EU institutions target the EU-level*. For instance, Daniel Hannan, a British Conservative and MEP, claimed that "because of the entry into force of the EU's Dublin Convention […] Britain could no longer return illicit entrants to France unless there was proof that France was where they had entered the EU" (Hannan 2011: 19). Furthermore, Tusk, "in a barb directed at Merkel and Jean-Claude Juncker" (Weaver 2015b), stated: "We need to correct our policy of open doors and windows" (cited by ibid.).

5.2.3   Summarising the results: the national level blame game

For the case of the contested CEAS, characterised by a complex governance design and active implementation by member state authorities, the two-step model

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54   In detail, EU institutions attribute blame more often to unspecified (groups of) member states in general (13) as well as certain countries like Germany (9), Greece (7), Hungary (7), than to 'the EU' in general (3) and the Commission (1). The same pattern is found for the two individual blame senders represented with ten or more observations in the sample: the Council (n=16) and the Commission (n=15) both shift the bulk of blame to the national level – the share to the EU-level is low (13% respectively 0%). Note that all four statements blaming the EU-level stem from either Tusk or MEP Daniel Hannan (also see examples below).

Figure 5.1: Blame Shifting for the asylum policy
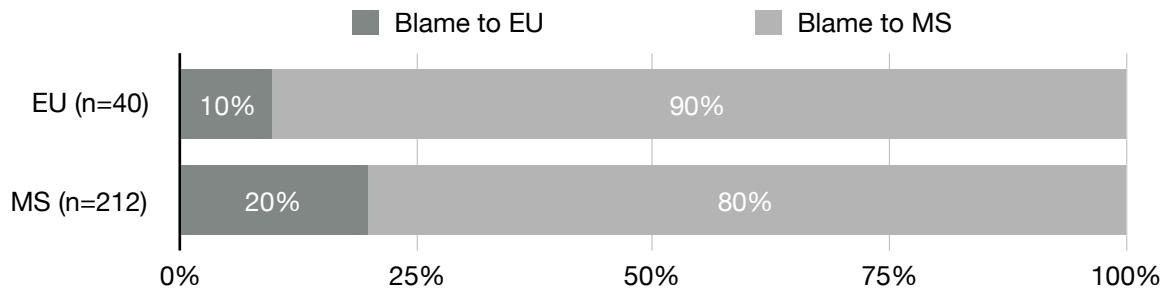
suggested policy-makers' blame to be distributed as follows: both member states and EU institutions blame the national level to a high, and thus the EU-level to a low degree (0-33%).

The results of the content analysis of the quality press coverage confirmed these expectations (see Figure 5.1): member states (80%) and EU institutions (90%) alike shifted the bulk of blame to actors at the national level respectively. The examination of the attribution patterns of the Eurosceptic Hungarian government, constituting a 'least likely' observation, lends further support to the assumptions.

Summarising, the congruence analysis of the asylum system case strengthens confidence in the two-step model: under the conditions of complex governance design and active implementation by national authorities, EU institutions – unconstrained to realise their preference – attribute blame to member states while the latter also blame other governments as a 'second best' option since they are constrained by the policy-implementation structure. As a consequence, when policies that meet these conditions get publicly contested, the blame game is dominantly played on the national level. In such *national level blame games*, EU institutions have a good hand: with member states pointing to each other, they can shift the blame away from the EU-level and pass the buck to member states.

6 Playing the Blame Game Across Levels: Blame Shifting for the Contested Entitlement of Intra-EU Migrants to Social Welfare

Whom do EU institutions and member states blame for the publicly perceived problems connected to the entitlement of intra-EU migrants to social welfare? The findings of this case study corroborate the two-step model: under the conditions of a complex governance design and the absence of active implementation, member states shift the bulk of blame to EU institutions while the latter blame the national level. The chapter is divided into two parts: first, after briefly introducing the policy's governance design and its public contestation, case specific expectations about the distribution of blame by EU institutions and member states are derived from the theoretical framework (6.1); then, their plausibility is checked based on a qualitative content analysis of the quality press coverage (6.2).

6.1 Free movement and Union citizens' entitlement to social welfare

According to the free movement of persons principle of the EU's common market, Union citizens have the right to move and reside freely within any member state. This right includes their equal treatment in the country of residence: member states are obligated to refrain from discriminating between citizens and intra-EU migrants regarding their access to and conditions of employment as well as social benefits (see Art. 21, 45, 48 TFEU; Art. 34, 45 Charter of Fundamental Rights of the EU). In effect, "the dynamics of market integration have spilled over substantially into the EU social arena" (Leibfried 2015: 263). As a consequence, "a complex patchwork of regulations and court decisions has partially eroded national sovereignty over social policy in pursuit of European labour mobility" (ibid. 279; cf. Slaughter et al. 1997; Numhauser-Henning/Rönnmar 2013). In the following, the complex governance design underlying EU legislation concerning the entitlement of EU citizens to social welfare as well as the non-active character of their implementation are depicted. Subsequently, I outline the public critique that particularly focussed on the alleged enabling of systematic 'welfare migration'. Against this backdrop, expectations about the distribution of blame shifted by EU institutions and member states under the conditions of a complex governance design and the absence of active policy-implementation are derived from the theoretical framework.

6.1.1 Complex decision making and non-active implementation

The integration of social policy was impelled by secondary EU legislation and rulings by the ECJ adding up to "an incremental, rights-based homogenisation" (Leibfried 2015: 281). Most importantly, the Citizens' Rights Directive (Directive 2004/38/EC) entails Union citizens' right of free movement: it defines conditions for the right of residence in another member state for more than three months and regulates equal treatment for access to social assistance; if a Union citizen residing in another EU country involuntarily becomes unemployed or his or her income has to be subsidised due to short-time work, minor employment or professional indepen-dence, the country in which the activity is carried out is responsible. Furthermore, the EU coordinated social security systems and access to social benefits (Regulations 883/2004/EC): it is assured that Union citizens have social security coverage and do not lose rights when exercising their right to free movement in the EU; importantly, the principle of non-discrimination ensures that intra-EU migrants and nationals receive equal social benefits (also see, Rittberger et al. 2016: 10f.).

In effect, EU legislation has two important consequences that restrict member states with regard to limiting eligibility for social transfers by territory and autonomously shaping their welfare-states (Leibfried 2015: 279-281). First, member states may no longer limit most social benefits to its citizens: "as regards non-nationals from within the EU, the state of legal residence no longer has any power to determine whether they are entitled to benefits [...] Benefits must be granted to all – or withheld from all" (ibid. 281). Second, member states are not allowed to insist that benefits (e.g. child benefits) only apply to, and can only be provided within, their territory.

EU policies prescribing the entitlement of intra-EU migrants to social welfare were decided through *complex governance structures*. All regulations relevant for the examined period followed the 'community method' and thus can be subsumed under the category of joint decision-making where the Commission proposes a policy, which the EP jointly enacts with the Council.[55] The freedom of movement-related policies do *not require active implementation*. On the contrary, member states (and EU institutions) are obliged to refrain from direct political intervention leading to discrimination of intra-EU migrants (cf. Rittberger et al. 2016: 5).[56]

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55 While Directive 2004/38/EC as well as Regulations 883/2004/EC, and 987/2009/EC, defining the implementation procedures of the latter, were decided under the co-decision procedure, their amendment by Regulation 465/2012/EU followed the ordinary legislative procedure.

56 While the ECJ played a central role in homogenising social policy within the EU (Leibfried 2015: 263, 290), as a judicial actor, it was not regarded as an implementer.

6.1.2 Public contestation: alleging systematic 'welfare migration'

The EU policies concerning the freedom of movement of persons and the welfare receipt by intra-EU immigrants were strongly criticised in the public. Concerns were raised about undesirable effects of "interaction between free movement and national welfare systems" (Scally 2015: 9) leading to the "immigration into social systems" (FAZ 2013c: 17; translation THW). In particular, the entitlement of intra-EU migrants to claim access to social assistance at their place of residence was said to lead to so called *'welfare tourism'*, i.e. "the practice in which citizens of less affluent EU member states travel to richer ones, [...] simply for the purpose of claiming benefits" (Watt 2014: 21; cf. The Irish Examiner 2013b). For example, Theresa May argued that free movement rules "are leading to abuse of the British welfare system by European Union migrants" (cited by The Daily Telegraph 2013: 16; cf. Wintour 2013; FAZ 2014b: 21; Gardner 2014). Similarly, Angela Merkel claimed: "The abuse of such rules has left countries such as Britain and Germany facing an 'onslaught' of unjustified benefit claims." (cited by Kirkup 2014: 4) Intra-EU migrants were described as constituting an "unacceptable burden" by Theresa May (cited by Waterfield 2013a: 19) and causing "considerable social problems" by threatening the sustainability of national welfare systems by the German 2013 coalition agreement (cited by Mason 2013b: 7). Public contestation reached a peak in 2014 when free movement-rules entered into force unlimited for citizens of Rumania and Bulgaria. Officials like German interior minister Hans-Peter Friedrich publicly warned about "social fraud and the threat of conflagration" (cited by SZ 2013: 6; translation THW).

The alleged systematic abuse of welfare benefits by intra-EU migrants reportedly took multiple forms: First, the latter were seen as primarily motivated by obtaining *unemployment benefits*. For example, intra-EU migrants from Rumania and Bulgaria were characterised as "'social tourists', who are only looking for the monthly 391 Euros from Hartz IV" (Janisch 2015; translation THW; cf. Müller 2014: 1). Furthermore, it was criticised that intra-EU migrants systematically took low paid jobs in order to receive further *in-work benefits*: "The fathers of the family come to Germany, start working, rent an apartment, catch up on their family and apply for it since wages are not enough for everyone." (Preuß 2016: 5; translation THW) Also UK prime minister David Cameron claimed that there was "an obvious risk that the migrants and their family will become a significant burden on the welfare system and the taxpayer" (cited by Kirkup 2011: 2; cf. SZ 2014: 6; Sparrow 2016). Moreover,

Labour politician Rachel Reeves publicly complained about "the absurdity of child benefit and child tax credits being claimed for children living in other countries" (cited by Wintour 2014; cf. Wintour/Traynor 2014; FAZ 2016a: 15). Additionally, intra-EU migrants were suspected to take advantage of generous pension systems. For example, it was feared that pensioners from eastern Member states might move to Austria to profit from subsidence (Fritzl/Özkan 2010). Finally, with regard to the expulsion of intra-EU migrants who abused social systems, Germany, Austria, the Netherlands and the UK "complained that they could not be barred from re-entering the country virtually the next day" (Travis 2013). Altogether, the British government claimed: "We don't think the current system is working." (cited by Vogel 2013a)

6.1.3 Theoretical expectations: blaming the other governance level

In sum, the EU policy entitling intra-EU migrants to claim access to social assistance at their place of residence (i) was perceived as a policy failure in the public as it allegedly enabled systematic 'welfare migration'; (ii) was characterised by a complex governance structure since decision-making followed the 'community method'; (iii) did not require active implementation but obliged policy-makers to refrain from direct discriminatory political interventions.

If a contested policy's governance design is complex and does not require active implementation, policy-makers' blame is expected to be distributed as follows between the EU and the national level:

- Member states' first preference is to shift blame to the EU – and due to the absence of an active implementer they are unconstrained to realise this: *member states' share of blame to the EU-level is expected to be high* (67-100%).

- EU institutions' preference is to shift blame to the national level – and due to the absence of an active implementer they are unconstrained to realise this: *EU institutions' share of blame to the EU-level is expected to be low* (0-33%).

6.2 EU institutions and member states blaming each other for 'welfare migration'

Whom do EU institutions and member states blame for the publicly perceived problems connected to the entitlement of intra-EU migrants to social welfare? In the remainder of this chapter, the theoretically derived expectations are checked on the basis of a qualitative content analysis of the press coverage from 2010 to 2016. The measured distribution of policy-makers' blame attributions between the EU and the national level corroborates the plausibility of the two-step model. In the following, the aggregated results for member states' and EU institutions' blame shifting are presented and illustrated by examples.[57]

6.2.1 Member states blaming the EU-level

In line with theoretical expectations, member states (n=44) shift the bulk of blame to the EU-level (84%) while only a minority of statements attribute blame to national actors (16%).[58] Hence, *the wide majority of member states' blame is targeted at the EU-level.* For example, against the backdrop of fears of 'welfare migration' from eastern Europe, David Cameron claimed that "he shared the deep concerns of many people in Britain at the EU's requirement to lift transitional controls on Romanians and Bulgarians in January" (Mason 2013a). Less subtly, his interior minister Theresa May reportedly "believe[d] that the EU free movement rules make it too easy for European migrants to come to Britain to establish residence and benefits entitlements" (Waterfield 2013b: 12). Similarly, the chairman of the German co-governing party CSU Horst Seehofer reportedly "blamed the EU Commission for the migration problem" (Die Presse 2014a; translation THW) and, according to his secretary-general Andreas Scheuer, "the Commission was seeking 'free admission to the German social safety-net' for non-Germans" (Vogel 2014).

On the contrary, *only a few statements by member states' blame national actors.* For instance, Angela Merkel accused member states for causing problems themselves

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57   In this case, no policy-maker qualifies as a 'least likely' observation. Only the UK and Germany are represented sufficient observations in the sample. However, the leading governing party in the UK, the Conservatives, as well as the CSU, a German co-governing party, can be described as Eurosceptic (Maag/Kriesi 2016: 225-227). Thus, neither of the two governments can be assumed 'least likely' to choose blaming other member states over the EU-level.

58   In detail, member states attribute blame more often to 'the EU' in general (24) and the Commission in particular (13) than to the UK (4) and unspecified member states (3). The same pattern is found for the two individual blame senders represented with ten or more observations in the sample: the British (100%; n=18) as well as German (69%; n=13) government both shift blame to a high degree to the EU-level.

by their inaction; she reportedly said that "there was a need for legislation but […] this would mainly be at the national level as member states consider aligning their welfare systems to avoid the abuse of freedom of movement" (Sparrow/Owen 2015).

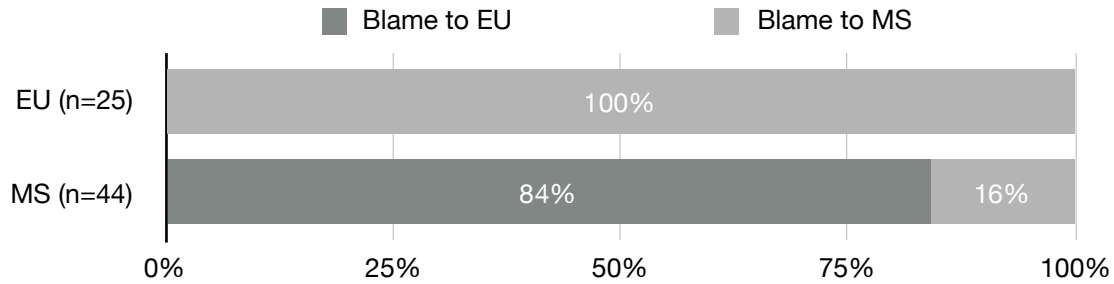### 6.2.2 EU institutions blaming the national level

EU institutions' attributions (n=44) meet theoretical expectations by *exclusively shifting blame to member states* (100%).[59] For example, in reaction to Theresa May's pleas for changes to the EU's free movement rules, Commissioner Viviane Reding reportedly stated "that only Britain was to blame for any abuses of the benefit system by European nationals […] [and that] any abuse of benefits by European Union migrants is the fault of the Government which pays out too much" (Waterfield 2013b: 12). "It seems that some national systems are too generous. Don't blame the commission or EU rules for national choices and national regulatory systems." (cited by ibid.; cf. Lynch 2013: 11) Similarly, Commissioner László Andor reportedly accused member states by claiming "that the rules are clear, but are not being applied properly" (The Irish Examiner 2013a). Finally, MEP Manfred Weber blamed the UK: "We need more honesty in Britain. In the course of EU enlargement, it has waived the transitional period of seven years. That is why there are so many citizens from Eastern Europe there today. That was a London, not a Brussels decision." (cited by SZ 2015a: 7; translation THW).

6.2.3 Summarising the results: the cross-level blame game

For the case of freedom of movement-related rules on the entitlement of intra-EU migrants to claim access to social assistance, characterised by a complex governance design and non-active implementation, the two-step model suggested policy-makers' blame to be distributed as follows: member states attribute blame to the EU-level to a high degree (67-100%) while EU institutions prefer blaming the national level – thus, their share of blame targeted at the EU-level is low (0-33%).

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59   In detail, EU institutions attributed blame to unspecified (groups of) member states (11) as well as to the British (12) and German (2) government. Furthermore, the Commission repeatedly blamed member states, particularly the UK government, to artificially create the problem: for instance, Reding reportedly "accused Mrs May of talking up alleged benefit tourism by EU migrants as a way of shifting blame for the stalled economy away from the Government" (The Daily Telegraph 2013: 16). However, these statements were not included in the sample since the described problem does not genuinely refer to the policy itself and 'problem denial' is a different strategy of blame-avoidance not under examination in this thesis (cf. Hood 2011: 154).

Figure 6.1: Blame shifting for alleged 'welfare migration'

The results of the content analysis of the quality press coverage confirmed these expectations (see Figure 6.1): member states shifted the bulk of blame to the EU-level (84%) while EU institutions attributed blame only to the national level (100%).

Summarising, the congruence analysis of the 'welfare migration' case strengthens confidence in the two-step model: under the conditions of complex governance design and non-active implementation, both member states and EU institutions are unconstrained to realise their preferences and predominantly shift the blame to the opposite governance level. As a consequence, when policies that meet these conditions get publicly contested, the blame game is dominantly played across governance levels. In such *cross-level blame games* policy-makers at the EU and national level alike point fingers – and pass the buck – to each other.

7 Three Blame Games

The three case studies demonstrated that the two-step model provides a plausible account of the distribution of policy-makers' blame shifting within each of the examined policies. This chapter systematically contrasts the results of the individual case studies and discusses their robustness across countries and newspapers (7.1). Against this backdrop, the explanatory power of alternative explanations, particularly those offered by the existing research strands focusing on either policy-maker's preferences or institutional opportunities, is checked in order to strengthen the plausibility of the two-step approach (7.2).

7.1 The variance of policy-makers' blame shifting across cases

The two-step model assumes that the combination of a policy-maker's preferences (the demand side) as well as the specific policy-implementation structure (the supply side) shapes the direction of his or her blame attributions. Empirical findings of the case studies corroborated theoretical expectations about variation both across cases and between the types of policy-makers (see Figure 7.1 and 7.2). Firstly, concerning the *external border policy*, which is enacted by the EU agency Frontex, demand and supply for EU institutions point in opposite directions: blame attributions to the EU-level only amount to a moderate level (52%); to the contrary, institutional opportunities enable member states to shift the bulk of blame to the EU-level (84%) according to their first preference. Secondly, in the *asylum system case*, where member state authorities are entrusted with implementation, the demand of both types of policy-makers is met by supply conditions: EU institutions (90%) and member states (80%) shift the bulk of blame to the national level. Thirdly, regarding *'welfare migration'*, where active policy-implementation is not required and thus constraining supply conditions are lacking, EU institutions and member states realised their demand to attribute blame according to their first preferences: EU institutions exclusively blame the national level (100%) while member states shift the bulk of blame to the EU-level (84%).

Furthermore, the *difference between a 'second best' and a 'second worst' option* for blame shifting can be seen in the results. The two-step model assumes that whenever policy-makers' first preference and the policy-implementation structure diverge, member states have a 'second best' alternative, i.e. blaming other member
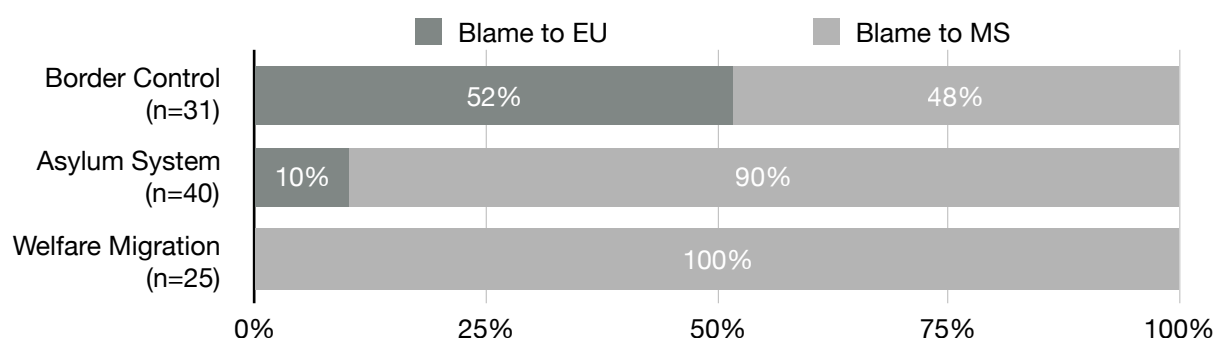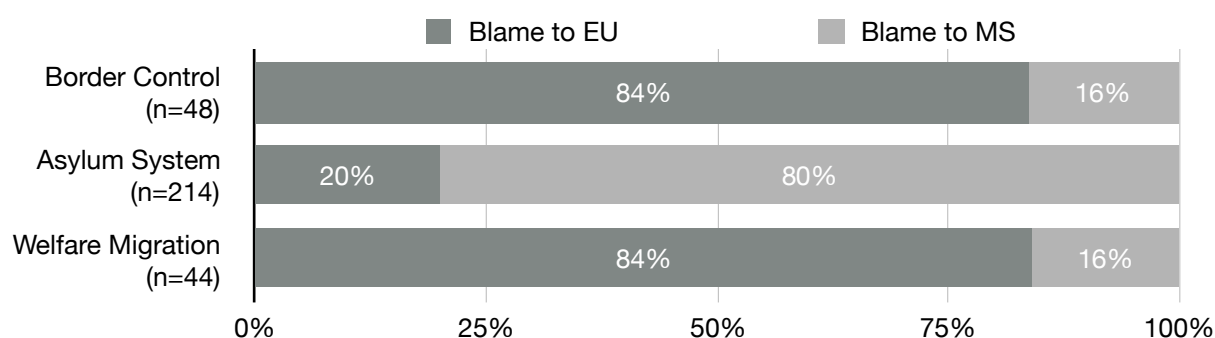
Figure 7.1: Blame shifting by EU institutions

	Blame to EU	Blame to MS
Border Control (n=31)	52%	48%
Asylum System (n=40)	10%	90%
Welfare Migration (n=25)		100%

Figure 7.2: Blame shifting by member states

	Blame to EU	Blame to MS
Border Control (n=48)	84%	16%
Asylum System (n=214)	20%	80%
Welfare Migration (n=44)	84%	16%

states, while EU institutions only have a 'second worst' option, i.e. blaming the EU-level. The decisive difference is that for EU institutions blaming the EU-level means quasi self-attribution while for member states blaming other governments is only less convenient than blaming the EU-level (see 2.2.1). Consequently, the analysis finds EU institutions still shifting 48% of their blame to the national level despite diverging supply conditions while member states only attribute 20% of their blame to the EU-level in the asylum case.

Major *country- or media-driven biases can be ruled out*, since policy-makers' blame patterns in the vast majority of newspapers and countries were in accordance with the two-step model (see Annex, Table A.2 and A.3).[60] With regard to newspapers, only one clear deviation is found for member states in the Irish Times (n=36) blaming the EU-level over asylum policies to a higher degree than expected (42%).[61] Closely

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[60] In detail, in 87% of constellations of the independent variables for which observations were found in the sample, the results on the newspaper- (33 out of 38) and country-level (20 out of 23) meet theoretical expectations. Furthermore, in four newspapers as well as two countries, every single finding for the six possible constellations is in line with theoretical predictions.

[61] Five further deviations are based on very low observation numbers: in the Irish Times, EU institutions' only blame attributions for border control policies (n=1) is targeted at the national level; on the contrary, in the FAZ, EU institutions (n=4) only shift blame for border control policies to the EU-level; in the Irish Times, member states (n=4) blame the EU-level for asylum policies in three out of four statements; regarding border control, in Die Presse, member states (n=2) assign one blame attribution each to the national and the EU-level and in Der Standard, EU institutions (n=6) shift blame to the EU-level in four out of six statements.

connected, the only major exemption regarding the examined countries is member states (n=40) blaming the EU to a higher level than expected in the asylum case in Ireland (45%).[62] Thus, while most of the newspapers and countries show blame patterns in accordance with the two-step model, Irish newspapers stand out regarding member states blaming the EU-level for failed asylum policies to a moderate and not low degree. It has to be noted that nine of the 24 blame attributions to the EU-level stem from the Hungarian government, which is the most often represented member state in both newspapers (see 8.2 for a further discussion). To be sure, the empirical results are not concluding as the number of observations should be increased in future studies. However, the analysed 911 quality newspaper articles and 401 blame attributions provide strong support for the introduced model which is assumed to be a solid basis to assess its plausibility.

7.2 Assessing alternative explanations

To further strengthen the confidence in the two-step model, alternative explanations have to be assessed for which case selection did not control.[63] In particular, both the blame-avoidance and the governance design literature formulate expectations about the direction of policy-makers' blame shifting. In the following, it is demonstrated that their isolated expectations are not sufficiently differentiated and thus do not account for the full variance of blame across examined cases and between the types of policy-makers.

The *blame-avoidance literature* expects the same pattern of EU institutions and member states blame shifting to be constant across all cases: *national governments are assumed to shift blame to the EU-level as well as each other while EU institutions are expected to blame the national level*. In other words: the distribution of blame in Figure 7.1. and 7.2 is expected to be relatively constant through all rows of each figure. However, while EU institutions' blame attributions to the national level in the asylum (90%) and the 'welfare migration' case (100%) meet this assumption, the

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62   The compilation of newspapers to countries was calculated by adding up the average of the single newspapers. Two further deviations are based on very low observation numbers. For Ireland, another deviation is found concerning EU institutions only blaming the national level for failed border control policies. This is based on only one statement in the Irish Times as discussed above. On the contrary, regarding Germany, EU institutions shifted 100% of blame for border control policies to the EU-level (n=4). This equals the earlier discussed statements from the FAZ since the sample does not include any respective statements from the SZ.

63   Since case selection was based on a MSSD, certain potentially confounding factors were kept constant: the three examined policies were all publicly contested, decided by complex decision-making processes and belong to the policy area migration (see 3.1). Furthermore, the examined newspapers as well as time periods were the same in all cases (see 3.2).

border case deviates from them: EU institutions only attributed a 48% of their blame to member states. Furthermore, while advocates of the blame-avoidance literature do not explicate member states' exact preference order and, hence, all cases are generally in line with their assumptions, the variance of member states' blame attributions across cases is stunning: member states attributed the bulk of blame to the EU-level in the border control (84%) and the 'welfare migration' case (84%), while, in the asylum case, a similar amount of blame was instead shifted to the national level (80%). Thus, the blame-avoidance literature is not differentiated enough to account for significant differences in member states' blame attributions across cases. Most importantly, it is unable to predict EU institutions' substantial blame shifting to EU-level actors in the border case.

The *governance design literature* assumes the policy-implementation structure to determine the general direction of policy-makers' blame: if a policy requires active implementation, the agents entrusted with this task are assumed to become focal and bear the brunt of the blame. In other words, the distribution of blame in the upper two rows in Figure 7.1. and 7.2 should equal each other. While policy-maker' blame attributions in the asylum case are in line with this assumption – EU institutions (90%) and member states (80%) both shift the bulk of their blame to the national level – they diverge in the border control case: the share of blame attributed to the EU-level differs by 33 percentage points between member states (84%) and EU institutions (52%). Furthermore, while this research strand does not theorise on the direction of policy-makers' blame for policies lacking active implementation, the variance between the two types of EU policy-makers is stunning: member states shifted the bulk of blame to the EU-level (84%) while EU institutions exclusively blamed the national level. All in all, the governance design literature is not sufficiently differentiated to account for EU institutions and member states' cross-cutting blame shifting patterns in the 'welfare migration' case and, most importantly, fails to explain EU institutions' blame attributions in the border case.

Finally, one further alternative explanation for the specific constellation of the Commission blaming the EU-level has to be carefully reviewed since this pattern was earlier examined as a 'least likely' observation in order to strengthen the two-step model (see 4.2.2). The *'problem ownership thesis'* assumes that the Commission will strategically blame the EU-level in order to gain further competences

during problem solving.[64] Thus, we should expect the Commission to blame the EU-level if it has an interest in reform. While the Commission proposed policy reforms regarding both border control as well as asylum policies[65], it refused changes of EU rules regarding the alleged problem of 'welfare migration'[66]. While the expectation about the covariation of the Commission's reform interest and blame shifting to the EU-level is compatible with findings in the border control (52%) as well as 'welfare migration' case (0%), the 'problem ownership thesis' cannot account for the asylum case: despite its interest in reforms, the Commission does not attribute responsibility for perceived policy failures to the EU-level. Thus, while the Commission's blame shifting patterns across these cases poses a puzzle for the 'problem ownership thesis', the two-step model offers a plausible account for all of them.

Summarising, the combined two-step model accounts for the distribution of blame shifting across the three cases of contested EU migration polices as well as between the types of policy-makers. Separately, as suggested by the alternative explanations of existing research strands, the variables do not possess the same explanatory power. Thus, the combined two-step model enables more differentiated predictions about policy-makers' blame shifting in the EU.

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64   Thanks goes to Moritz Weiss for this critical remark during the IR colloquium. This argument is in line with strategies described by Ecker-Erhardt (2017) who finds that, in reaction to policy failure in form of sexual exploitation and abuse by peacekeepers, the UN publicly admitting blame goes hand in hand with claiming authority over the problem solution process. Thus, by 'escaping ahead' ('Flucht nach vorne'), a publicly perceived failure can be used to push for reforms in one's own interest (see also, Greuter 2014: 72). Note that, as a general rule, 'competence attributions' about which governance level should solve a perceived problem were not coded as blame attributions.

65   Regarding border control, the Commission proposed the establishment of a European Border and Coast Guard (EBCG) to support member states in securing the EU's external border (European Commission 2015b) and, regarding the asylum system, a regulation establishing a permanent relocation mechanism under the 'Dublin system' (ibid. 2016b) and, before, the a temporary but mandatory quota-based scheme to relocate a total of 160,000 asylum seekers from Italy and Greece to other EU countries (ibid. 2015a).

66   For example, Commissioner László Andor claimed that "the perception of some member states has nothing to do with reality […]. The Commission will not come up with a solution proposal for a non-existent problem" (cited by Gabriel 2013; translation THW; cf. Laczynsk 2014); Commissioner Reding added: "Our EU rules are good and they are here to stay. Member states need to apply them to tackle abuse." (cited by Waterfield 2013b: 12)

8   Conclusion

Whom do EU institutions and member states blame for contested EU policies in the public? Starting point of this thesis was the theoretical critique of existing literature examining the conditions under which blame is directed to the national or the EU-level: while two research strands identified independent variables explaining the direction of blame attributions – policy-makers' preferences as well as policy-specific institutional opportunities –, they do not refer to each other. In this last chapter, the proposed two-step model integrating insights of both strands and the empirical findings corroborating its plausibility are summarised (8.1). Subsequently, I point out the contributions of this thesis and pathways for future research (8.2). The last section elaborates on political consequences and problematises them with regard to their normative implications for policy-makers' accountability (8.3).

8.1   The explanatory power of the two-step model

To fill the identified research gap, this thesis developed a *two-step model* that integrates insights of two literature strands and explains the direction of policy-makers' blame attributions by the demand for blame shifting as well as supply conditions. Building on the blame-avoidance literature, the demand for blame shifting is assumed to be shaped by policy-makers' preferences. Based on their position in the EU's multi-level system as well as their motivation to minimise blame, two types of EU policy-makers favour different blame targets: EU institutions desire to shift blame to the national level; member states prefer to blame the EU-level, while, as a 'second best' alternative, they also blame other member states. Based on the governance design literature, *supply conditions constituted by the institutional opportunities for blame shifting* influence whether the demand for blame shifting can be met: while the EU's complex governance design opens scope for strategic communication, the latter is not necessarily unconstrained. If EU policies require active implementation, the public visibility of the implementer constrains or enables interest-led blame attributions since policy-makers also want to obtain an 'illusion of objectivity' vis-à-vis their audience. In sum, the combination of policy-makers' diverging preferences (demand) as well as the varying policy-implementation structure (supply) shapes the direction of their blame attributions.

The plausibility of the two-step model was corroborated by conducting a media content analysis by – for the first time – systematically examining blame shifting by different types of EU policy-makers in three cases of contested migration policies with varying governance designs. Thereby, this thesis uncovered *empirical variation between European blame games* so far overlooked by the state of the art. First, in *EU-level blame games*, characterised by contested policies requiring active EU-level implementation as in the border control case, EU institutions have a bad hand: with member states pointing the finger predominantly to them and unable to shift the blame completely away from the EU-level, the buck is likely to stop there. Conversely, *national level blame games* taking place when contested policies are implemented by member state authorities, as in the asylum system case, provide the EU institutions with a better hand: since member states point to each other, they can conveniently pass the buck to the national level. Finally, in *cross-level blame games* where contested policies not requiring active implementation, like in the 'welfare migration' case, policy-makers at the EU and national level alike point fingers – and pass the buck – to each other. The empirical analysis revealed that the two-step model was able to account for the full variation both across cases as well as between types of EU policy-makers. Thus, the two-step model constitutes a solid basis for explaining the demonstrated variation in the direction of blame shifting.

8.2   Contributions and future research

The empirical analysis not only revealed that the combined two-step model can explain the direction of policy-makers' blame shifting but also demonstrated that the two alternative explanations, proposed by the blame-avoidance and governance design literature and being based on either one of the two independent variables, cannot explain the full empirical variance. This upgrades confidence in the synoptic two-step model and underlines the main contribution of this thesis: the development of an integrated theoretical approach that enables more differentiated predictions about the direction of policy-makers' blame shifting in the EU. While this entails qualifications of both research strands, the theoretical and empirical insights of this thesis – and their limits – also suggest pathways for future research.

Contrary to the *blame-avoidance literature* – and in line with the governance design literature –, the opportunity structure for strategic blame attributions in the complex EU multi-level system is not constant but varies across policies according to their

implementation structure. If a policy requires active implementation, this narrows down the margin of strategic attributions for policy failures towards the governance level tasked with its execution. In the course of this thesis, this so far unchecked assumption of the governance design literature was tested for the first time empirically. It was confirmed that even when policy-makers' preferences point in the opposite direction, the implementation structure informs their blame attributions.

Against this backdrop, future research should more closely examine *blame shifting by actors that are 'caught in a tight corner'* due to undesired institutional constraints like EU institutions in case of policies enacted by the EU-level as well as implementing actors themselves. For example, the largest part of the Commission' blame to the EU-level in the border case addressed 'the EU' in general; the specific implementing actor Frontex was targeted only one time. Future research could examine how close this comes to what blame-avoidance research coins 'herding' strategy whereby policy-makers "spread responsibility across numerous policy-makers" (Hobolt/Tilley 2014: 103). In effect, while "herding does not remove the blame, […] it may blunt it by collectivising it" (Hood 2010: 100; cf. Weaver 1986: 385). Thus, when supply and demand diverge, policy-makers may refuse from blaming a particular actor against their preferences – or even accepting blame themselves – but instead broaden the scope of their attributions to mitigate it.

Contrary to the expectations of the *governance design literature* – and in line with the blame avoidance literature –, policy-makers' preferences have a considerable influence on their blame attributions: EU institutions and member states possess a distinct demand for blame shifting and thus show different attribution patterns, even if the institutional context remains constant. In particular, when policy-makers' preferences diverge from institutional opportunities, the policy-implementation structure does not have a determining influence. In the absence of an active implementer, policy-makers' blame attributions are pure functions of their diverging preferences. The empirical analysis also confirmed blaming the EU-level as member states' first preference which so far remained a mere implicit or at least unchecked assumption (cf. Gerhards et al. 2005: 9; see also, Hobolt/Tilley 2014: 100f.).

The general insight on blame shifting under unconstrained conditions is also consequential for research on *public responsibility attributions*: in cases where the public is unable to employ the 'policy-implementation heuristic' due to the lack of an implementing actor, their responsibility attributions might not yet be "infrequent,

untargeted and thus diffuse" (Rittberger et al. 2016: 4); on the contrary, policy-makers' unconstrained blame attributions might have a significant impact on public perception. For example, Schlipphak and Treib (2017: 355) describe a mechanism whereby "élite actors [...] signal their positions on the EU to their supporters, who then use these signals as information shortcuts for their own stance on European integration and European institutions". Thus, future research on responsibility attributions in the general public concerning contested policies that do not require active implementation should take particular account of the influence of policy-makers' cueing strategies.

Moreover, the analysis disclosed observations that the two-step model cannot fully cover. The only major deviation found on the country- and media-level concerned member states in the asylum case shifting blame to the EU-level in Irish newspapers to a moderate instead of low degree as theoretically expected – with the Hungarian government being the most active sender of blame (see 7.2). Furthermore, the latter was found to generally attribute blame for asylum policies to the EU-level significantly above member states' average (see 5.2.1). In both instances, the level of member states' blame to the EU-level is above average while the supply side, i.e. institutional opportunities, attracted blame to the national level. Against this backdrop, a *general Eurosceptic party position* might influence policy-makers' preference structure by strengthening the demand for blaming the EU-level.[67] Hence, future research should examine differences between member states' blame attributions with regard to their general stance towards the EU.

Finally, to increase confidence in the proposed two-step model, it should be further checked based on *higher numbers of observations as well as in more cases stemming from strongly differing contexts*, e.g. policy fields, following a Most Different System Design (cf. Hönnige 2007: 227, 234). This would also allow to systematically check the plausibility of the theoretical framework between individual senders at the national (e.g. Eurosceptic vs. pro-EU governments) and EU-level (EP vs. Council vs. Commission).

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67   Indeed, a similar pattern can be observed for the British government, whose leading party, the Conservatives, can also be assumed Eurosceptic (cf. Startin 2015: 320; Maag/Kriesi 2016: 226f.): it shifts blame to the EU-level above member states' average in the amount of eight percentage points in the border control case (92%; n=13); 35 percentage points in the asylum case (55%; n=9); and 16 percentage points in the 'welfare migration' case (100%; n=18). Results for the asylum case were not discussed in 5.2.1 due to low observation numbers.

8.3 'Accountability avoidance' in the EU

Beyond contributing to the development of research on blame shifting in the EU, this thesis points to a complex of problems of societal relevance: the opportunities and practices of policy-makers' blame shifting set incentives for specific institutional design choices and have a general impact on their accountability. On the one hand, the identified institutional opportunities for presentational strategies of blame avoidance may also have *implications for institutional design choices* – or 'agency strategies' of blame avoidance (Hood 2011: 67-89). With EU policies getting increasingly politicised (Hooghe/Marks 2009; Koopmans/Statham 2010; de Wilde/ Zürn 2012; Hutter et al. 2016), particularly member state governments have strong incentives to evade blame by delegating implementation tasks to EU-level actors like EU agencies (cf. Hood 2011: 83; Rittberger et al. 2016: 13).[68] In other words, where de-politicising EU policies is not feasible, governments can still evade public critique by exposing others to public contestation. This can be expected to be particularly likely regarding policies that have been shown high levels of public contestation in the past. For example, member state governments agreed to further increase the scope of Frontex' implementation tasks when transforming it into the EBCG in late 2016, while, hidden behind institutional complexity, continuing to exercise hard control within the governing board (Bergmair 2017: 19-22).[69]

On the other hand, while European blame games differ, they all obfuscate political responsibility to certain degrees and thus *hamper the accountability of policy-makers for contested policies in which genesis they were involved*. At best, all involved policy-makers blame each other – as expected for cross-level blame games. Here, at least all actors participating in decision-making get publicly blamed. In the worst case, the blame is predominantly attributed to implementers that were not part of decision-making themselves, as in EU-level blame games if an EU agency is enacting a policy. While Greuter (2014) welcomes non-elected actors getting blamed as "accountability without election" (see e.g. ibid. 29f.), such blame games are indeed detrimental to accountability in general since particularly member states might evade responsibility (cf. Rittberger et al. 2016: 13).

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68 Note that this does not mean that the EU's whole institutional architecture is determined by member states' blame avoidance strategies.

69 An alternative strategy constitutes the externalisation of contentious implementation tasks by relying on 'softer' governance arrangements beyond the EU (cf. Schwarzenbeck 2015, 2017). For example, against the backdrop of enduring immigration pressure, the EU's management of migration flows has moved 'outwards' to cooperating with transit countries like Turkey and Libya in order to enhance migration control (Lavenex 2015: 381f.; more ibid.; Lavenex 2006b).

Both aspects point out the perils of blame avoidance as 'accountability avoidance' in the EU, which is even said to represent "the ne plus ultra for blame avoidance architecture" (Hood 2011: 122, cf. 83, Gerhards et al. 2009: 553). Regarding the centrality of accountability to ensure the legitimacy of a political system (cf. Papadopoulos 2010) future efforts should be designated to design political processes in a non-complex way, i.e. 'pure types' of supranational or intergovernmental policy-specific decision-making, in order to ensure clarity of responsibility and thus improve accountability (cf. Zangl/Rittberger 2017: 10). Against the backdrop of rising Euroscepticism and the ongoing contestation of the EU itself, this will be one central prerequisite for the future of the European Union.

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Annex

Table A.1: Selection of material

Newspaper	Source	Case	Keywords	Period	Strikes	Relevant
The Guardian	Nexis	border	refugee AND Mediterranean AND Frontex	01.01.2010-01.01.2017	80	79
		asylum	asylum AND Europe AND Dublin AND Problem	01.01.2010-01.01.2017	101	84
		social abuse	("social system" OR "welfare system" OR "benefit tourism") AND abuse AND migration	01.01.2010-01.01.2017	71	59
The Daily Telegraph	Nexis	border	refugee AND Mediterranean AND Frontex	01.01.2010-01.01.2017	25	25
		asylum	asylum AND Europe AND Dublin	01.01.2010-01.01.2017	75	73
		social abuse	("social system" OR "welfare system" OR "benefit tourism") AND abuse AND (migration OR "free movement")	01.01.2010-01.01.2017	19	19
The Irish Times	Nexis	border	refugee AND Mediterranean AND Frontex	01.01.2010-01.01.2017	24	24
		asylum	asylum AND Europe AND Dublin AND problem	01.01.2010-01.01.2017	84	59
		social abuse	("social system" OR "welfare system" OR "benefit tourism") AND abuse AND (migration OR "free movement")	01.01.2010-01.01.2017	11	6
The Irish Examiner	Nexis	border	refugee AND Mediterranean AND Frontex	01.01.2010-01.01.2017	13	13
		asylum	asylum AND Europe AND Dublin	01.01.2010-01.01.2017	46	29
		social abuse	("social system" OR "welfare system" OR "benefit tourism") AND (migration OR "free movement")	01.01.2010-01.01.2017	8	7
Süd-deutsche Zeitung	SZ LibraryNet	border	Flüchtling AND Mittelmeer AND Frontex; supra-regional articles	01.01.2010-01.01.2017	17	13
		asylum	Asyl AND Dublin AND Europa; supra-regional articles	01.01.2010-01.01.2017	60	60
		social abuse	Sozialmissbrauch; supra-regional articles	01.01.2010-01.01.2017	29	25
Frankfurter Allgemeine	Frankfurter Allgemeine Archiv	border	Flüchtling AND Mittelmeer AND Frontex	01.01.2010-01.01.2017	37	24
		asylum	Asyl AND Dublin AND Europa*	01.01.2010-28.11.2014	21	15
			Asyl AND Dublin AND Europa AND Problem	28.11.2014-01.01.2017	79	53
		social abuse	Einwanderung AND Sozialmissbrauch; supra-regional articles*	01.01.2010-28.11.2014	11	10
			(Sozialmissbrauch OR Sozialtourismus) AND (Zuwanderung OR Einwanderung OR EU-Ausländer)	28.11.2014-01.01.2017	27	12
Die Presse	Nexis	border	Flüchtling AND Mittelmeer AND Frontex AND (Problem OR Fehler)	01.01.2010-01.01.2017	25	18
		asylum	Asyl AND Dublin AND Europa AND Problem	01.01.2010-01.01.2017	100	72
		social abuse	(Sozialtourismus OR Sozialmissbrauch) AND (Einwanderung OR Migration)	01.01.2010-01.01.2017	15	6
Der Standard	Nexis	border	Flüchtling AND Mittelmeer AND Frontex	01.01.2010-01.01.2017	56	56
		asylum	Asyl AND Dublin AND Europa AND Problem	01.01.2010-01.01.2017	34	33
		social abuse	(Sozialtourismus OR Sozialmissbrauch) AND (Einwanderung OR Migration)	01.01.2010-01.01.2017	8	8
European Voice	Nexis	border	refugee AND Mediterranean	16.05.2013-09.04.2015	18	14
		asylum	asylum AND Dublin	16.05.2013-09.04.2015	6	6
		social abuse	(("social system" OR "welfare system") AND abuse AND (migration OR "free movement")) OR "benefit tourism"	16.05.2013-09.04.2015	9	9

Note: A * indicates the deviation of search keys within a case because that sample partially builds on data by Rittberger et al. (2016); search keys for later periods were modified in order to optimise the relevancy of articles. Source: own compilation.

Table A.2: Documentation of results across newspapers

Newspaper	Case	Blame by EU Institutions			Blame by Member States		
		to EU	to MS	share EU	to EU	to MS	share EU
The Guardian	border	3	4	43%	19	5	79%
	asylum	2	15	12%	2	26	7%
	social abuse	0	3	0%	15	4	79%
The Daily Telegraph	border	0	0	-	3	0	100%
	asylum	2	5	29%	8	18	31%
	social abuse	0	7	0%	10	3	77%
The Irish Times	border	0	1	0%*	4	0	100%
	asylum	0	0	-	15	21	42%*
	social abuse	0	2	0%	1	0	100%
The Irish Examiner	border	0	0	-	1	0	100%
	asylum	0	1	0%	3	1	75%*
	social abuse	0	2	0%	0	0	-
Süddeutsche Zeitung	border	0	0	-	1	0	100%
	asylum	0	2	0%	4	9	31%
	social abuse	0	4	0%	0	0	-
Frankfurter Allgemeine	border	4	0	100%*	2	0	100%
	asylum	0	2	0%	5	35	13%
	social abuse	0	0	-	0	0	-
Die Presse	border	1	1	50%	1	1	50%*
	asylum	0	5	0%	3	53	5%
	social abuse	0	1	0%	7	0	100%
Der Standard	border	4	2	67%*	8	1	89%
	asylum	0	6	0%	2	7	22%
	social abuse	0	0	-	0	0	-
European Voice	border	4	7	36%	2	1	67%
	asylum	0	0	-	0	0	-
	social abuse	0	6	0%	4	0	100%

*Note: a * indicates that the respective share of blame to the EU-level does not correspond with theoretical expectations. Source: own compilation.*

Table A.3: Documentation of results across countries

Newspapers compiled per country	Case	Blame by EU Institutions			Blame by Member States		
		to EU	to MS	share EU	to EU	to MS	share EU
Austria	border	3	2	63%	5	1	82%
	asylum	0	6	0%	3	30	8%
	social abuse	0	1	0%	4	0	100%
Germany	border	2	0	100%*	2	0	100%
	asylum	0	2	0%	5	22	17%
	social abuse	0	2	0%	0	0	-
Ireland	border	0	1	0%*	3	0	100%
	asylum	0	1	0%	9	11	45%*
	social abuse	0	2	0%	1	0	100%
United Kingdom	border	2	2	43%	11	3	81%
	asylum	2	10	17%	5	22	19%
	social abuse	0	5	0%	13	4	78%

*Note: results represent the summary of respective average of the two examined newspapers per country; a * indicates that the respective share of blame to the EU-level does not correspond with theoretical expectations. Source: own compilation.*

Table A.4: Coding rules

Category	Example	Coding Rule
Subject of blame A perceived policy failure for which blame is attributed	• **Failure border control:** "David Cameron […] declared that the 'coastguard policy' – a reference to Triton – that replaced Mare Nostrum, had not worked." (Travis 2015) • **Failure asylum system:** "[…] a person's chance of getting protection depends upon where they lodge it. The current mixture has been described as a 'catalogue of the worst national practices' by Sylvie Guillaume, the French Socialist MEP" (The Irish Examiner 2013c) • **Failure welfare migration:** "The Home Secretary (Theresa May; THW) […] talks over […] abuse of the British welfare system by European Union migrants." (The Daily Telegraph 2013: 16)	• The subject of blame may only be coded if (i) activities are explicitly described as failures and (ii) linked to the case-specific policy.
Blame shifting and blame senders An individual or corporate EU policy-maker that attributes blame	• **Blaming an actor for having caused policy failures in the past by his actions:** "Viviane Reding, the EU justice commissioner, yesterday dismissed Theresa May's pleas for changes to the union's free movement rules, telling the Home Secretary that only Britain was to blame for any abuses of the benefit system by European nationals" (Waterfield 2013b: 12). • **Blaming an actor for having caused policy failures by his/her inaction in the past:** "Mr Maroni complained that Italy had been left entirely alone to deal with this latest wave of boat people. The EU is doing absolutely nothing" (Agnew 2011: 12). • **Blaming an actor for causing policy failures in the future by his actions:** "In very diplomatic terms he (Commissioner Avramopoulos; THW) told the handful of MEPs present that unless member states got serious about earmarking money and resources to deal with the emergency, nothing would be resolved […] without 'decisive and coordinated EU-wide action' the flow of asylum-seekers would continue" (Panichi 2015b) • **Blaming an actor for causing policy failures by his/her inaction in the future:** "After the tragedy in Lampedusa, the EU gave tough words, and yet, Malmström said, there have been disasters again. 'And they will probably happen in the future again.'" (FAZ 2013a; translation THW)	• The relevant blame senders are pre-defined as EU policy-makers, i.e. the Commission, the Council, and the European Parliament (EP); blame attributions by other actors were not coded • A new blame attribution is coded when the sender changes • If an attribution has more than one sender or target, the statement is coded for each sender or target separately • Blame attributions can (i) refer to the actions (i.e. commission of an act caused harm) or the neglecting of actions by the blame target (i.e. the omission of an act caused harm) (cf. Sulitzeanu-Kenan/Hood 2005: 2f.; Hood 2011: 6) as well as (ii) be retrospective (i.e. a factual statement for the past) or prognostic/hypothetical (i.e. a prediction for the future) (cf. Gerhards et al. 2013: 116) (see examples) • Blame attributions can be (i) direct when the author of an article was a policy-maker as well as (ii) direct quotes or (iii) indirect quotes by other authors • If a component of the blame attribution is missing, the statement is only coded if it can be derived from the direct context of the article

Blame Acceptance An actor assigns blame for a policy failure to him- or herself	• **Example of admitting blame (not coded):** "Greece responded to this criticism by admitting failures in its system" (Der Standard 2011: 8; translation THW). • **Example of shifting blame within the EU-level (coded):** "the EU could 'do significantly more than it has done so far' to improve the lot of asylum seekers" (Manuel Barroso, Commission president, cited by FAZ 2013b: 1; translation THW)	• If an actor attributed responsibility to him- or herself or the collective organisation he or she is part of (e.g. a minister to his government), this was coded as admitting blame and excluded from analysis • An EU institution blaming an EU-level actor was only excluded if the target was the same institution (e.g. a Commissioner blaming the EU Commission)
Target of blame: EU-level actors An actor at the EU-level to whom blame is attributed	• "The EU Commission is to blame for the fact that approximately 200 migrants come to Austria each week. It had banned placing asylum seekers in closed camps" (Victor Orbán, Hungarian Prime Minister, cited by Löwenstein 2016: 4; translation THW).	• This category is assigned if blame was attributed to or by actors at the EU-level. The latter is composed by all entities taking part in the decision-making process as well as any actor participating in policy-implementation (e.g. the Commission, the EP, the Council, EU agencies) • Labels like 'the EU', 'Brussels' or 'Europe' were also coded as EU-level actors • The ECJ as an judicial actor was coded as 'other actor'
Target of blame: actors at the national level An actor at the national level to whom blame is attributed	• "Vienna and Berlin accuse the government in Rome for committing a breach of the Dublin II agreement, according to which the country responsible for a refugee is the one in which he first enters European soil: Italy […] would instead simply allow the refugees to move north" (Die Presse 2014b; translation THW)	• This category is assigned if blame was attributed to actors at the national level (e.g. governments, and ministries) • National courts and authorities below the federal level (e.g. German Länder, majors, and 'job centres') were coded as 'other actors'
Target of blame: other actors An actor to whom blame is attributed is not part of the national or EU-level	• "Juncker added that it had to be clear […] that the refugees could not choose where they wanted to go: 'It cannot remain the case that those who come to Europe determine, in a smug manner, where they want to go and where they want to live'. No refugee has the right to refuse a local assignment." (FAZ 2016b; translation THW)	• Actors that are not national or EU-level actors (e.g. civil society, journalists, non-EU governments, international organisations) are beyond the scope of theoretical model; they are summarised in the category 'other actors' and excluded from analysis.

Table A.5: Decision rules in borderline cases

Problem	Example	Coding Rules
• An attribution entails a **broad category of actors** (senders or targets) and then **lists examples**	• "Three weeks ago, Austria and Germany temporarily exempted people fleeing the Syrian war from EU rules requiring refugees to request asylum at the point where they enter the bloc. The move angered neighbours such as Hungary, who said it would merely encourage more migrants to come." (Weaver 2015b)	• If one blame statement entails a broader category of actors (senders or targets) and then lists examples, all are coded separately since special emphasis is one certain actors while they do not fully represent the blame target respectively sender individually
• Attributions to a **rule or policy**	• **Example not coded:** "The Home Secretary [Theresa May] is in Luxembourg today for talks over 'free movement' rules that, she argues, are leading to abuse of the British welfare system by European Union migrants" (The Daily Telegraph 2013: 16) • **Example coded:** "the EU free movement rules make it too easy for European migrants to come to Britain to establish residence and benefits entitlements" (UK home Secretary Theresa May, cited by Waterfield 2013b: 12).	• In general, whenever the failure was attributed to a rule or a policy, no responsibility attribution was coded. • However, the target is coded if the rule or policy is directly associated with a policy-maker and thus possesses a minimal agency reference
• A journalist **interprets a statement** regarding its character as blame shifting and/or its target	• "Merkel also appeared to criticise Hungary by noting that minimum standards for the accommodation and care of refugees 'are not always met at EU borders'." (Weaver 2015b)	• Since the author assessed the statement in its original context and with background knowledge, and statements are presented as such in the public discourse, coding follows the authors' interpretation.
• A policy-maker **threatens with introducing legal action** against another actor for alleged past misbehaviour	• "I will be pushing for an inquiry into the ethics and resources being utilised by Member states in the this region." (Claude Moraes, MEP, Chair of the Civil Liberties, Justice and Home Affairs Committee, cited by The Guardian 2014)	• Since legal actions clearly indicates that an actor assumes another to be guilty of misconduct with regard to the relevant policy, this was coded as blame attribution
• **Credit** is given for **changing past behaviour**, which is described as having caused a policy failure	• "The EU had finally assumed its responsibilities after years of 'chatter' and realised that the Mediterranean was not just Italy's frontier but the responsibility of the whole of Europe, he said." (Italian interior minister Angelino Alfano, cited by Squires 2014: 17)	• If a policy-maker grants another actor credit for changing his or her behaviour that is at the same time evaluated as failure, this is coded as blame attribution
• Blame is formulated as **demand or competence attribution.**	• "It is the responsibility of Hungary to ensure that refugees get their rights […] It must not happen that people are prevented from applying for asylum with barbed wire." (Commissioner Valdis Dombrovskis, cited by Laczynski 2015a) • "The EU could 'do significantly more than it has done' to improve the lot of asylum seekers." (Commission President José Manuel Barroso, cited by FAZ 2013b: 1; translation THW)	• In general, blame statements are causal responsibility attributions and not 'competence attributions'; thus, the latter are not coded • However, if a problem is depicted as being in the scope of responsibility of a certain actor and the latter is depicted as causing the failure by the omission to act, the statement is coded as blame