

**"WE DO NOT WANT 2015 TO HAPPEN AGAIN":**  
PARLIAMENTARY CONCEPTIONS ON ASYLUM POLICY IN THE RHETORIC  
OF BUNDESTAG DURING THE GERMAN GOVERNMENT CRISIS OF 2018

Jaakko Havela  
Master's thesis  
Political science  
Department of social  
sciences and philosophy  
University of Jyväskylä  
Spring 2022

## Jyväskylän yliopisto

Tiedekunta Humanistis-yhteiskuntatieteellinen	Laitos Yhteiskuntatieteet ja filosofia
Tekijä Jaakko Havela	
Työn nimi "We do not want 2015 to happen again" : Parliamentary conceptions on asylum policy in the rhetoric of Bundestag during the German government crisis of 2018	
Oppiaine Politiikan tutkimus	Työn tyyppi Maisterintutkielma
Aika Kevät 2022	Sivumäärä 66
Ohjaaja Sergei Prozorov	
<p>Tiivistelmä</p> <p>Tämän tutkielman tarkoituksena on selvittää, millaisia käsityksiä Saksan liittopäivien parlamenttiryhmiä edustajilla oli pakolaispolitiikasta Saksan vuoden 2018 hallituskriisin aikaan. Tutkielmassa tarkastellaan myös liittopäivien eli Bundestagin parlamentaaristen menettelytapojen aspektoja ja pohditaan sen täysistunnoissa käytetyn parlamentaarisen retoriikan luonnetta. Tutkielman taustan muodostavat pakolaispolitiikan kehitys Saksassa jälleenyhdistymisen jälkeen sekä vuoden 2015 pakolaiskriisi. Saksan voidaan havaita suhtautuneen politiikanteossaan pakolaisiin ja turvapaikanhakijoihin yhä rajoittavammin jälleenyhdistymisen jälkeen, sillä sen pakolaispolitiikka on muuttunut yhä rajoittavammaksi ja maa on keskittynyt enemmän työperäiseen maahanmuuttoon. Myös Euroopan tasolla Saksa on ollut haluton muuttamaan EU:n turvapaikkapoliittisten linjausten suuntaviivoja.</p> <p>Tätä taustaa vasten Saksan toiminta vuoden 2015 pakolaiskriisin aikana voi vaikuttaa varsin oudolta, ja tutkielma pyrkii selvittämään myös syitä tähän. Saksan roolilla pakolaiskriisin hallinnassa oli suuria vaikutuksia maan sisäpolitiikkaan, mistä osoituksena voidaan pitää perinteisten kansanpuolueiden suosion laskua ja oikeistopuolue AfD:n nousua. Kesällä 2018 vaikeiden hallitusneuvottelujen jälkeen muodostettu suuri koalitio ajautui <i>Asylstreit</i>-nimellä tunnettuun hallituskriisiin, joka uhkasi kaataa vasta hiljattain muodostetun hallituksen ja rikkoa myös Saksan kristillisdemokraattisten puolueiden perinteisen liiton.</p> <p>Tutkielman analyysi osoittaa, että tuon ajan täysistuntopöytäkirjoista on mahdollista lukea esiin lukuisia erilaisia käsityksiä Saksan pakolaispolitiikasta. Analyysin perusteella voidaan tehdä perustavanlaatuisen jako kansallisten ja eurooppalaisten käsitysten välillä ja jakaa aiheet edelleen näiden kahden tason sisällä. Analyysistä käy lisäksi ilmi, että monet käsitykset liittyvät läheisesti loppukesän 2015 tapahtumiin, mikä osaltaan korostaa niiden merkitystä saksalaisessa pakolaispolitiikkakeskustelussa.</p>	
Asiasanat: parlamentarismi, parlamentaarinen retoriikka, retorinen analyysi, Bundestag, pakolaispolitiikka, pakolaiskriisi	
Säilytyspaikka Jyväskylän yliopisto	
Muita tietoja	

University of Jyväskylä

Faculty Humanities and social sciences	Department Social sciences and philosophy
Author Jaakko Havela	
Name "We do not want 2015 to happen again" : Parliamentary conceptions on asylum policy in the rhetoric of Bundestag during the German government crisis of 2018	
Subject Political science	Type Master's thesis
Time Spring 2022	Number of pages 66
Supervisor Sergei Prozorov	
<p>Summary</p> <p>This thesis aims to explore what kind of conceptions regarding asylum policy the representatives of different parliamentary fractions of the federal parliamentary assembly of Bundestag had during the German government crisis of 2018. The thesis also looks into the more procedural aspects of Bundestag as a parliamentary assembly and makes considerations about the nature of parliamentary rhetoric that is used in the plenum of this parliamentary assembly.</p> <p>The development of the asylum policy field in Germany after reunification and the Refugee crisis of 2015 build the background for the thesis. Germany can be observed taking an ever-restricting stance toward refugees and asylum seekers since the reunification as its asylum policy has become more and more restricting and the country has been keener on concentrating on labour migration. On the European level, Germany has also been reluctant to change the status quo of the asylum policy guidelines of the EU.</p> <p>Against this backdrop, Germany's actions during the Refugee crisis of 2015 can seem rather strange and the thesis aims to explore some of the reasons behind this as well. Germany's role in the management of the crisis had great effects in its domestic politics, evidenced by the decline of the people's parties and the rise of the right-wing party AfD. In the summer of 2018 the Grand coalition, formed only recently as a result of difficult coalition negotiations, found itself in a government crisis also known as <i>Asylstreit</i> that threatened to take down the government and also break up the traditional tie between the Christian democrat parties.</p> <p>The analysis shows that a multitude of differing conceptions about German asylum policy can be read out from the plenary debates of this time. A fundamental division between national and European conceptions can be made and a further division of topics inside these two levels can take place. The analysis also reveals that many of the conceptions are closely linked to the events of late summer 2015, highlighting their significance in the overall German refugee policy debate.</p>	
Key words: parliamentarism, parliamentary rhetoric, rhetorical analysis, Bundestag, asylum policy, forced migration, refugee crisis	
Storage University of Jyväskylä	
Other information	



## Table of contents

1	INTRODUCTION.....	1
1.1	Research question.....	2
1.2	Theoretical and methodological orientation.....	2
1.3	Defining the central concepts.....	4
1.3.1	Refugee.....	4
1.3.2	Policy.....	5
1.4	Source material.....	5
2	REVIEWING THE HISTORICAL DEVELOPMENTS AND CONTEMPORARY CHALLENGES OF GERMAN ASYLUM POLICY.....	7
2.1	A brief history of the German asylum policy.....	7
2.1.1	Reunified Germany and the <i>Asylkompromiss</i> of 1993.....	7
2.1.2	The first decennary of the Merkel era.....	9
2.1.3	The supranational level: Germany in the European Union.....	10
2.2	“Wir schaffen das!”: Refugee crisis of 2015 and its aftermath from the German perspective.....	13
2.2.1	Germany’s actions during the height of the crisis.....	13
2.2.2	The European dimension of Germany’s actions.....	15
2.2.3	Polarizing opinions manifest: The federal election of 2017.....	15
2.3	Government crisis of 2018: quarrelling about asylum policy inside the grand coalition.....	16
2.3.1	The difficult post-election coalition negotiations.....	16
2.3.2	The course of the quarrel.....	17
2.4	Summary.....	18
3	STUDYING THE PARLIAMENTARY RHETORIC OF BUNDESTAG.....	21
3.1	Approaching the study of rhetoric through rhetorical criticism.....	21
3.1.1	The characteristics of rhetoric and the functions of rhetorical criticism.....	21
3.1.2	Dissecting a rhetorical message with rhetorical criticism.....	23
3.2	Studying the conceptions of parliamentary debates.....	24
3.3	Parliamentary representation of the modern times.....	26
3.4	The origins and functions of Bundestag.....	27
3.4.1	The federal legislative process.....	28
3.4.2	The parliamentary groups and committees.....	29
3.4.3	The lack of parliamentary control.....	30
3.4.4	Governmental representation.....	31
3.5	The relevancy of studying the parliamentary debates of Bundestag.....	32

4	ANALYSIS OF THE BUNDESTAG PLENARY DEBATES.....	35
4.1	Scrutinizing Seehofer’s Masterplan: <i>Aktuelle Stunde</i> of mid-June.....	35
4.1.1	Masterplan Migration.....	36
4.1.2	<i>Aktuelle Stunde</i> as a parliamentary control mechanism.....	36
4.1.3	Analysis of the <i>Aktuelle Stunde</i> .....	37
4.2	The European dimension: Merkel’s government statement in late June...	43
4.2.1	Government statement: setting the direction for a policy.....	44
4.2.2	Analysis of the government statement.....	44
4.3	Quarrel settled; debate continues: second reading of the appropriation bill of 2018 in early July.....	53
4.3.1	General notions on budget debates in parliament.....	54
4.3.2	Parliamentary journey of the appropriation bill in Bundestag.....	54
4.3.3	Analysis of Section 04: Federal Chancellery.....	55
5	CONCLUSION.....	62
6	SOURCES.....	67

# 1 INTRODUCTION

Germany holds a significant role and exerts a great political influence not only in Europe but also in the international system, which makes the country's policymaking an interesting object of research. Especially the recent years have seen the country play a decisive role in European level in asylum policy issues as Germany, alongside with the rest of Europe, faced an overwhelming number of refugees coming from the regions of Middle East and Northern Africa during the late summer of 2015.

The events would soon be named *inter alia*<sup>1</sup> the Refugee crisis of 2015. During these events, Germany played a pivotal role in decision-making and management of the people coming to Europe. However, German policymaking on asylum matters has historically witnessed an ever-restricting development path as the country has been keener about concentrating on labour migration and has seen refugees and asylum-seekers as a burden with little interest to their integration. Similar behaviour by Germany can also be traced on the European level as the country has been unwilling to revise the common European asylum policy guidelines. Against this backdrop, Germany's actions during the crisis might seem a bit surprising at first glance.

When this topic is examined more deeply, the multi-faceted reasons and interests of Germany taking the initiative become clearer. Germany can be considered acting from a pro-European basis to protect the European integration but the aftermath of taking such an essential role in the management of the Refugee crisis had however some deep-reaching effects on national level resulting in turbulent times in the federal politics. One of the events from those times serves also as the inspiration for this thesis as it looks into the conceptions of asylum policy from a German parliamentary perspective.

---

<sup>1</sup> Another common name for the crisis is 'European migrant crisis'. The concepts of refugee and migrant, however, differ in definition, which will be discussed later in the introductory chapter.

## 1.1 Research question

As the title of this thesis suggests, the analysis itself concentrates on the Bundestag plenary sittings during the German government crisis of 2018 also known as *Asylstreit* (asylum quarrel). This rather short-lived crisis affecting the fourth Merkel cabinet during the summer months of June and July of the year in question was an interesting political event as the federal interior minister Horst Seehofer and Federal chancellor Angela Merkel couldn't agree on certain measures in the federal asylum policy. The crisis threatened to escalate in a way, which would have brought down the newly formed Grand coalition and even threatened to rip apart the union parties to form their own parliamentary fractions. The crisis was settled in the early July as Seehofer – who had threatened to step down as interior minister because of the disagreement on policy measures – and Merkel found a compromise solution.

This event is the focus this thesis as I aim to study what kind of parliamentary conceptions regarding asylum policy can be read out from the plenary debates of Bundestag that were conducted during the government crisis of 2018. I argue that *Asylstreit* was also reflected onto the plenary debates of Bundestag and a multitude of conceptions from the members of parliamentary fractions of Bundestag regarding asylum policy can be read out from the plenary debates of this time period. The fifth chapter of this thesis looks into three plenary sittings and analyses the parliamentary rhetoric used in their debates. The results of the analysis are then summarized in the fifth chapter along with general considerations about the subject matter.

## 1.2 Theoretical and methodological orientation

The main methodological emphasis of this thesis falls into the realm of rhetorical study of parliamentary debates. The ancient art of rhetoric developed thousands of years before any parliamentary setting that is associated with democratic decision making of the modern times. Despite this, rhetoric itself has always been an important instrument used in the parliamentary setting first used in oratory and later developing to debate<sup>2</sup>. Today, few would argue against the parliament being considered as a characteristic of representative democracy and an integral part of a functioning *Rechtstaat*. For the citizens also acting as the electorate in the parliamentary democracy, these roles of the parliament are often best visible through the parliamentary plenary

---

<sup>2</sup> For a study on the historical development of parliamentary rhetoric in the British parliament of Westminster, see the book *From Oratory to Debate: Parliamentarisation of Deliberative Rhetoric in Westminster* by Kari Palonen.



sessions, where debate is conducted between government and opposition about different policy options, which mostly present themselves as motions of law.

This thesis approaches the study of rhetoric through *rhetorical criticism*. In his book *Modern Rhetorical Criticism* (1997), Roderick P. Hart introduces the qualities of a good rhetorical critic, offering different methods and techniques of analysing various rhetorical situations. Rhetoric is the art of using language to help people narrow down their choices among specifiable, if not specified, policy options. *Rhetorical criticism* is the action targeted towards identifying the complications of rhetoric and then explaining them in a comprehensive and efficient manner. (Hart 1997, 2, 23.) Narrowing the scope of rhetoric, parliamentary rhetoric can be considered as a special genre of it and parliamentary debates often offer insight to the current status and direction of polity and policy making parliament a fruitful object of study for the students of political science. Kari Palonen (2019, 9–10) defines parliamentary politics as linguistic action by means of debate and vote in which speaking for and against a motion and assessing its strengths and weaknesses is procedurally organised by the parliamentary debate itself. The dissensus expressed by the members of parliament about a given motion through the debate *pro et contra* brings about the full understanding of the motion on its both sides.

However, as this thesis looks into parliamentary conceptions concerning a certain policy field rather than the *pro et contra* debate conducted about motions, the methodological angle of entry differs more or less from what was introduced above. These theoretical aspects will be examined more closely by giving a definition for parliamentary conception through the ideas of Michael Freedon and Kari Palonen. The fact that the type of ‘ideal’ of parliamentary politics introduced above does not take place in the plenum of Bundestag will also be demonstrated by discussing the *status quo* of parliamentary representation through the ideas of Frank Ankersmit, introducing some of the central procedural aspects of Bundestag and reviewing their significance to the parliamentary rhetoric of Bundestag through Florian Meinel’s and various other scholars’ thoughts about the German federal parliamentary assembly. This overall reflection builds the theoretical framework of the thesis in the third chapter.

## 1.3 Defining the central concepts

### 1.3.1 Refugee

The definition of refugee is more complex as one would at first think and is best approached through the concept of migration. This concept can be divided on a foundational level to voluntary and forced migration. The first definition covers for example the economic migrants, who choose to migrate freely to improve their life. Refugees fall to the latter definition as they are forced to migrate for example as victims of political persecution. The categorization is however not without its problems since mixed motivations for migrating can be recognized between the two definitions.<sup>3</sup> This among other factors makes it difficult to make a clear distinction between migrants, refugees and asylum-seekers but is still deemed important by UNCHR and nation states as a way to better protect the persecuted and principle of asylum. (Schuster 2016, 297–298.)

Furthermore, the concept of refugee is defined in and they are protected by international law. Migrant on the other hand, is a person who chooses to move without the direct threat of persecution. Unlike refugees, who cannot return home safely, migrants face no such impediment for returning. No international law on immigration exists as nation states deal with migration in accordance with their national legislation. It is also important to keep in mind the differing definition between refugee and asylum-seeker: the former means a person, who has already successfully applied for asylum and the latter means a person who is still in the process of applying for asylum. Hence, all asylum seekers do not become refugees, but every refugee was initially an asylum-seeker. (UNHCR 2005; UNHCR 2016.)

Even though understanding the problematic, this thesis keeps the distinction between voluntary and forced migration as an analytical tool to help narrow down the scope of the analysis. The emphasis then falls on the forced migration represented by refugees and asylum-seekers and the asylum policy of Germany regarding the people who fulfil the definition of these concepts.

---

<sup>3</sup> For example: a voluntary migrant might want to migrate because they can't get the education they want in their home country due to their gender, sexuality or religion. On the other hand, a forced migrant also seeks to improve the quality of their life by getting an education or a profession in the country they are granted asylum in. (Schuster 2016, 297.)

### 1.3.2 Policy

In their book *Debates, Rhetoric and Political Action* (2017), Claudia Wiesner, Taru Haapala and Kari Palonen define policy as the contents or outputs of the political process. These contents and outputs are mostly interpreted through laws, regulations and measures taken by some executive. Policy can then be viewed to relate to politics as a normative and teleological dimension, since it is an acquired or intended way to conduct a project, pointing to a future action by giving direction. Policy as a programme or norms to be followed is therefore a guide to political action. Policy is dynamic in nature, since confrontations or unexpected inconsistencies can cause it to be altered or revised. A policy can also be abandoned altogether if a substantial part of the elements that constituted it in the first place are no longer held valid. (Wiesner et al. 2017, 10.)

Kari Palonen (2017, 103–105) writes that policy – along with politics, which he divides further into politicking and politicization, and polity – conceptualize the dimensions of what can be considered political. In a parliamentary setting, policy and polity refer to the relatively stable although limited situations of political action, where policy describes the coordination of issues on the parliamentary agenda and polity opens up questions of regime. In the parliamentary setting, debates regarding polity are directed towards the principles of a regime, inclusion and exclusion and the legitimacy and illegitimacy. Debates regarding policy on the other hand are centred around the theme of the items on the parliamentary agenda and refer to the directive concepts aiming towards ideal combination of one normative line and the conditions of the realization of this in any given situation. The dispute of the normative aims and realizability of these concepts drive the debate about policy as conceptual choices concern the ends, means and possibilities of a situation, in addition to assessment of the consequences that the relevant action produces.

## 1.4 Source material

The primary source material of this thesis consists of the minutes of three plenary sittings of Bundestag from the months of June and July of 2018. The sittings were the 40<sup>th</sup> plenary session from 15<sup>th</sup> of June, the 42<sup>nd</sup> plenary session from 28<sup>th</sup> of June and the 45<sup>th</sup> plenary session from 4<sup>th</sup> of July. The sittings thusly cover the span of the entire *Asylstreit* from the start to its aftermath. However, as I aim to study the German asylum policy and it would not be beneficial to concentrate on all of the items on the agenda during these sittings – or all the sittings from this time in the first place – as

topics not linked to it were also discussed during the sittings. A further narrowing of the source material needs to be made.

The items on the agendas of these sittings that I am interested in are as follows: from the 40<sup>th</sup> plenary session, I will study the additional item no. 9 of the agenda titled *“Aktuelle Stunde auf Verlangen der Fraktion der FDP: Haltung der Bundesregierung zum sogenannten Masterplan: Wie geht es weiter mit der Flüchtlings- und Integrationspolitik in Deutschland?”*. From the minutes of the 42<sup>nd</sup> plenary session, I will concentrate my attention on item no. 9 titled *“Abgabe einer Regierungserklärung durch die Bundeskanzlerin zum Europäischen Rat am 28./29. Juni 2018 in Brüssel und zum NATO-Gipfel am 11./12. Juli 2018 in Brüssel“*. The last two minutes concentrate on the passing of the appropriation bill of 2018 as I will analyse the first item’s sub items titled *“I.10 Einzelplan 04 Bundeskanzlerin und Bundeskanzleramt“* from the 45<sup>th</sup> plenary session. I have chosen to narrow down my analysis on these particular items, since they best exemplify the debate conducted about the asylum policy of Germany in the timeframe of the thesis.

## 2 REVIEWING THE HISTORICAL DEVELOPMENTS AND CONTEMPORARY CHALLENGES OF GERMAN ASYLUM POLICY

### 2.1 A brief history of the German asylum policy

In the chapters that follow, I will briefly discuss some of the main historical developments in the asylum policy of Germany to further elaborate the federal level evolution of this policy field. Germany's role in the EU level asylum policymaking will also be discussed. The review will be limited to the policy development of reunified Germany starting from the early 1990's as this is the most relevant time period in regard to the thesis.

#### 2.1.1 Reunified Germany and the *Asylkompromiss* of 1993

The start of the last decade of the 20<sup>th</sup> century stood witness to some major shocks in the international political system: The fall of Soviet Union in 1990 and the decay of the communist bloc also meant, that East-Germany ceased to exist and the border between the BRD and GDR was opened in late 1989. This event for its part triggered the German reunification process (*deutsche Wiedervereinigung*) resulting to the East-German parliament, *Volkskammer*, to agree on 23<sup>rd</sup> of August in 1990 about the annexing of GDR to BRD, forming the unified German Federal Republic on 3<sup>rd</sup> of October 1990.<sup>4</sup>

---

<sup>4</sup> <https://www.bpb.de/politik/hintergrund-aktuell/69018/volkskammer-stimmt-fuer-beitritt-20-08-2010>

The newly-formed nation's asylum policy faced challenges in the years after the reunification as refugee migration towards Germany continued its growth and the applications for asylum rose to their highest level with over one million applications made between the years of 1991-93. The high numbers during these years were the result of the Balkan wars and meant, that Germany became the country with the most asylum applications, in both absolute and relative terms, in the European Union. A coalition between the Christian democrats (CDU/CSU)<sup>5</sup> and the Free democrats (FDP) aimed to find ways of reducing the asylum-seekers arriving in Germany. As recurring attacks from the extreme-right on reception centres and migrants' homes in the country transformed the issue into a major electoral concern and led the Union to take a more restrictive stance towards asylum. (Craze 2016, 349; Tekin 2016, 348-349; Zaun & Ripoll 2021, 164-165.)

The foundation of the right to asylum in Germany is anchored in the country's basic law (*Grundgesetz*) as article 16a of the basic law states that persons persecuted on political grounds enjoy the right to asylum, *Politisch Verfolgte genießen Asylrecht*<sup>6</sup>. This article – proclaimed without qualification in 1949 in German Federal Republic – can be seen as a kind of an offer for a historical corrective to the abuses of the national socialists. As such it stood as one of the world's most generous asylum laws for four decades, even though the reality was much more different. Similar notion about historical corrective is also made by Leonard Schuette as he states that the basic law can be regarded as the foundational concept of post-national socialist Germany and is therefore closely tied to the collective memory of this era. (Mushaben 2017, 517; Schuette 2018, 281.)

The so-called Asylum compromise (*Asylkompromiss*) of 1993<sup>7</sup> made an amendment to the article 16a of the basic law, adding a powerful limitation for the right of asylum in Germany. The amendment was accompanied by the passing of two laws, which further limited the rights of asylum-seekers: the Act for Asylum (*Asylverfahrensgesetz*), which contained a complex set of policies governing the asylum procedure and residency rights and the 1993 Welfare Act on Asylum (*Asylbewerberleistungsgesetz*), which established a new welfare system for people in the asylum system. The amendment and the two laws of 1993 decreased the number of asylum-seekers and silenced much of the public debate about immigration in Germany, but they were criticized by refugee right activists. (Craze 2016, 352, 354-355; see also Kivistö 2013)

---

<sup>5</sup> An interesting notion to make is that Angela Merkel and Horst Seehofer, the key politicians during *Asylstreit*, were already participating in the federal level politics during this time in Kohl's fourth cabinet: Merkel as the minister for women and adolescents and Seehofer as the minister for health.

<sup>6</sup> [https://www.gesetze-im-internet.de/gg/art\\_16a.html](https://www.gesetze-im-internet.de/gg/art_16a.html)

The amendment made to article 16a has some major implications not only to German asylum policy but to the European asylum policy as well. A foundational and important change to article 16 of the basic law was the fixation of the 'principle regarding the safe third states' (*Prinzip der sicheren Drittstaaten*), which meant that persecuted persons travelling to or through a member state of the European community or other countries<sup>8</sup>, which have adopted the agreement on the legal status of refugees and obey the convention for the protection of human rights and fundamental freedoms, do not enjoy the right to asylum in Germany. A noteworthy remark is that Germany is surrounded by these kinds of 'safe third states' (Tekin 2016, 349–350.)

### 2.1.2 The first decennary of the Merkel era

The policy field of migration, on the other hand, took a more tolerant turn in Germany with the election of Gerhard Schröder as the federal chancellor and the forming of a coalition between Social Democratic Party (SPD) and the Greens (*die Grünen*) in 1998 as Germany once more recognised the need for labour migration. However, public dissatisfaction towards the red-green coalition grew substantially during Schröder's second term. After his social democratic party lost the 2005 state election in North Rhein-Westphalia to CDU/CSU – significant event in two ways as the state is the most populous of Germany and had been a traditional stronghold of SPD – Schröder put forward a motion of no confidence to the parliament. The motion passed and new federal elections were held one year earlier as intended. The 2005 federal election results and coalition negotiations that followed meant that a Grand coalition (*Große Koalition*) consisting of CDU/CSU and SPD would be formed and Angela Merkel, as the leader of the biggest parliamentary group would assume chancellorship, thus becoming the eighth federal chancellor of Germany. (Hough 2006, 73–74, 81; Laubenthal 2019, 415.)

During the same year Merkel began her first term as chancellor, the German legislation regarding the right to asylum was somewhat liberalised with the Immigration Act of 2005, which made non-state and gender-based persecution as valid reasons for asylum in Germany. However, the political consensus on the restrictive stance on asylum persisted and the German asylum regime combined many measures, which were aimed towards making permanence in the country unattractive and refugee integration preventive. German labour migration policies, on the other hand, continued to be liberated, powered on the other side by the strong integration

---

<sup>8</sup> For a current list of countries redeemed as safe countries of origin by Germany, see: <https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/Sonderverfahren/SichereHerkunftstaaten/sichereherkunftsstaaten-node.html>

policies first initiated by Schröder and on the other by the public discourse about the aging German society and the looming shortage of labour force (*Fachkräftemangel*). The first half of 2010's also saw the birth of another important concept regarding the federal migration policy. The welcoming culture (*Willkommenskultur*) was first used around the year 2010 and originated from the debate about labour shortages. The idea behind the concept was the establishment of a culture of openness to make Germany more attractive to highly skilled labour immigrants. (Laubenthal 2019, 414–418.)

The next major legislative act in the field of German asylum policy came in September of 2014 in the form of the next asylum compromise. During the two years leading to the new compromise, the number of asylum applications had grown drastically, and this amounted to political pressure. As a result, two new laws were passed as the German government loosened the restrictions regarding asylum but at the same time it was able to limit the right to asylum. The new asylum compromise repealed three major restrictions that had been in force since the first compromise 1993: the first one was the repealing of the refugee freedom of movement. Now, asylum-seekers and refugees were allowed to travel at will after four months of staying in Germany, unless they were receiving welfare from the government. The second one was the repealing of asylum seekers' and refugees' one- and four-year bans on employment. The third change was the German government's decision to prefer cash aid to in-kind aid. (Crage 2016, 355–356.)

In November of 2014, Macedonia, Serbia, and Bosnia-Herzegovina were declared as safe countries of origin by the German government, effectively ending the possibility of the citizens of these countries to obtain asylum status in Germany. Albania, Kosovo, and Montenegro were added to the list the following year. (Laubenthal 2019, 420.) Almost the entire Balkan region, where most of the refugee migration to Germany had originated from during the early 1990's was now declared 'safe' by Germany and the right to asylum further restricted during the first ten years of Merkel's chancellorship. As will become evident in the next chapter Germany has not manoeuvred in this kind of restrictive fashion only on national level.

### **2.1.3 The supranational level: Germany in the European Union**

Already in 1985 – some five years before German reunification and eight years before the signing of the treaty of Maastricht – France and West-Germany along with the Benelux countries agreed to eliminate controls along their internal Community borders. This was the first Schengen agreement, which allowed an unparalleled freedom of movement among signatory states and a single external border based on common rules and procedures. (Mushaben 2017, 524.) In the early 1990's the need for increased member state cooperation regarding the Schengen area was recognized as rising number of asylum-seekers heading towards Europe gave fears of them abusing



the principle of free movement. Some member states felt that asylum policies should be coordinated at the EU level, the demand for integration coming mostly from member states located in the middle and north. These included countries included also Germany as the country was a strong supporter of asylum harmonisation to address secondary movements but did not have a wider vision about shaping and designing a truly European asylum system. The need to avoid these secondary movements led to the establishing of common standards regarding it across the Schengen area, which triggered the emergence of the Common European Asylum System (CEAS). (Zaun & Ripoll Servant 2021, 158-159, 167.)

The Common European Asylum System (CEAS) was introduced in 1999 to streamline the existing asylum policies across the member states of the EU. This system consists of five legislative acts, which aim to make sure that asylum-seekers are welcomed in every member state in a dignified manner and the outcome will be comparable across the member states. The system is however not without its flaws. Even though the asylum policies of EU have formally been fully supranationalized, CEAS has been problematic as it did not emerge in an empty policy space and the differing readiness of member states to adopt common policy measures in this field led to large gaps in the implementation of CEAS across EU. Another reason for its poor implementation is that member states – like Germany before the summer of 2015 – that benefit from the situation of facing less asylum-seekers can act as veto players preventing any changes to the current system. (Schmälder 2018, 1334; Zaun & Ripoll Servant 2021, 159-160.)

The Schengen area on the other hand makes it both impossible and insensible to regulate migration and asylum policies nationally, since border control between nation states belonging to the area has ceased. Schengen requires a joint effort by the member states to secure the external borders of the area and should be combined with common EU-wide regulation in migration and asylum policies. This is in any case problematic as European nation states do admit the need for joint policymaking but are at the same time very reluctant to transfer the sovereignty in these policy fields to a supranational level. This has led to a situation, where a common European solution is avidly discussed but at the same time new national measures are taken. (Tekin 2016, 342.)

The problematic relation between national and EU asylum policy in regard to the Schengen area and the issues regarding the Common European Asylum System have been and most probably will continue to be a challenge for the European Union. A reform of the system has been proposed in 2016 and since then, ten council presidencies have tried to reach an agreement without succeeding. These include Germany between July and December of 2020 (Zaun & Ripoll Servant 2021, 170). It will be interesting to see, if the newly-established European Union Agency for Asylum

(EUAA) will be able to reform the CEAS in a satisfactory manner.<sup>9</sup> One of the acts of the problematic CEAS, however, serves a special interest to my thesis' subject: the Dublin regulation. EUR-Lex defines the Dublin regulation as

“a regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.” (Regulation (EU) No 604/2013.)

The regulation ensures that only one member state is responsible for processing an application of an asylum-seeker and hinders 'asylum shopping', a situation where an asylum-seeker submits applications in multiple countries and thus moves around Europe, without any one country taking the responsibility for this asylum-seeker. First introduced in 1997 and reformed for the first time in 2003 and for the second time in 2013, the Dublin regulation has been plagued by two main problems during its existence. The first problem has to do with burden-sharing: the regulations' country-of-arrival rule results in disproportional burden on the member states located on the external border of the EU. The second problem has to do with the different societal structure of the member states, which prompts regime competition. (Brekke & Brochmann 2014, 147-148.)

Germany can also be observed taking preventive action in the reform attempts of the Dublin regulation. For example, when the southern member states of the EU started receiving more asylum applications due to the unrest in the wake of the Arab spring in 2011 and suggested the suspension of transfers in situations of high influx, Germany was very reluctant to give up on the *status quo* and blocked a solidarity system developed for Dublin III (Zaun & Ripoll Servant 2021, 168-169). These efforts underline the country's restrictive stance on asylum policy also on the European level.<sup>10</sup> The one major flaw of the Dublin regulation is of course that puts the pressure on the outer borders of the EU whereas member states like Germany - located comfortably well inside the borders - are in a more privileged position when it comes to receiving asylum-seekers. Germany was however quick to give up this position in the late summer of 2015 and the reasons for and effects of this action are the main point of focus of the next chapter.

---

<sup>9</sup> <https://euaa.europa.eu/news-events/new-eu-agency-asylum-starts-work-reinforced-mandate>

<sup>10</sup> The actions of Germany, along with the other member states wanting to preserve the Common European Asylum System in a state that benefits them brings to my mind a song from an Austrian pop band EAV as they sing quite aptly: „Winkt dir ein Vorteil, dann greif zu“, // denkt sich so manches Mitglied der EU // Doch wenn es ums Asylrecht geht // ist's vorbei mit der Solidarität.“

## 2.2 “Wir schaffen das!”: Refugee crisis of 2015 and its aftermath from the German perspective

Angela Merkel is often cited as *Krisenkanzlerin*, which translates to ‘crisis chancellor’. The nickname is indeed fitting as Merkel’s time in office arguably stood witness to the most profound crises ever faced by Germany as well as the European Union. If the first crisis was economic in nature, the second could best be described as humanitarian.

### 2.2.1 Germany’s actions during the height of the crisis

Europe faced an enormous pressure of refugee flows in 2015 with Eurostat reporting over 1.2 million registered first time asylum-seekers in EU member states, a figure over twice as big when compared to the previous year. Over one third (35%, 441 800) of the applications for asylum were made in Germany. Almost one third (29%, 158 700) of the applicants were Syrians and nearly a half of them were registered in Germany. (Eurostat, 2016) The figures alone speak about the immense pressure that faced the European union and its member states at the time. In the light of them, Germany can be observed taking a big national share of the people arriving to Europe. This seems rather odd in the light of what was discussed earlier about the history of Germany’s ever-restricting national asylum policy, reluctance to reform common European asylum policies and the country’s comfortable position well inside the borders of the EU. The reasons for and the effects of this call for a closer examination.

As the Refugee crisis grew worse in late summer of 2015, Merkel’s government made a drastic decision: on 25<sup>th</sup> of August, Merkel suspended the Dublin regulation, which meant that those asylum-seekers who had not filed their applications in the first EU member state could do so in Germany. About a week later, the famous citation about managing the situation was uttered by Merkel as she called for the economic strength, developed civil society, demographic needs, and constitutional imperatives of Germany. (Mushaben 2017, 527.) This decision made by the third Merkel cabinet largely explains why Germany was responsible for such a big share of the first-time asylum applications between the EU member states.

The cabinet of Merkel, along with the local state governments acted during the times of the Refugee crisis following the maxim “*those who need and are seeking protection, shall receive it in Germany*”. This maxim was widely backed too as very few voices along the entire political spectrum openly criticized Germany’s actions during the crisis. The tone of the German media was also immensely positive toward the welcoming of the refugees and an enormous mobilisation took hold of the country as thousands of volunteers offered their help to the arriving refugee masses. (Perron 2020,

3.) The concept of welcoming culture also took on a yet another meaning during the 2015 Refugee crisis as German media started to associate the concept with the asylum policies of Merkel's third government. There was however some schism coming from inside the Christian democratic Union as the Bavarian sister party CSU was demanding a strict yearly limit on migration. (Laubenthal 2017, 418; Faas & Klingelhöfer 2019, 2.)

Germany also quickly took a leading role in trying to alleviate the pressure faced by the country and the EU. Between September of 2015 and March of 2016, Merkel, along with other European head of states and EU government, met various times with their Turkish colleagues to discuss the possibility of finding a solution to the Refugee crisis together with Turkey by restricting the flow of refugees towards Europe through this country. As a result of these negotiations, an action plan with Turkish authorities was developed and adopted in late 2015, followed by the 'EU-Turkey statement on migration in March of 2016, which presented a further set of comprehensive measures<sup>11</sup> to gain a better control of the refugee situation. This can be seen as illustrating Germany's strong engagement in reaching a European settlement in the Refugee crisis. Merkel also declared the crisis as a "*Chefsache*" meaning that its management would become the primary importance for her political agenda. (Reiners & Tekin 2019, 4-5, 9.)

The decision of the Merkel cabinet to open the borders for asylum-seekers and trying to manage the Refugee crisis with a strong initiative were also quickly reflected to German asylum legislation. In November of 2015, German parliament approved the Asylum package I (*Asylpaket I*), which contained new laws regarding the procedures of asylum: the policy budget was raised noticeably as the states received a 2.85 billion euro advance to cover for the costs of an estimated 800 000 arrivals facing five months of processing in the asylum system. Government funds were also allocated for new social housing and reception places. The distribution of refugees across the states became the duty of federal authorities and in-kind aid was once again replaced by cash aid. In January 2016 Asylum package II (*Asylpaket II*) was agreed after three months of coalition-internal wrangling. This package cancelled even more welcoming measures, tightening the residency and freedom of movement rules of asylum-seekers. (Mushaben 2017, 527-528.) It is evident that the national actions of Germany were in a key role in alleviating the pressure facing Europe caused by the Refugee crisis. They were not entirely national in principle, however, but serving also a wider European purpose for Germany.

---

<sup>11</sup> For a more comprehensive look into the action plan, see: <https://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-eu-turkey-statement-action-plan>

## 2.2.2 The European dimension of Germany's actions

Germany's decision to suspend the Dublin regulation and let asylum-seekers to submit their application in the country becomes clearer when it is examined in the European context. Germany's foreign policy had usually been based on multilateralism and as such trying to find common, rule-based solutions for global problems, which makes Merkel's unilateral decision regarding the Dublin regulation seem quite strange at first. But the urgency of the situation called for a quick national response since it is unlikely that any supranational resolution could have been made in time as the EU's legislative processes are rather rigid. It can be argued that Germany, with its national decision, tried to buy time for a European solution and by doing so also tried to protect European integration. Important and foundational forms of European cooperation as the Schengen area or the Dublin regulation – which were discussed earlier in this chapter – can be traced back to German initiatives and as such serve German interests. The pro-European perspective of German asylum policy has allowed the country to successfully preserve its nation state level decision-making leeway in this policy field before the Refugee crisis. (Tekin 2016, 350–351; Schuette 2018, 279–280.)

It can also be considered that Germany was in fact the best fitted member state of the EU to assume the central role in managing the Refugee crisis, since the country's structural power resources are practically unmatched by any other member state. This potential was also acknowledged by German government when it decided to suspend the Dublin regulation. This brings about the fact that Germany actually shaped the internal response of the EU to the Refugee crisis as a whole. (Reiners & Tekin 2019, 7.) It can then be argued that Germany, in its unilateral effort, recognized that it was the country in Europe and the member state in the European Union, which had to act if the European integration but also Germany's position in the Union was to be protected.

## 2.2.3 Polarizing opinions manifest: The federal election of 2017

Even though the reaction of the German society was on the large part positive towards the arriving refugees and the country had the capacity to answer to the challenge posed by the crisis, Germany's actions still had a polarizing effect inside the country. One of the more visible manifestations of this is without doubt the electoral success of Alternative for Germany (*Alternative für Deutschland*, AfD) in the 2017 federal election, which greatly re-shaped the political landscape of Germany. The fact that before AfD there had not been any major radical-right parties in the German post-war federal politics can at least to some extent be traced back to German collective memory, which is characterized by a kind of struggle to overcome the past

(*Vergangenheitsbewältigung*). This combined with the strict denazification procedures in post-war Germany are the main reasons why German populist radical right-wing parties have not found success in post-war federal politics. (Rossell Hayes & Dudek 2020, 134–135, 141.) In this sense, AfD holds a unique position in German political history.

The party had been founded just two years prior to the Refugee crisis and its initial agenda was based mostly on EU and more specifically on Euroscepticism. The party just missed the electoral threshold<sup>12</sup> in the federal election of 2013. The same election had been a huge success to the Christian democrats who almost garnered an absolute majority of seats in Bundestag. Coalition negotiations led to the forming of a Grand Coalition and Merkel was chosen to her third term as chancellor in late 2013. AfD would change its agenda to anti-immigration in the summer of 2015 as the nationalistic wing of the party had taken over the Eurosceptic economic wing just before the height of the Refugee crisis. The party started to find success in the East-German state elections in 2016. In the federal election of 2017 AfD received 12,6% of the votes and became the third strongest party in Bundestag, whereas the traditional people's parties (*Volksparteien*) CDU/CSU and SPD received the second worst and worst election results respectively in post-war federal elections and even barely received a majority of the votes when put together. (Faas & Klingelhöfer 2019, 1–2, 6.)

## **2.3 Government crisis of 2018: quarrelling about asylum policy inside the grand coalition**

The federal election of 2017 was a shock for the Christian and Social democrats but the turbulent times were not getting any easier for the people's parties after the election either. This brings us to the temporal crux of the thesis in the form of the German government crisis of 2018.

### **2.3.1 The difficult post-election coalition negotiations**

After the German federal elections of 2017, Angela Merkel found it difficult to form a workable majority to form a new governing coalition. Prolonged negotiations caused FDP to abandon plans of forming a so-called Jamaica coalition<sup>13</sup>

---

<sup>12</sup> The 5% threshold (*Fünf-Prozent-Hürde*) means the percentual number a party has to gather from the total secondary votes to get seats in the parliament. This threshold is defined in article 6 of the federal election law: [https://www.gesetze-im-internet.de/bwahlg/\\_6.html](https://www.gesetze-im-internet.de/bwahlg/_6.html)

<sup>13</sup> The name of this coalition option comes from the traditional colours associated with the parties, which also happen to be the colours of the Jamaican flag.

(*Jamaikakoalition*) with negotiation partners CDU/CSU and the Greens. This almost led to new elections or a minority government formed by CDU/CSU, situations that would both have been unprecedented in post-war German history. Only after the federal president Frank-Walter Steinmeier took an unusually substantive role in the negotiations and convinced SPD to form a new Grand coalition with the Union parties and Angela Merkel was elected to her fourth term on 14 of March of 2018. (Faas & Klingelhöfer 2019, 10–11.) However, the dissensus on asylum policy guidelines soon started to plague also the newly formed Grand coalition and the next crisis was already on the doorstep in the form of *Asylstreit*. As research literature concentrating on this crisis is scarce and it is mostly just referenced briefly, I will map its course by using news articles mostly from the German media.

### 2.3.2 The course of the quarrel

The differing positions of the Union sister parties on refugee policy had been an issue already during the previous legislative period but really became visible in the summer of 2018. On 11<sup>th</sup> of June, federal interior minister Horst Seehofer announced that he would need more time to work on his ministry's Masterplan Migration as some of the measures for national asylum policy guidelines presented in it did not sit well with chancellor Merkel. Especially the return of refugees from the German border caused friction between Merkel and Seehofer as the former wanted to solve the issue on the European level and the latter called for national measures. A few days later Seehofer threatened Merkel with taking national actions in the issue and Merkel responded by threatening to use her guideline competence (*Richtlinienkompetenz*) to solve the dispute.<sup>14</sup>

As the *Asylstreit* between the union parties escalated, Merkel received an ultimatum from the CSU sister party: if Merkel would not be able to come up with a satisfactory European solution to the issues regarding the asylum policy before the first of July, Seehofer would take national measures and close the German borders from all those refugees already registered in another EU member state. On 24<sup>th</sup> of June, Merkel travelled to Brussels to attend an EU summit on migration, where the European measures in asylum policy would be negotiated.<sup>15</sup> The participating EU member states agreed upon a tougher stance in the common European asylum policy. The most important points being the establishment of control centres in volunteering

---

<sup>14</sup> <https://www.handelsblatt.com/politik/deutschland/chronologie-merkel-seehofer-und-die-fluechtlingspolitik-so-eskalierte-der-asylstreit/22756616.html?ticket=ST-1297780-ePQLQoKffwQvf2gUoQaM-ap4>

<sup>15</sup> <https://www.tagesspiegel.de/politik/fluechtlingspolitik-merkel-reist-sonntag-zu-eu-asyl-gipfel-nach-bruessel/22711944.html>

EU member states and the permission of the member states to “take all necessary internal legislative and administrative measures” to stop migrants and refugees from crossing the internal borders of the EU.<sup>16</sup>

*Asylstreit* reached its highpoint on the last weekend of June as Horst Seehofer, after a meeting with other CSU party leaders, announced his resignation as the federal interior minister. However, he quickly withdrew this announcement. After long negotiations between the union parties, a compromise was reached on 2<sup>nd</sup> of July. The compromise itself consisted of three main points: the union parties agreed upon wanting to prevent such asylum-seekers, who have begun their process in another EU member state entering Germany, establishing transit centres on German borders from which the asylum-seekers can be returned and – if an agreement concerning the return cannot be reached with a certain country – the return is done at the German-Austrian border on the basis of an agreement with Austria.<sup>17</sup> Despite the compromise, the government crisis had taken its toll on the newly-formed Grand coalition making it even more unpopular among the German electorate.<sup>18</sup>

## 2.4 Summary

This literary review above offered some insight to the historical developments of asylum policy in the reunified Germany and discussed some of the contemporary political challenges faced by the country in this policy field both nationally and supranationally. The right to asylum in Germany is anchored to the 16<sup>th</sup> article of the country’s basic law. It can be viewed that West-Germany, wanting to escape its recent past plagued by political oppression and atrocities committed by the national socialist regime, sought to come to terms with the rest of the world – and maybe even more so with itself – by implementing this constitutional principle, which offers a safe haven for everyone who is a victim of political – but only political – persecution. The article has since been amended multiple times mostly to make restrictions and limitations to the right of asylum in Germany, the most well-known of these being the 1993 asylum compromise, which transformed the right to asylum from a constitutional to a legal principle.

---

<sup>16</sup> <https://www.theguardian.com/world/2018/jun/29/eu-summit-migration-deal-key-points>

<sup>17</sup> <https://www.dw.com/de/merkel-und-seehofer-finden-asylkompromiss/a-44497493>

<sup>18</sup> <https://www.zeit.de/gesellschaft/zeitgeschehen/2018-07/ard-deutschlandtrend-asylstreit-union-horst-seehofer>



The chancellorship of Gerhard Schröder initiated the liberalization of migration policy in Germany as emphasis was based on migrant integration. This trend continued from 2005 onwards as the first ten years of Angela Merkel's chancellorship saw the continuation of unrestrictive and ever more tolerant labour migration and integration policies initiated by the coalitions led by Schröder. This mind-set of the early Merkel era culminated to the welcoming culture, which tried to answer to the looming labour shortage in the German society. The asylum policies of Germany experienced some liberation – for example regarding the right to work – but remained rather restrictive in nature as the asylum compromise of 2014 meant that Germany was able to limit the right to asylum. Interesting to note is, that almost the entire Balkan region, which was the main region of origin for most refugees coming to Germany during 1990's, was now considered as 'safe' according to German authorities. A certain circle starting from the 1990's was also closed in this regard.

Germany's role in the European Union regarding its asylum policy guidelines was also discussed. It was concluded that the asylum policy guidelines of the European Union are heavily based on the preferences of Germany and the influence of the country in European level policymaking also in this field has been profound. This became evident when examining the Common European Asylum System but also its problems regarding the system's equal implementation across the member states. As the flawed CEAS was not prepared to face the pressure caused by the refugee flows to Europe, it is not surprising that it was Germany who took the initiative in managing the Refugee crisis of 2015 by suspending the Dublin regulation. This can partly be tracked to Merkel's willingness to protect the survival of the Schengen area and in a larger scope the European integration. On the other hand, Germany – from all the member states of the EU – simply had the best capacity to take the leading role in managing the crisis. One could describe the role and actions of Germany during the height of the Refugee crisis with the rather clichéd phrase “with great power comes great responsibility” or better yet in the case of Germany “*with great supranational power comes great national responsibility.*”

Even though the decisions made and actions taken by Germany during the crisis were nationally met with mostly positive voices, the events had a polarizing effect on the country's society. This is in my opinion best exemplified by the electoral success garnered by the anti-immigration party Alternative for Germany in the federal election of 2017, which in a way flipped the situation on the political field on its head when compared to the earlier elections of 2013. The Christian and social democrats – considered as the traditional and strongest forces in German federal politics – were now weakening. The federal election of 2017 offered only a pyrrhic victory to these parties. The electoral success enjoyed by AfD, on the other hand, can be attributed to

the manifestation of the dissatisfaction of German electorate towards the actions taken by the third Merkel cabinet during the height of the Refugee crisis.

As for the weakened people's parties, the times were not getting any easier in the coming months following the elections. After the difficult coalition negotiations, which resulted in the forming of a new Grand coalition the differing policy preferences in the field of federal asylum policy caused the sister parties of CDU and CSU to clash in the summer of 2018 causing a government crisis also known as *Asylstreit*. In retrospect, *Asylstreit* can be considered a brief but deep-reaching government crisis with many different implications. The differing policy preferences in the field of asylum policy between the sister parties CDU and CSU weren't anything new to begin with but *Asylstreit* was the explicit end result of long-time disputes inside the Union. Had the compromise not been reached, it would have most probably led to the break-up of the Union parties and to the fall of the Grand coalition, which would have meant new elections. As a government crisis where national and supranational policy preferences regarding the handling asylum-seekers clashed, it can be stated that *Asylstreit* still echoed the events of the Refugee crisis of 2015 and the actions taken by Germany during it.

## **3 STUDYING THE PARLIAMENTARY RHETORIC OF BUNDESTAG**

### **3.1 Approaching the study of rhetoric through rhetorical criticism**

In this chapter, I will discuss the theory and methodology for studying the parliamentary rhetoric of Bundestag. The chapter will move from some of the more general notions about rhetoric towards the specific genre of parliamentary rhetoric by discussing conceptions in parliamentary debates. After this, some considerations on modern political representation and the parliamentary procedure of Bundestag will be made and their implications to the parliamentary rhetoric of this assembly are discussed to form a theoretical framework for the thesis.

#### **3.1.1 The characteristics of rhetoric and the functions of rhetorical criticism**

The art of rhetoric can be viewed as having six distinct characteristics as it is cooperative, ordinary, temporary, limited, uncertain<sup>19</sup> and generative. Rhetoric is cooperative in the sense that it brings people together by creating the speaker-listener (or audience) relation creating the possibility for mutual influence and change. Ordinary in the sense that rhetoric is bound by everyday logic making it a “people’s art”. Temporary and limited in the sense that rhetoric stems from the moment of its creation and is used only when it can make a difference. The uncertainty of rhetoric lies in the fact that there are no general laws for it, which leaves it to the user of rhetoric

---

<sup>19</sup> Hart himself uses the term “frustrating” as he speaks about the fact that no laws tie rhetoric and it is thus up to the speaker to choose the right words and arguments as he, like Hart writes, swims in the sea of uncertainty. I feel this term better mirrors Hart’s basic idea.

(i.e., the speaker) to choose the best probable and limited enough words and arguments that he believes will have the most impact. Lastly, rhetoric has a huge generative character as it produces alterable social knowledge, which is then used in human interaction. (Hart 1997, 7–9.) Rhetoric would however perhaps have an overwhelming influence on people without the possibility or – more importantly – ability for another action: conducting rhetorical criticism on rhetoric itself. In other words, rhetorical criticism is in itself an instrument for deciphering and dissecting the various and multi-faceted but already narrowed-down meanings and aims produced by rhetoric. It is possible to venture more deeply into the usefulness of rhetorical criticism by examining its functions.

First of all, rhetorical criticism documents social trends. These trends are the recurrent<sup>20</sup> rhetorical characteristics of any rhetorical situation. It is the critic's mission to discover these trends and bring them to focus without distorting the overall message. Secondly, rhetorical criticism provides general understandings via the case-study method as individual and specific objects of rhetoric usually provide insight of a larger phenomenon of study. Rhetorical criticism also produces meta-knowledge meaning that implicit realizations are being made explicitly understood and invites a radical confrontation with otherness in the sense that rhetorical criticism always forces the critic outside oneself, examining messages meant for other people of other times. (Hart 1997, 24–29.) Not only then is the noticing of certain patterns or trends, which would go unnoticed to a non-critic, or a person simply acting as the receiver of the message, important for a critic. They must also be able to understand that these trends are always used in vaster frameworks to which the studied objects merely provide a glimpse to. A way to concretise this is to think of this thesis: it concentrates on a short period of time in German federal politics but also handles much larger theme of forced migration from the viewpoint of asylum policy on the federal and EU levels.

The final function of rhetorical criticism for Hart goes along the lines of *Verfremdungseffekt*, a concept sketched by the 20<sup>th</sup> century German poet and playwright Bertolt Brecht and used also by the German historian Reinhart Koselleck. The concept, when used in a political science setting, describes a certain kind of separation that a subject must take from the object they study. As Wiesner et al. write, the need for *Verfremdungseffekt* is very apparent in political science as it is very challenging to study the politics of one's own time<sup>21</sup>. Therefore, a certain conscious distancing from the object of study is needed to make it fit for unbiased analysis. (Wiesner et al. 2017, 61–62.) In the same excerpt Wiesner et al. also list one's own country and language as possible factors, which can prove a challenge and thus

---

<sup>20</sup> It is worthy to note that nonrecurrent rhetorical characteristics can also be a trend.

require this form of distancing. These factors don't really come into play here since neither the country nor the language of the object of my study are that of my own. However, this might only be advantageous for creating the *Verfremdungseffekt* as Wiesner et al. also mention. All in all, a rhetorical critic, being enveloped by his object of study, must not become consumed by it. This is best done by keeping conscious distance, which offers the chance to see the object in a wider framework.

### 3.1.2 Dissecting a rhetorical message with rhetorical criticism

As Hart writes, rhetoric is a situated art, where text and context need to be considered simultaneously. For analysing the situational, contextual and temporal aspect at the same time, three different speaker relations need to be considered: the speaker-topic, speaker-setting and speaker-audience relation. (Hart 1997, 40, 42–43.) Together, these three relations help to answer what is said<sup>22</sup>, where and when it is said and to whom it is said, building the temporality of the speech act. In the study of rhetoric, the situational analysis must be the first procedure if any critical operation is to be conducted. The rhetoric analysed will otherwise be distorted as it is torn off of its context. (Ibid., 57.)

But to examine rhetorical messages critically requires also examining the deeper underlying structures they stem from. Rhetorical messages tend to powerfully divide the audiences to root for or detest the subject matter. To break down the complex rhetorical patterns that lead to this division, it is useful to isolate and list the messages main ideas as this makes it possible to see what is present in the message and what is not. The isolating and listing of the ideas also alert the critic to rhetorical patterns that may occur in the messages analysed and helps to explain the rhetorical tone<sup>23</sup> of the message. (Hart 1997, 61–63.) Individual words or the succession they are presented in might – and usually do – have an effect on the reception of the rhetorical message but it is the underlying idea, which sets the boundaries for the rhetoric that expresses it.

Ideas in a sense serve as the basic material from which the arguments for a rhetorical message derive. But as ideas are being condensed into and expressed through arguments, they are used by the speaker to serve their purposes in the form of persuasion. This poses an important aspect of consideration for the rhetorical critic. As Hart writes, the logic of persuasion is neither tidy or pretty as it is based on human behaviour and informal logic. He presents the logic of persuasion being rational to the

---

<sup>22</sup> And what is not said.

<sup>23</sup> Hart himself addresses the vagueness of this term. He defines rhetorical tone as a sort of emotional residue, which is felt but hard to critically specify. The rhetorical tone can then be understood as the emotional charge that gives the message a special rhetorical form of delivery, which is difficult to approach theoretically without distorting the speech act itself.

rhetorical actors during the act itself, driven by credibility and saliency, all the while being audience-dependent, associative and based on emotion. (Hart 1997, 82-85.) Within these frames, the logic of persuasion could never be objectively formal as one can never close off the human element in play. Hart puts this well as he writes that persuasive arguments often base themselves on sufficiency rather than formal validity. (Ibid., 86.) The speaker only needs to make sure his arguments are sufficient to spark the desired outcome, formal logic is in this process only ancillary.

Arguments would however be without the desired effect of persuasion without structure and form. Structure is about the apportionment and sequencing of the elements of a message during which the speaker decides which ideas to bring forth and how they should be arranged for maximum impact. Form on the other hand refers to the patterns of meaning that the listener generates as they take in the message. The rhetorical critic goes through this structure-form pairing to find the rhetorical effect of any given message by examining the design, emphasis, density and pacing of them. (Hart, 107-108, 111.) Closely related to this is also the syntax: the way the words are arranged in the rhetorical message. Hart writes that it is the syntax where stylistic excellence of any given message lies. Stylistic analysis is however time consuming and requires patience as the rhetorical critic deals with the most basic element of spoken or written rhetoric. (Ibid., 134, 154.)

### **3.2 Studying the conceptions of parliamentary debates**

As this thesis places its main theoretical emphasis on studying parliamentary conceptions, a definition for them is required. The definition of conception is best approached by looking at the definition of concepts, which can be understood as:

“The focal point of interpretation and understanding as identifying regularities and differences in human discourse; as windows through which we can appreciate how comprehensions of the world are organized and brought to bear on action; as milestones in the changing course of the evolution of knowledge; as constraints on the messiness of human thought and enablers of its transformation; and as rational and emotional containers of social logic and imagination.” (Freeden & Steinmetz 2017, 1-2.)

Concepts can thus be considered as elements building and modifying the human thought, organizing and transforming the worldviews of individuals and constructing the social reality. According to Michael Freeden (2017, 119-121, 127) the

politics of language – comprised of a well-known range of concepts loosely bound together in semantic packages of ideologies – tend to resist conceptual changes and are directed towards the restriction of meanings that concepts hold. Concepts themselves are interrelated, dynamic and extra-historical, which results in the impossibility of ever fully controlling them in the human reality. These attempts fall before the controversiality and contestability of concepts, which makes it impossible to speak out their entire meanings, leading to the situation, where multiple valid and legitimate meanings given to them can be uttered.

The multiple meanings that can be given to any single concept in speech acts also bring about the fundamental link of concepts to rhetoric as the study of rhetoric enables us to appreciate the different aesthetic and persuasive devices harnessed to decorate the messages transmitted by concepts. Rhetoric is not an optional by-product of conceptual arrangements but is embedded in the very acts of speech and writing themselves. (Freeden 2017, 132.) This resonates with the thoughts of Hart in the previous chapter as he wrote about the generative character of rhetoric as it produces alterable social knowledge. This can be considered a result of the nature of concepts as their full meanings cannot fully be grasped by human thought and therefore also be expressed in rhetoric, the social reality can only ever deal with *conceptions* as they represent the manifold legitimate and valid but contestable meanings given to concepts. It follows that conceptions reflect the attempts of pluralistic conceptual interpretation of the social reality by individuals. Rhetoric, with its characteristics, gives individuals and their interpretation attempts, or worldviews, the chance to influence and alter the social reality.

If the aforementioned is considered in a parliamentary setting, it is the creation of dissensus that becomes essential. Differing perspectives form a political resource, which enables the parliament to widen its political horizon. Dissensus is not as narrow concept as meaning only the disagreement in debate as also the conceptual background of confronting opposed perspectives has to be taken into account. Debating *pro et contra*, for and against, offers the members of parliament the chance for inventing opposed perspectives for strengths and weaknesses of a given motion. The dissensus expressed by the members of parliament about a given motion brings about the full understanding of the motion *in ultramque partem*, on both sides. As already discussed in the introduction, parliamentary debates also relate to the forms of polity and the direction of policy in question. These debates mark the horizon of politicization of issues in the given context and also give indications to the practices of politicking. (Wiesner et al., 2017, 29; Palonen, 2019, 10, 49.) It is in then in the formation of dissensus, where the conceptions presented in the parliament are to be found as the different attempts of conceptual interpretation of the social reality are

embedded in the parliamentary procedure itself and become visible and open to interpretation in parliamentary rhetoric.

Combining the ideas of Hart, Freedman and Palonen, this thesis understands parliamentary conceptions as speech acts of conceptual interpretation by competing political ideologies organised as parliamentary fractions as they attempt to give their own valid and legitimate meanings to the form of polity and direction of policy through linguistic action, which presents itself in the form of parliamentary rhetoric in the plenum. These speech acts can then be analysed with the ideas and techniques presented in the previous chapter regarding rhetorical criticism. Furthermore, Palonen's definition of parliamentary politics offers a good theoretical basis to approach the object of my study: the federal parliamentary assembly of Germany also known as Bundestag. In the upcoming chapters, it will demonstrate that due to the parliamentary procedure of Bundestag, the kind of 'ideal' of parliamentary debate discussed by Palonen does not take place in its plenum. Before doing this, however, I will shortly discuss the contemporary status of parliamentary representation as understanding it helps to better grasp the logic of function of Bundestag.

### **3.3 Parliamentary representation of the modern times**

As already mentioned in the introduction, modern parliaments are a distinctive part of representative democracy. This statement begs the question about the concept itself and requires a more profound approach to the politics of representation. One of these approaches is offered by Frank Ankersmit as he discusses the problematic of modern representative democracy in his book *Political representation* (2002). According to Ankersmit, political representation is needed because without it there would not be a clear conception of political reality, which in turn would transform the nation as a political entity obsolete as without *representation* there cannot be *represented* either (Ankersmit, 115). In other words, in our current political reality that is the parliamentary representative democracy, we need the parliament as the instrument to give this reality its form and contours. Without the mandate given to the members of parliament by the citizens to form the space for representation for the represented there wouldn't be a representative democracy.

But this reality is not without its problems: Ankersmit writes, that the members of parliament and the citizens tend to nowadays live in two completely different worlds without giving much to any interest in what the other is doing. He mentions the bureaucratization of the government<sup>24</sup> – which has reduced the parliament to

---

<sup>24</sup> Ankersmit also names two other main reasons: the virtual death of both ideology and the political party.



resemble a mere political ornament – as one of the main reasons responsible for this divide to two political realities, which has led to a strengthening feeling of *Politikverdrossenheit* of the electorate to a political practice, which now seems to ignore their wishes. As Ankersmit explains, the political leaders of government bureaucracies aren't its representatives but identical with it as they interact with the legislative. Governmental bureaucracies are *de facto* the instrument, which have been trusted the use of political power in the representative system and they are very fast in identifying the most urgent political problems and efficiently solving them.<sup>25</sup> This fast and efficient executive power of the governmental bureaucracy has reduced the role of the contemporary parliament to an irrelevant onlooker only somewhat politically significant every now and then in the public debate. (Ankersmit 2002, 117, 120–123.)

Ankersmit's theorizing about the transformation of the concept of political representation does not give a flattering image of the role of the parliament in political representation of modern times. As Ankersmit puts it, we still need political representation for the shaping of the political reality of parliamentary representative democracy but its nature has been transformed in a way which undermines the representational function that we normally associate with the role of parliament in this system. The underlying transformation to which Ankersmit also refers as a move to plebiscitary democracy, offers an interesting point of consideration as I will next write about Bundestag as a parliamentary assembly and aim to shed some light on the fact that this transformation also manifests itself in the parliamentary system of Germany.

### **3.4 The origins and functions of Bundestag**

It is worth noting that even though some traits that characterise parliamentarism can be found to be similar across different contemporary parliaments, not one universal model of parliamentary politics can be identified, and the procedures of parliaments vary from one country to other. For example, the British parliamentary system serving as a model for the continental ones developed before the age of democracy, parties and bureaucracy, which makes its historical development unique in international comparison. This notion is also made explicit by Frank Ankersmit as he describes how the parliaments of continental Europe first developed in the 19<sup>th</sup> century as a response of the constitutionally developing nation states to avoid civil

---

<sup>25</sup> As Ankersmit notes, this is interestingly just the opposite situation from the Weberian conception of bureaucracy.

wars not by reaching *consensus* but *compromise* of competing political ideologies. (Ankersmit 2002, 93, 95–96; Meinel 2019, 49–50.)

As a continental parliament Bundestag's parliamentary reality differs in many ways from the classical Westminster speaking parliament. Florian Meinel states that of the profound reasons for this are that the modern German constitutional system is not based on its own political theory but borrows elements from the theorists of the Weimar constitution and the US-American democracy theory.<sup>26</sup> This – together with path-dependencies – differentiate the German parliamentary system from its British counterpart in a profound way. In its several and very different phases of parliamentarization, it has slowly developed to a fully-formed bureaucratic executive. (Meinel 2019, 51, 59–60.)

The modern Bundestag is the only federal organ of Germany chosen directly by the citizens and it has four main functions. Firstly, Bundestag has the election function<sup>27</sup>. Secondly – together with the Federal council (*Bundesrat*) – it is responsible for the legislation; this is the legislative function. Thirdly, it supervises the governmental actions, which is the control function. The fourth and final function of Bundestag is the representation of the people and common opinion. The first two functions fall mainly to the responsibility of the government, while the latter two are considered as the responsibilities of the opposition. (Rudzio 2019, 192–193.) In this thesis, I am especially interested in the legislative and control functions<sup>28</sup> of this assembly as they pose some of the most central points for studying the parliamentary rhetoric of Bundestag. These functions will be given a closer look in the next chapters.

### 3.4.1 The federal legislative process

The procedures regarding legislation are given in the 76th article of German basic law. According to the article, only the federal government, federal council and members of the parliament have the right to bring law propositions to Bundestag. Bundestag can be considered the central federal organ for legislation in Germany, even though the basic law recognises other organs, that affect legislation (such as the already mentioned Federal council) on the federal level as well. (Ismayr 2012, 37; Rudzio 2019, 215.) Due to the need of rationalization, the three readings (*Lesungen*)

---

<sup>26</sup> As is the case for example with Westminster, which functions Walter Bagehot explored and theorized in his book *The English Constitution* from 1867.

<sup>27</sup> According to article 63 of the Basic law. Bundestag elects the federal chancellor from the recommendation of the federal president.

<sup>28</sup> These are also the functions cited as the most important ones on the English website of Bundestag: <https://www.bundestag.de/en/parliament/function-197608>

with plenary debates and final vote for law motions are no longer practiced in their classical form but have still been kept as titles on the agenda. The function of these readings has however changed from the year 1969 onwards in various ways. Any kind of general discussion on an issue will only take place if recommended by the Council of elders (*Ältestenrat*) or as a demand of a parliamentary group. Discussion and voting on motion items are done in the second reading, while the third reading is there only to serve as explaining the changes that were made, demanded or recommended in the second reading.<sup>29</sup> After the Bundestag has accepted the law motion in the third reading, it goes on to the Federal council. If the council also accepts the motion without amendments, the motion is signed by the federal chancellor, the federal minister responsible for the motion in question and the federal president, which verifies the motion's correctness. After this, the motion is published in the Federal law gazette (*Bundesgesetzblatt*) and comes into force. (Rudzio 2019, 215–217.)

After the formal first reading of a motion, it goes to the parliamentary committees (*Ausschuss*) responsible for editing. The committee in charge of the motion considers the statements of other responsible committees and discusses the motion, making changes and other editorial work. The committee-edited version builds the foundation for the second and third reading of the motion as the rapporteur (*Berichterstatter*) of the committee in charge presents the decisions and their motives. Requests for changes and voting conducted in the second reading have already been prepared in the parliamentary group meetings between the committee phase and second reading. (Rudzio 2019, 221.)

### **3.4.2 The parliamentary groups and committees**

The sheer size of Bundestag – at 736 members of parliament<sup>30</sup>, which makes it an enormous assembly even in international comparison – produces certain limitations on the functionality of this federal assembly, since it would not be capable of making decisions if every member tried to act individually. This makes the work of parliamentary groups (*Fraktionen*) essential. Parliamentary groups are organised groups of at least 5 per cent of the members of Bundestag, belonging to the same party, or to several parties which do not compete against each other in any of the federal states. If parties do not compete against each other at the state level, the procedure of Bundestag also allows them to form a common parliamentary party group

---

<sup>29</sup> The complete rules of procedure regarding motions can be found from the website of Bundestag: [https://www.bundestag.de/parlament/aufgaben/rechtsgrundlagen/go\\_btg/go08-245176](https://www.bundestag.de/parlament/aufgaben/rechtsgrundlagen/go_btg/go08-245176)

<sup>30</sup> Rudzio's notion of 709 MP's is based on the previous 19th Bundestag. It is important to note that the number of MP's in Bundestag is growing constantly from one legislation period to the next. This has to do with the proportional election system legislation of Germany.

(*Fraktionsgemeinschaft*) in Bundestag. This is the case with Christian Democratic Union and the Christian Social Union.<sup>31</sup> Through agreement, the fractions occupy the organs of Bundestag by naming their members to the council of elders, presidium (*Präsidium*) and the parliamentary committees. This is usually done according to the proportional representation principle between the fractions in Bundestag.<sup>32</sup> (Rudzio 2019, 203–204.)

As already touched upon in the previous chapter, Bundestag's parliamentary committees are the place, where the main emphasis of parliamentary legislative work takes place as their recommendations for decisions for a given motion usually has a decisive character. This makes the parliamentary committees the key actors in the legislative process of Bundestag. Without the preparative work, for example, for the motions made possible by the committee structure, the Bundestag would not be able to execute its functions in an efficient way. (Ismayr 2012, 162, 165.) This procedure underlines the 'working parliament' (*Arbeitsparlament*) nature of Bundestag *vis à vis* the British 'speaking parliament', where the law motions are brought unchanged in the parliament to be debated publicly and makes the Bundestag a 'mixed form' in respect to the parliamentary procedure (Rudzio 2019, 221–222).

As Thomas Saalfeld (2000, 37) capsulizes, Bundestag's nature as a working parliament requires a high degree of specialization, coordination and cohesion, which are made possible by the parliamentary groups and committees not in the plenary, but behind closed doors. As Armin Burkhardt rather pessimistically writes, this has led to the Bundestag plenary sessions being turned to conferences in which the positions of different parliamentary groups are presented to the public in the shape of parliamentary controversy. Because of this, Bundestag is sometimes referred to as a 'display window parliament' (*Schaufensterparlament*) or could even be called a 'pseudo-public parliament'. (Burkhardt 2012, 185–186.)

### 3.4.3 The lack of parliamentary control

According to Meinel (2019, 173–174, 179–180) Bundestag never fully became a controlling assembly for various reasons during its historical development and this has posed some problems regarding the parliamentary control that it can exert towards the government. As plenary time is scarce, the real 'power' for this control

---

<sup>31</sup> As Saalfeld (2000, 25.) writes, the rule about a common parliamentary party group was inserted into the rules of procedure after disputes about the recognition of the CDU/CSU as one parliamentary party group arose in 1960's. The rule allows the Christian Democratic Union (CDU), which fields candidates in all federal states except Bavaria, and the Christian Social Union (CSU), which fields candidates only in Bavaria, to retain their respective extra-parliamentary organisations and distinctiveness of their programs but make it possible for them to form a common parliamentary party group.

<sup>32</sup> For example, the president of Bundestag comes usually from the biggest parliamentary fraction of the Bundestag (Rudzio 2019, 204). During the 19<sup>th</sup> Bundestag, the biggest fraction was CDU/CSU and Wolfgang Schäuble (CDU) acted as the president of Bundestag.

lies in the parliamentary committees, which is the result of the 1969 small parliament reform (*Kleine Parlamentsreform*). Thus, the main duty in parliamentary control function of Bundestag is also given to the parliamentary committees and along with the legislation work is executed behind closed doors. It follows that the government exerts a bureaucratic supremacy on parliamentary opposition in setting the agenda and in the plenary of Bundestag, governmental control by the opposition is practically non-existent. As a result, in the German parliamentary system, the parliament is no external controller of the executive power but also the basis of this power (Ibid., 187-188).

When considering Bundestag's control function - along with the legislative function discussed above - in the light of Ankersmit's theorizing about the efficient executive power of the governmental bureaucracy and the reduced role of the contemporary parliament because of it, it becomes rather evident that this kind of manifestation of bureaucratization of the government diminishing the role of the parliament can be observed in the parliamentary reality of Bundestag as well. This of course has its own implications for the studying of the parliamentary rhetoric of Bundestag, since in the German parliamentary system the parliamentary opposition can't exert parliamentary control over the government in the plenary. As legislative work and parliamentary control is done in the parliamentary committees, the Bundestag's main duty seems to become a kind of a rhetorical channel of informative summarization of the collaborative work between the federal government and parliament done in these committees.

#### **3.4.4 Governmental representation**

According to the 65<sup>th</sup> article of the basic law, it is the federal chancellor who decides the guidelines of politics for which they alone are responsible to the parliament. This is the so-called guideline competence (*Richtlinienkompetenz*) of the federal chancellor, which gives them immunity from imposing of a certain line of action through a majority decision in the cabinet by the federal government. The guideline competence is supported by the right by the chancellor to propose the dismissal of a minister and also by the above-mentioned article of the basic law, which states that the chancellor leads the work of the federal government and is to be kept informed about all the relevant actions and plans that the ministries make. The guideline competence makes it possible to promote the unity and acting capability of the federal government. (Rudzio 2019, 230.)

This is not to imply that the chancellor and the Federal chancellery would entirely dictate the policies at the federal level. Rudzio (2019, 230) notes that the political scope of the chancellor is highly dependent on the circumstances like their position in the own party, constellation of the governing coalition and personal skills.

On the other hand, Meinel (2019, 158–159) concludes that the Federal Chancellery has grown from a mediating institution into a kind of superinstitution in the German parliamentary system and has become a clear marker of presidentialization in the system, which during the Merkel chancellorship has shown itself more in her tendency to find mediated solutions and to avoid harsh confrontations with political opponents.<sup>33</sup>

The guideline competence isn't actually a competence *per se* but means rather the political leadership and makes the Federal chancellery first and foremost an advisory board, which assists the chancellor in developing the general policy of the government and acts as the coordinator of the relationship between the government and the parliament in the federal system. The Federal chancellery sets the agenda for the parliamentary sittings and – from the point of view of the parliament – functions as the collegially acting cabinet. An institution missing from the German parliamentary system due to the resort autonomy<sup>34</sup> (*Ressortautonomie*) of the ministers. (Meinel 2019, 68, 70, 73.) Thus, the guideline competence gives the chancellor and the federal chancellery political influence to guide the policy of the federal republic. The Federal chancellery – and the Federal chancellor as its representative – becomes the *de facto* representative of the policy of the federal government and in Ankersmitian fashion also identical with governmental bureaucracy in the parliamentary reality of Bundestag.<sup>35</sup>

### **3.5 The relevancy of studying the parliamentary debates of Bundestag**

As discussed above, the main legislative work – along with the parliamentary control – is done behind closed doors in the parliamentary committees of Bundestag and the decision recommendations are brought to the plenary to be discussed in a highly pre-constructed debate. This greatly reduces the role of the parliament as a legislative and controlling assembly, which also has major implications for the studying of the parliamentary rhetoric of Bundestag. Despite this, I argue that it is still relevant to study these highly pre-constructed debates, since the decisions made and rhetorical actions taken by the individual members of parliamentary groups and

---

<sup>33</sup> This is something that can be observed during the Government crisis of 2018 as well.

<sup>34</sup> Resort autonomy, or resort principle (*Resortprinzip*) means that the ministers work independently on their area of responsibility (in other words the ministry they lead) without the federal chancellor having the right to intervene to their work. The principle can be found from the 65<sup>th</sup> article of the basic law. (Rudzio 2019, 237.)

committees in closed off meetings are reflected onto the plenary debate, which in itself is public and its rhetoric can be studied. After all, we are now dealing with the well-prepared and carefully constructed opinions, arguments and decisions of the parliamentary groups, which can be read out from the debate of the plenary sessions.

Furthermore, Meinel (2019, 181-182) writes that opening up the committee meetings and making them in this way transparent and accessible for the public would not actually have no positive effects, since in the German parliamentary system, the opposition is never fully in opposition. It somehow always governs too, which has to do with the way the federal political system functions. This makes the parliamentary committee meetings the perfect place for the opposition to get in touch with the ministerial bureaucracy of the government and promote their interests in direct contact with the governmental body. Meinel continues by saying that this actually creates a culture of cooperation as the oppositional and governmental bodies both strive to get something from their agendas to the legislation work not through opposing but through rational collaboration. Making the work of the committees public would greatly affect their working logic and make detailed legislation work difficult.

It is therefore beneficial for the highly specialized committee work to stay *intra muros* to provide for the collaborative work and overall functioning of the working parliament. As is the case for the study of parliamentary rhetoric, the plenary debates' informing function about the decision recommendations proposed by the committees are summarized in the plenary. In the parliamentary reality of Bundestag it is the pre-constructed plenary debate where the different parliamentary conceptions regarding federal legislation and overall policy and polity questions become visible<sup>36</sup>. The plenary debates of Bundestag are then best conceived as a public channel for rhetorical summarization of the work of its parliamentary committees making it meaningful to study their rhetoric.

Therefore, to study the parliamentary debates of Bundestag, one needs to keep in mind that they are dealing with the carefully thought-out rhetoric, which is guided by the work done by the parliamentary committees outside the plenary. In the bureaucratized parliamentary reality of Bundestag this rhetoric serves mainly an informing function to the public and is in itself more of a reflection of the cooperative work done in the committees between the government and opposition. The classical division between government and opposition does not really exist in Bundestag even though organised as such in the plenum. Thus, the parliamentary rhetoric of the plenary sessions is best to be approached by considering it as a political action of

---

<sup>36</sup> This is not to state that it wouldn't be relevant or interesting to study the minutes of the committee meetings as well, since they would certainly open up new dimensions for the study of questions regarding legislation and the general federal policy and their handling in Bundestag.

collaborative dialogue between the different parliamentary fractions of Bundestag shaped in the form of a debate, where dissensus on policy and polity questions can still be found. From this dialogue it is possible to read out the parliamentary conceptions that may present themselves in the plenum and analyse them accordingly by using rhetorical criticism.



## 4 ANALYSIS OF THE BUNDESTAG PLENARY DEBATES

### 4.1 Scrutinizing Seehofer's Masterplan: *Aktuelle Stunde* of mid-June

*“Wir setzen auf Europa. Aber je weniger Europa leisten kann, desto mehr gewinnen nationale Maßnahmen an Bedeutung.”<sup>37</sup>*

-Horst Seehofer

The debate about the Masterplan Migration worked on by interior minister Seehofer and his ministry was set on the agenda of the 40th sitting of Bundestag on 15th of June in *Aktuelle Stunde* titled *“Haltung der Bundesregierung zum sogenannten Masterplan: Wie geht es weiter mit der Flüchtlings- und Integrationspolitik in Deutschland?”* which translates to *“The federal government's stance on the so-called Masterplan: What's next for asylum and integration policy in Germany?”*. Before analysing the plenary debate conducted about this item, I will shortly discuss the Masterplan Migration and the procedural character of *Aktuelle Stunde* as a parliamentary control mechanism.

---

<sup>37</sup> “We trust in Europe. But the less Europe can provide the more significant become the national measures” (Horst Seehofer about the Masterplan Migration)

### 4.1.1 Masterplan Migration

According to the website of the Ministry of the Interior, Building and Community the “masterplan for organising, controlling and restricting immigration”<sup>38</sup> identifies from the perspective of the ministry the central themes in the field of migration and asylum policy. The most important concern of the masterplan centres around the further development of asylum and return policy of the previous legislative period. The plan is divided into four main fields of action and consists of a total of 63 measures. The fields of action include measures to be taken in countries of origin, in transit countries, at EU level and in Germany. The first two include the improving of living conditions and stabilizing the situation concerning security on-site. As such, these measures are aimed at fighting the reasons behind refuge. The latter two aim at the improvement of protection of the external borders and the common European asylum system in a way that it is possible to return to a Schengen area without internal border controls.<sup>39</sup> As such, Masterplan Migration can be conceived as a policy paper developed to offer a comprehensive and redefined guideline in German migration policy. Horst Seehofer himself named the plan as “*a part of asylum policy turn*” in Germany.<sup>40</sup>

### 4.1.2 *Aktuelle Stunde* as a parliamentary control mechanism

*Aktuelle Stunde* was first introduced to Bundestag’s parliamentary procedure in 1965, giving the parliament a chance to quickly take up on current topics by carrying out a political debate with short contributions. Short in the sense that every MP only has five minutes of speaking time to allow a ‘lively’ exchange of arguments. *Aktuelle Stunde* comes about by interfractional agreement in the council of elders, a fraction’s demand or when at least 5% of MP’s demand it. Along with *Große* and *Kleine Anfragen*, *Aktuelle stunde* can be seen as a parliamentary means of interpellation in Bundestag. (Saalfeld 2000, 27; Ismayr 2012, 34.)

*Aktuelle Stunde* is attractive for oppositional fractions because of the chance to set the current topics up for debate and therefore move the political emphasis to the direction they want. *Aktuelle Stunde* was designed to give the chance for a spontaneous,

---

<sup>38</sup> For the entire Masterplan Migration, see: [https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/migration/masterplan-migration.pdf?\\_\\_blob=publicationFile&v=7](https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/migration/masterplan-migration.pdf?__blob=publicationFile&v=7)

<sup>39</sup> <https://www.bmi.bund.de/SharedDocs/topthemen/DE/topthema-masterplan-migration/topthema-masterplan-migration.html>

<sup>40</sup> <https://www.dw.com/de/seehofers-masterplan-mein-plan-ist-teil-der-asylwende/a-44598129>.

not in advance prepared debate and also include the more 'quieter frontbenchers' to the debate. In reality, *Aktuelle Stunde* has ever since its implementation been dominated by the leading members of the fractions. This is the result of it being an instance where the government's credibility is often on the line and the oppositional fractions bring out their top politicians to aim the critique towards the government. Another thing is that the issues at hand usually handle some very specific subject, which calls for speeches of MP's with expertise of the subject in question. In principle, *Aktuelle Stunde* is not a mechanism of governmental control but a mere '*discussion of current themes that serve common interest*' as it is formulated on the agenda and therefore serves more a communicative function. It can however still become such a mechanism if the opposition wants so. (Ismayr 2012, 335–337; Patzelt 2012, 53; Meinel 2019, 178.)

### 4.1.3 Analysis of the *Aktuelle Stunde*

The question hour was opened by a speech from Marco Buschmann, who at the time was the chief whip (*Erster parlamentarischer Geschäftsführer*) of the FDP fraction. This is a procedural choice, since Buschmann is a leading member and a representative of the fraction that had demanded for the *Aktuelle Stunde* in the first place. In his speech, Buschmann criticises the Grand coalition for not being able to present a clear policy guideline in matters regarding refugee migration and asylum policies in the years following the Refugee crisis, even though these themes have in his opinion been given most of the attention and effort in German politics in the recent years. However, now that one is at hand in the form of Masterplan Migration, the design and presentation of the policy paper has been very unsatisfactory as Buschmann notes that the masterplan has not been accepted by Chancellor Merkel and even the chairs of the majority party are not familiar with its contents. For Buschmann this as the worst governing that Bundestag has ever witnessed.

*Seit dem Herbst 2015 bestimmt das Thema „Flucht, Migration und Asyl“ die deutsche Politik. Es zieht alle Aufmerksamkeit, alle Kraftanstrengungen dieser Großen Koalition auf sich. [. . .] Jedoch hören wir seit 2015, 2016, 2017 und 2018 immer weitere Formelkompromisse statt eines klaren Konzepts. Dann plötzlich kommt die große Ankündigung. [. . .] Endlich hat man einen Plan gefunden. Es ist sogar ein Masterplan. Und dann bekommen wir ganz beiläufig in einem Fernsehinterview mit, dass dieser Masterplan offenkundig noch nicht mal mit der Regierungschefin abgestimmt ist. Dann lesen wir in den Zeitungen, drei Tage nachdem dieser Plan eigentlich schon der Öffentlichkeit präsentiert worden sein sollte, dass dieser Plan dem Fraktionsvorsitzenden der Mehrheitspartei noch*

*gänzlich unbekannt ist. Das ist das schwächste Regierungsmanagement, das dieses Haus je gesehen hat.*<sup>41</sup>

A tone of disappointment and frustration can clearly be read out from Buschmann's speech as he goes through the unconventional way in which the Masterplan Migration was presented to the public as it seems that interior minister Seehofer has presented the Masterplan without consulting the other governing parties or even chancellor Merkel. In his speech, Buschmann ridicules the asylum policy of not only the current government but the one that was in power before it. The fact that these both were Grand coalitions led by Merkel adds to the inefficient picture painted by Buschmann. The field of asylum policy has according to him been the main point of focus for these coalitions ever since the Refugee crisis but instead of a clear guideline the government has only been able to present compromise solutions in issues regarding asylum policy.

Buschmann also addresses the results of such governing, stating that a government, which is not able to present a clear plan of action on such a central policy field as asylum causes frustration, disappointment and agitated reactions among the citizens. Buschmann argues, that the basic law gives a clear answer to solving governmental disagreements as they are settled by joint governmental decision or through guideline competence of the chancellor as stated by article 65. He demands the federal government to solve their disagreements in either way as the current situation does not only shine a bad light to the government but also on the democratic institutions' ability to act.

*Das sorgt für Frust und Enttäuschung in der Bevölkerung. – Eine Regierung, die nicht in der Lage ist, zu diesem Topthema einen klaren Plan vorzulegen, darf sich nicht wundern, dass die Menschen immer verärgerter reagieren. Die Antwort, die das Grundgesetz auf eine solche Lage gibt, ist doch eindeutig. [. . .] Artikel 65 des Grundgesetzes ist klar: Über Meinungsverschiedenheiten wird im Kabinett entschieden, entweder durch Beschluss oder durch Richtlinienkompetenz. Ich fordere die Regierung auf, endlich die Streitfragen zu lösen, entweder durch Beschluss oder durch Richtlinienkompetenz. Denn das Bild, das Sie abgeben, wirft ja nicht*

---

<sup>41</sup> Ever since the autumn of 2015 the themes of "refuge, migration and asylum" have dominated the German politics. It takes all the attention, all the efforts of this Grand coalition. [. . .] but since 2015, 2016, 2017 and 2018 we only hear about formal compromises instead of a clear concept. Then suddenly comes the great announcement. [. . .] Finally, a plan has been found. It is even a masterplan at that. And then we learn as a side note from a television interview that *this masterplan clearly has not yet been agreed with the head of the government*. Then we read from the newspapers, three days after this plan should have been presented to the public, that *this plan is totally unknown to the fraction chairs of the majority party*. This is the weakest government management that this house has ever seen. (GB, 40. Sitting, 4006)

nur ein schlechtes Licht auf Sie [. . .] es wirft mittlerweile ein schlechtes Licht auf die Fähigkeit demokratischer Institutionen insgesamt.<sup>42</sup>

Here, Buschmann makes a strong argument for solving the intra-governmental disagreement through the federal legislation. Earlier in the thesis, it became clear that the guideline competence means that the federal chancellor is ultimately responsible for the government's entire policy. Even a majority resolution of the cabinet cannot dictate the policy guidelines as the power of the guideline competence is superior to any joint ministerial decision. Buschmann is therefore suggesting that Merkel could use her right to determine the policy guidelines regarding migration and asylum and interior minister Seehofer and his ministry would have to edit the Masterplan according to these guidelines to resolve the issues regarding it. This would finally bring some clarification to the confusing and frustrating situation regarding the federal refugee policy and also restore the credibility of the democratic institutions.

Gottfried Curio from the AfD fraction goes into the details of the disagreement between Seehofer and Merkel regarding the measures presented in Masterplan Migration. He sees that the measure presented by Seehofer in the plan – the return of already registered refugees – is actually less than what the legislation demands. Curio states that as Merkel does not accept the measures presented by Seehofer and by doing so continues her exceptional decision allowing the constant overflow of illegals to the country by stating that the completely open borders of Germany represent the paramount European law. In Curio's opinion, it is the Dublin III regulation that is the European law as he goes on to explain how this regulation makes the country of first-entry responsible for the handling of an asylum-seeker. Curio backs up his view by saying that even after this all the asylum-seekers arriving to Germany should be refouled as they are coming through the safe third states. He concludes by saying that using the Dublin regulation does not mean acting solely from national basis but Merkel's hand reach in September can be considered as such.

*Und wo Herr Seehofer nur bereits Registrierte zurückweisen will, also nicht mal das rechtlich Gebotene fordert, da stellt Merkel sich schon quer und erzwingt die ewige Fortsetzung ihrer sogenannten Ausnahmeentscheidung – also Dauerüberflutung durch Illegale. [...] Aber Frau Merkel will uns sogar erzählen, ihre gänzlich offene*

---

<sup>42</sup> This causes frustration and disappointment among the population. - *A government that is unable to come up with a clear plan on this central issue should not be surprised that people are becoming increasingly angry.* The answer that the Basic Law gives to such a situation is definite. [. . .] *Article 65 of the Basic Law is clear: disagreements are decided in the cabinet, either by joint decision or by guideline competence. I urge the government to finally resolve the issues, either through joint decision or through guideline competence.* Because the picture you give does not just cast a bad light on you [. . .] it casts a bad light on the capacity of democratic institutions as a whole (GB, 40. Sitting, 4006-4007)

*Grenze sei vorrangiges europäisches Recht. Was für ein Unsinn! Dublin III ist europäisches Recht. Gerade da ist der Erstzutrittsstaat zuständig und nicht Deutschland. Danach müssten sogar alle zurückgewiesen werden; denn sie kommen über sichere Drittstaaten aus einem anderen Erstzutrittsland. Dublin anzuwenden, ist kein nationaler Alleingang. Nationaler Alleingang war Merkels Handstreich im September 2015.*<sup>43</sup>

Curio also bases his argumentation to legislation by bringing forth not only the European law in form of the Dublin regulation but also referencing the federal legislation of Germany regarding asylum as he speaks about the 'safe third states' defined in the *Asylkompromiss* of 1993. This most likely brings about his view that Seehofer is doing less than the legislation demands. The 'hand reach of Merkel' can be considered a reference to the decision of the third Merkel cabinet to suspend the Dublin regulation during the height of the Refugee crisis. Curio is not wrong as he conceives this action as a national solo-act, since from the point of view of the European Union it can definitely be viewed as such.

Another thing is of course that in Curio's argumentation this is considered a decision, which has been continued ever since the late summer of 2015 and affects the current policymaking in the field of asylum as well. Curio in a sense reduces the whole Refugee crisis and its aftermath to a purely legal issue, which makes it possible for him to opt Germany out as a country, that would have had to take any responsibility in managing the crisis. When talking about asylum-seekers, Curio uses the negative terms '*constant overflow of illegals*' and '*fraudsters*', which can be traced to his judicial argumentation.

As if somewhat countering some the thoughts presented by Curio, Detlef Seif from the governing CDU/CSU fraction takes an interesting perspective to the debate as he argues that the asylum policy executed by the federal government in recent years has actually led to the rise of right-wing populism and radicalism in Germany. For him, the positive development for Germany depends on successful and agreeable measures taken in the field of asylum policy and he sees the new Masterplan as a comprehensive and networked effort in this policy field. He conceives that in the issues regarding refuge Germany must proceed from European, international but also

---

<sup>43</sup> And as Mr. Seehofer only wants to turn back those who are already registered, or in other words he does not even demand what is legally required, Merkel already opposes this and forces the eternal continuation of her so-called exceptional decision - a permanent overflow of illegals. But Mrs. Merkel even wants to tell us that her *completely open border is the paramount European law*. What nonsense! *Dublin III is European law*. It is precisely the state of first entry that is responsible and not Germany. According to this, even all of them would have to be turned back, because they come via safe third countries from another country of first entry. Applying Dublin does not mean acting solely from national basis. *It was Merkel's hand reach in September 2015 that was a solely national move.* (GB, 40. Sitting, 4009-4010)

from national perspective, since the main emphasis is to gain control of migratory movements directed towards Germany.

*Auch und gerade diese Asylpolitik hat dazu geführt, dass der Rechtspopulismus und der Rechtsradikalismus in unserem Land einen derartigen Schub bekommen haben. Deshalb hängt die positive Entwicklung unseres Landes auch ganz wesentlich von einer gelungenen Asylpolitik ab, die die Menschen mitnimmt. Insofern ist ein umfassender und auch vernetzter Ansatz sehr richtig. Ich bin dem Bundesinnenminister dankbar, dass er einen Masterplan vorgelegt hat [ . . . ] Wir müssen europäisch, international, aber auch national vorgehen. Ein Kernbereich ist in jedem Fall die geordnete Migration nach Deutschland.*<sup>44</sup>

Even though Seif does not say it directly, he also criticises the asylum policy executed by his fraction during the Grand Coalitions of the third and fourth Merkel cabinets. As discussed earlier in the thesis, the actions of Germany during the height of the Refugee crisis of 2015 had a polarizing effect in the country's society and one of the more explicit consequences of this was the electoral success of the right-wing populist party AfD in the federal election of 2017. It can be argued that in his speech Seif is partly referring to this as he speaks about the boost that the right-wing radical and populist forces have experienced in Germany during the recent years.

Seif sees that it is important to gestalt the asylum policy so, that people can agree with it, which for him might be the way to reduce the influence of the right-wing forces in the society. Seif's defensive stance toward Masterplan Migration becomes evident in the fact that his speech echoes the contents of it as the same differentiation of dimensions can be found from there too - along with the emphasis on national dimension. This of course is not surprising, since he represents the governing fraction.

Filiz Polat from the green fraction takes a wider view on asylum legislation as she states that the basic right for asylum along with the Convention Relating to the Status of Refugees are the result of two horrible world wars. Polat ridicules interior minister Seehofer by stating that he is questioning the constitutional right to asylum anchored to the German basic law. Polat describes Masterplan Migration as bringing deep cuts to the basic rights on part of the measures that are already known to the parliament and the public. Polat also directs a question to interior minister Seehofer by asking why he is not developing a much-needed masterplan for integration.

---

<sup>44</sup> It is precisely *this asylum policy that has given right-wing populism and right-wing radicalism such a boost in our country*. That is why the positive development of our country depends to a large extent on a successful asylum policy that people agree on. *In this respect, a comprehensive and networked approach is very correct*. I am grateful to the federal interior minister for presenting a master plan [ . . . ] *We have to act on a European, international, but also national basis*. In any case, *the core area is the orderly migration to Germany*. (GB, 40. Sitting, 4015)

*Das Grundrecht auf Asyl und die Genfer Flüchtlingskonvention sind infolge zweier schrecklicher Weltkriege entstanden, und Sie sind dabei, dieses in unserer Verfassung verankerte Grundrecht infrage zu stellen. Haben Sie nichts gelernt? [...] Auch Ihr angeblicher Masterplan [...] bringt tiefe Einschnitte in die Grundrechte. Das zeigen die Maßnahmen, die wir schon kennen. [...] ich frage: Warum entwickeln Sie keinen Masterplan „Integration“? Herr Minister, Sie haben es doch selbst im Innenausschuss gesagt. Sie sind auch der Minister für Integration. Wo bleibt der Masterplan für Integration, den wir so dringend brauchen?<sup>45</sup>*

Polat's speech underlines also the fact that the argumentation during this particular *Aktuelle Stunde* was heavily concentrated on legislation. Her speech in a sense echoes the idea presented earlier in the thesis about the right to asylum being added in the German basic law as a result of the political oppression executed by national socialist Germany. When referring to The Convention Relating to the Status of Refugees, Polat can be seen bringing a strong argument for the right to asylum accepted by the international community as this Convention – along with the 1967 protocol – defined the term 'refugee' and outlines the rights of refugees, as well as the legal obligations of States to protect them. Overall, 149 countries have signed these, including Germany.<sup>46</sup> Her rhetorical question directed towards Seehofer can then be seen having a two-folded meaning: on one side, she questions the interior minister's ability to grasp the oppressive past of Germany and on the other the national as well as international need towards refugee protection that was caused by the two world wars.

When Polat refers to the measures that are known, she is most likely talking about the handling of those asylum-seekers arriving without identification papers and the ones already deported but looking to come back to Germany as this was at the time known from the contents of the Masterplan. According to the plan, these kinds of asylum-seekers would be converted from the German border. Interestingly, she formulates her words so, that the masterplan brings deep cuts to the basic rights on a general level and not only to the basic right to asylum. It is in any case a strong argumentative point since basic rights can be viewed as something that are hard to argue against.

---

<sup>45</sup> *The basic right for asylum and the Convention Relating to the Status of Refugees came to be because of two horrible world wars, and you are now questioning this basic right, that has been anchored to our basic law. Have you not learned anything? Also, your alleged masterplan [...] brings deep cuts in the basic rights. This is shown by the measures that we are already familiar with. [...] I ask: why aren't you developing a master plan "Integration"? Minister, you said it yourself in the Committee for internal affairs. You are also the Minister for Integration. Where is the master plan for integration that we so badly need? (GB, 40. Sitzung, 4014)*

<sup>46</sup> For the full Convention and protocol relating to the status of refugees, see: <https://www.unhcr.org/3b66c2aa10>



Polat also brings forth the fact that Seehofer himself has stated in the Committee for internal affairs that he is the minister of integration. This is an interesting example of committee meeting discussions reflecting themselves openly on the plenary debate as Polat – who was a member of this committee herself as well as the spokesperson for the Greens in issues relating to integration and migration<sup>47</sup> – uses something that has been discussed behind closed doors in the committee of internal affairs as an argument for the need of a federal policy plan regarding migration. Her expertise on issues regarding migration brought about by her position as a fractional spokesperson also reflects the highly technical nature of *Aktuelle Stunde*.

## 4.2 The European dimension: Merkel’s government statement in late June

*“Es geht um unsere innere Sicherheit, und es geht um die innere Sicherheit der gesamten Europäischen Union. Dazu sind nationale Maßnahmen und auch europäische Maßnahmen notwendig.”<sup>48</sup>*

- Angela Merkel

The results from the negotiations of the EU summit were discussed in Bundestag on 28<sup>th</sup> of June as Chancellor Merkel gave a government statement (*Regierungserklärung*). It is worthy to note, that this government statement did not only address the results of the EU migration summit but also handled an upcoming NATO summit in July 2018. In the next paragraph, I will shortly address the importance of Government statements in Bundestag parliamentary procedure before moving on to analyse the debate.

---

<sup>47</sup> <https://www.filiz-polat.de/presse/meldung/filiz-polat-zur-obfrau-im-innenausschuss-des-deutschen-bundestages-gewaehlt.html>

<sup>48</sup> “It is about our inner security but also about the inner security of the entire European Union. Thus, national measures but also European measures are needed.” (Government statement to the Bundestag on 28<sup>th</sup> of June 2018)

#### **4.2.1 Government statement: setting the direction for a policy**

A government statement is usually first issued by the newly elected government in the first few sittings of Bundestag. This is sometimes called the Great government statement (*Große Regierungserklärung*) since it sets the political guidelines and ambitions of the newly elected government and addresses the most important policy fields but also political issues that the government finds important. As such, the government statement serves to set foundational direction of the policy of the new government in the sense that it is a way for the government to express reorientation, continuity, or total separation from an earlier policy. (Ismayr 2019, 195–196.)

It is also possible, that the federal chancellor – or to a growing extent also the federal ministers – present these government declarations relating to individual topics in different phases of the legislative period. They are seen as an important instrument of public presentation and implementation of the government's policy as well as demonstration of government's ability to act, underlining the international presence and acceptance and determining the political topics and their discussion in the plenary. The government statement usually serves as a spark to a 'great' debate lasting multiple hours and to which all the leading fraction members as well as members of the government take part in. Government statement is also a means for the federal chancellor to establish a common governmental policy line with reluctant coalition partners or fractions. (Ismayr 2019, 340–341.)

#### **4.2.2 Analysis of the government statement**

In her speech, Merkel spoke about the European solution to the issues regarding migrants and refugees and outlined Germany's role in its execution both on a national and supranational level. The European solution is addressed directly by Merkel as she states that Europe is like-minded about what needs to happen in the treatment of the common issues regarding migration and asylum on European level. According to Merkel everyone in Europe agrees that illegal migration needs to be reduced, human trafficking and smuggling has to stop and – when negotiations between countries of origin and the European countries take place – legal intergovernmental agreements need to be made. Merkel refers also to the 'positive experiences' that Germany has had in facing similar challenges before. More precisely, she is speaking about declaring the countries in Western Balkan region as safe countries of origin which made the returning of people that had no right to asylum possible as well as making it possible to grant labour licences to jobs available in Germany.

*Alle in Europa sind sich einig: Es geht darum, illegale Migration zu reduzieren, Schleppern und Schleusern das Handwerk zu legen und, wenn wir über einen Austausch zwischen den Herkunftsländern und den europäischen Ländern sprechen, zwischen Staaten legale Vereinbarungen zu treffen. Wir haben im Übrigen auf dem europäischen Kontinent damit gute Erfahrungen gemacht, als wir die Länder des westlichen Balkans zu sicheren Herkunftsländern erklärt haben, als wir damit die Rückführung von Menschen ermöglicht haben, die kein Anrecht auf Asyl hatten, und im Gegenzug Arbeitserlaubnisse für in Deutschland vorhandene Arbeitsplätze möglich gemacht haben.<sup>49</sup>*

Merkel makes her message stronger by stating that everyone in Europe agrees on what she is about to say. What needs to be done on a European level is reinforced by her with the positive experiences that Europe has earlier had with this kind of situation. Merkel is referring here to the entire historical development path of German asylum policy in regard to the Balkan region after the reunification. In early 1990's, Germany faced a big number of asylum-seekers coming from this region as a result of the Yugoslav wars but in the coming decades the situation in the region improved in a way that all the countries in the region could be declared safe by the German government in late 2014 and early 2015 taking away the need and right to asylum for people coming from this region. She is however not only speaking about sending people away from Germany but also addressing the possibility of benefitting from migration as a workforce, which had been an important aspect of the German labour migration policy during the previous years.

Merkel also addresses the situation that Germany experienced in the height of the Refugee crisis in late summer of 2015 and justifies the actions taken by her government during this time. Merkel also speaks of 'exceptional situation' and how amidst this situation, Germany overrode the Dublin procedure, allowing the asylum-seekers to come to Germany to submit their applications in the country. She emphasizes the rightfulness of this action in retrospect and also states that this was legally possible to do because of the right to self-admittance possessed by every member state in regard to the Dublin regulation. Merkel says that this was also convicted so at the European Court of Justice two years later, making the decision politically possible and legally lasting. However, Merkel continues by saying that the

---

<sup>49</sup> *Everyone in Europe agrees: it is about reducing illegal migration, putting a stop to human traffickers and smugglers and, when we are talking about an exchange between countries of origin and the European countries, negotiating legal agreements between states. Furthermore, we have had positive experiences on the European continent regarding this when we declared the countries of the Western Balkans to be safe countries of origin, and thereby made it possible for people who were not entitled to asylum to return and, in return, made work permits possible for existing jobs in Germany. (GB, 42. sitting, 4111)*

exceptional situation does no longer exist and the situation now is completely different as the numbers of arriving refugees have dropped significantly. Therefore, the same situation regarding legislation is in force as before the early autumn of 2015: European law with priority over German law.

Wir haben gesagt: *In einer Ausnahmesituation werden wir helfen.* – Das haben wir getan. *Das halte ich im Rückblick auch nach wie vor für richtig, meine Damen und Herren.* In dieser Ausnahmesituation hat Deutschland für eine Zeit auf die Rücküberstellung im Rahmen des Dublin-Verfahrens verzichtet. *Das ist das sogenannte Selbsteintrittsrecht.* Es ist vor dem Europäischen Gerichtshof beklagt worden. *Es gab im Sommer 2017 ein Urteil, dass das politisch möglich und damit rechtlich nicht fragwürdig war. [ . . . ]* Aber diese Ausnahmesituation existiert heute nicht mehr. Heute haben wir eine völlig andere Situation. Die Zahl der ankommenden Flüchtlinge ist deutlich geringer. Deshalb gilt wieder genau die Rechtssituation wie vor dem September 2015, nämlich das europäische Recht mit Vorrang vor dem deutschen Recht.<sup>50</sup>

Referring to an exceptional situation is of course also a powerful rhetorical choice as it categorically closes out the possibility for normal action, which in the case of asylum-seekers arriving to Europe would have been the use of the Dublin regulation. This is an important point of departure as Merkel continues her speech by defending the decision about suspending the Dublin regulation in the late summer of 2015 and allowing the refugees arriving to Europe to submit their asylum applications in Germany. Merkel also backs this decision up by retrieving political and legal legitimation for it by referring to a decision given by the European Court of Justice about the validity of the decision. She concludes that Germany along with Europe is not anymore amidst this exceptional situation and therefore the ‘normal’ is once again imposed. As Merkel conceives it, the exceptional situation faced by Europe required national measures from Germany to make it possible to return to the normal ‘European’ situation, which is now again possible.

---

<sup>50</sup> We said: We will help *in an exceptional situation.* – We have done that. Looking back, *I still find that was the right thing to do, ladies and gentlemen.* In this exceptional situation, Germany suspended for a period of time the return procedure in the frame of Dublin regulation. *This is the so-called right to self-admittance.* It has been brought before the European Court of Justice. *There was a ruling in the summer of 2017 that this was politically possible and therefore not legally questionable. [...]* But this exceptional situation no longer exists today. Today we have a completely different situation. The number of arriving refugees is significantly lower. Therefore, *the same legal situation applies again as it did before September 2015, namely European law with priority over German law.* (GB, 42. Sitting, 4112)

Later in her speech, Merkel returns to the events of the Refugee crisis by saying that the Grand coalition wants to make clear that it does not want the year 2015 to happen again. Therefore, a variety of measures along with a benchmark, which will be executed with keeping an eye on the integrational aspects as well have been agreed upon in the coalition agreement. Merkel exemplifies this by saying that the coalition has agreed upon rising the efficiency by building AnKER centres. She further emphasizes the importance of establishing these centres as asylum-seekers with no right to asylum in Germany are being distributed in the country's municipalities, which makes the organization of returns of these people difficult.

Um deutlich zu machen: „Wir wollen, dass sich 2015 nicht wiederholt“, haben wir im Koalitionsvertrag eine Vielzahl von Maßnahmen und auch eine Richtgröße vereinbart, die angestrebt wird, um auch das Thema der Integrationsfähigkeit im Auge zu haben. [ . . . ] Wir haben vereinbart, dass wir zur Erhöhung der Effizienz – denn wir brauchen natürlich nationale Maßnahmen – AnKER-Zentren bilden. [ . . . ] es ist so wichtig, die AnKER-Zentren zu gründen, weil wir gerade bei nicht berechtigten Schutzsuchenden in dem Moment der Verteilung in die Kommune natürlich eine Situation erleben, in der es immer schwerer wird, die Rückführung zu gestalten.<sup>51</sup>

Even though Merkel said earlier that Germany will help in an exceptional situation, she does not want that this kind of situation to repeat itself. In her argumentation, this is best achieved by executing the measures regarding the national asylum policy that the Grand coalition has agreed upon together. Here, the coalition agreement<sup>52</sup> is taken as an important basis for Merkel's argumentation in regard to achieving a situation where such events as experienced in 2015 would no longer be possible.

The establishing of the AnKER centres is brought up by Merkel as a concrete example for achieving more efficiency in executing the asylum policy on a national level. The name is an abbreviation of the German name “Zentrum für Ankunft, kommunale Verteilung, Entscheidung und Rückführung” which translates to ‘centre for

---

<sup>51</sup> To make clear that: “We do not want 2015 to happen again”, we have agreed upon a large number of measures and also on a benchmark in the coalition agreement, toward which will be striven for but at the same time keeping an eye on the issue of the ability to integrate. [...] We have agreed that to increase efficiency - because we of course also need national measures, - we will set up the AnKER centers. [...] it is so important to establish the AnKER centers because, at the moment we are experiencing a situation where unauthorized persons seeking protection are distributed to the municipalities, which makes it increasingly difficult to organise returns. (GB, 42. Sitting, 4112–4113)

<sup>52</sup>For the full coalition agreement, see: <https://www.bundesregierung.de/resource/blob/974430/847984/5b8bc23590d4cb2892b31c987ad672b7/2018-03-14-koalitionsvertrag-data.pdf?download=1>

arrival, municipal distribution, decision and return' These centres are mentioned in the coalition agreement as well as in the Masterplan Migration and would serve as places of retention for the arriving asylum-seekers as their applications are processed. The centres faced harsh critique for example from the German states, federal police, human right activists as well as other parties – including the governing SPD – for their supposed inhumane camp-like conditions.<sup>53</sup> <sup>54</sup> Merkel tries to reinforce her argument about the importance of establishing the AnKER centres as she paints a rather gloomy picture of the municipal level reality experienced currently, which makes it difficult to organize returns of people not entitled to asylum in Germany.

The co-chair of the AfD parliamentary fraction Alexander Gauland gives a different view on Merkel's conception about the events of 2015 as he regards Merkel's decision to prevent Thomas de Maizière – the interior minister of Germany in 2015 – and the federal police from closing the German borders – an action, which would have been possible at the time – as a pure national measure, which actually did not take the rest of Europe to account at all and for which there still are antipathies toward Germany in Europe. For Gauland, this is also the underlying reason why other member states of the European Union were not willing to agree on a certain quote to take in asylum-seekers that came to Germany as a result of the events of late summer of 2015 as he says that Merkel cries for help from Europe whenever it most suits her. He also makes an interesting comparison between chancellor Merkel and interior minister Seehofer, stating that in contrast to the federal chancellor, the federal interior minister is starting to take the interests of German people into account but has left it very late. Gauland says how the dismissing of Seehofer as interior minister for re-enforcing the valid law on German borders would be a bizarre endpoint of Merkel's unfortunate term as federal chancellor.

Als Sie, Frau Merkel, 2015 dem damaligen Innenminister und der Bundespolizei *die durchaus mögliche Grenzschiessung verweigerten, handelten Sie auch nicht europäisch. Ganz im Gegenteil: Sie bevorzugten den nationalen Alleingang, den Ihnen die übrigen Europäer übelnahmen, weshalb diese auch keine Bereitschaft zeigten, die Merkel-Flüchtlinge nach Quoten bei sich aufzunehmen. Frau Bundeskanzlerin, Sie rufen Europa zu Hilfe, wie es Ihnen passt. [ . . . ] Im Vergleich zu Ihnen, Frau Bundeskanzlerin, nimmt der Innenminister wenigstens im Ansatz deutsche Interessen wahr, spät zwar, aber hoffentlich nicht zu spät. Es wäre natürlich die bizarre Schlusspointe Ihrer unseligen Amtszeit, wenn*

---

<sup>53</sup> <https://www.sueddeutsche.de/politik/landtag-muenchen-viel-experten-kritik-an-ankerzentren-fuer-fluechtlinge-dpa.urn-newsml-dpa-com-20090101-190926-99-44828>

<sup>54</sup> <https://www.tagesschau.de/inland/ankerzentren-seehofer-101.html>

*Sie den Innenminister entließen, weil er an den Landesgrenzen das geltende Recht wieder durchsetzt.*<sup>55</sup>

Gauland also refers here to the actions taken by Germany during the height of the refugee crisis and counters Merkel's view about 'acting from a European basis'. He considers Germany's actions as a pure national solo-act, which was not looked upon favourably in the other European countries, exemplified in the fact that it was so difficult to organize burden sharing in the refugee issues with the member states of the EU. Gauland conceives that Merkel as the federal chancellor is abusing the rest of Europe by changing her preferences between national and European level whenever she sees fit.

The latter part of the fragment is of course a reference to the ongoing *Asylstreit* as Gauland conceives that Seehofer is trying to initiate something that will protect German interests. He can also be seen hinting towards a possible result of the crisis: if Merkel would dismiss Seehofer as interior minister, this would most probably lead up to the breakup of the Union parties. This would mean the fall of the entire Grand coalition and Merkel would be forced to step down as federal chancellor. There is also a certain seal of illegitimacy that Gauland is trying to give to this scenario when he says that Merkel would dismiss Seehofer just because he was trying to re-enforce the 'valid law' on national borders as if this valid law would not have been in force in the first place.

Christian Lindner, the chair of the FDP parliamentary fraction also touches upon the Refugee crisis of 2015 in his speech. Lindner says that for Europe to stay as a space of freedom and without borders a control at the outer border and an order inside them is needed. He goes on to explain that there have not been any breakthroughs regarding these issues in the previous years. Lindner emphasizes that this has not only been the case after the Refugee summer of 2015 as the problem has existed for a longer time. Lindner says that the Mediterranean countries do not want to be left alone but there are also member states in the European Union that want to use the benefits of the freedom of movement but do not want to contribute anything when it comes to solving the Refugee crisis. Lindner concludes by saying that the current Dublin

---

<sup>55</sup> When you, Mrs. Merkel, refused to allow the then interior minister and the federal police to close the border, which was entirely possible, you did not act on a European basis. On the contrary: you preferred acting solely at national level, for which the other Europeans resented you, which is why they showed no willingness to take in the Merkel refugees according to quotas. Madam Chancellor, you call Europe to your aid as it suits you. [. . .] Compared to you, Mrs. Chancellor, the Interior minister is at least starting to protect German interests, late though, but hopefully not too late. It would of course be a bizarre final point of your unfortunate term in office if you dismissed the interior minister for re-enforcing the valid law at the national borders. (GB, 42. Sitting, 4115)

regulation does not work and Germany has compensated for its deficits ever since the year 2015 by bearing the main burden.

Damit aber Europa ein Raum der Freiheit ohne Grenzen bleibt, *brauchen wir endlich Kontrolle an der Außengrenze und eine Ordnung im Inneren* [...] In den vergangenen Jahren – nicht nur in den vergangenen zweieinhalb Jahren seit dem Flüchtlingsommer 2015; *das Problem besteht ja länger* – hat es keine Durchbrüche gegeben. [...] Die Mittelmeeranrainerstaaten wollen nicht alleingelassen werden, und *es gibt auch Mitglieder der Europäischen Union, die die Vorteile der Freizügigkeit nutzen wollen, aber selbst keine Beiträge leisten wollen, wenn es darum geht, die Flüchtlingsfrage zu lösen*. Deutschland hat die mangelnde Funktionsfähigkeit von Dublin III kompensiert. *Dublin III funktioniert nicht, und Deutschland hat deshalb seit 2015 die Hauptlast getragen.*<sup>56</sup>

In his speech, Lindner concentrates on the inability of achieving a common European standard on asylum policy guidelines and the functional deficit of one of its more well-known parts in the form of the Dublin regulation. As evidenced in the literary review, this has indeed been an issue in the common asylum policymaking of the EU already well before the Refugee crisis of 2015. One of the main reasons for the absence of reforms was that the northern member states of the EU have wanted to conserve the current, in their view favourable state of the common asylum policy. Lindner also addresses the member states that in his view only want to use the benefits of the Schengen area but are not contributing anything when it comes to solving the Refugee crisis. Lindner conceives that Germany has had to step in to compensate for the deficits of the Dublin regulation by suspending it entirely in the late summer of 2015 and by doing so taking the majority of arriving refugees within its borders. What Lindner does not mention, however, is the fact that before the year 2015, Germany was also among the member states that did not want any changes to the common European asylum policy. He conveniently goes around this fact by basing his argument's starting point to the Refugee crisis and by doing so, makes Germany appear as a kind of an unsung hero in managing the Refugee crisis.

---

<sup>56</sup> For Europe to remain an area of freedom without borders, *we finally need control at the external border and order within* [...] In recent years - not only in the past two and a half years since the refugee summer of 2015; *the problem has existed for longer* - there have been no breakthroughs. [...] The Mediterranean countries do not want to be left alone, and *there are also members of the European Union who want to take advantage of the freedom of movement but do not want to contribute themselves when it comes to solving the refugee issue*. Germany has compensated for the deficits of Dublin III. *Dublin III does not work, and Germany has therefore borne the main burden since 2015.* (GB, 42. Sitting, 4118)



Andrea Nahles, the chair of the SPD parliamentary fraction clearly divides the duties relating to asylum policy on European and national basis in her speech as she states that some issues need to be solved nationally, some on the European level and some on both. Firstly, some issues must be solved on an entirely national basis, such as the reforming of the Federal agency for migration and refugees, establishing of the AnKER centres and – sometime in the future – implementing the national law on immigration. Secondly, some issues can be solved on national basis but require negotiation and coordination with other European countries. These issues include the return of refugees already registered somewhere else. Finally, the third dimension are for Nahles the issues that need to be solved entirely on the European level for them to be handled satisfactorily, such as the securing of the outer borders, reforming the Dublin regulation and the solidaric division of duties in Europe.

*Es gibt nicht die nationale oder die europäische Lösung in der Flüchtlingspolitik. Es gibt Aufgaben, die wir national regeln müssen, zum Beispiel das BAMF zu reformieren, AnKER-Zentren oder auch mal das Einwanderungsgesetz auf den Weg zu bringen. [...] Es gibt Fragen, die wir national entscheiden können, die wir aber auch mit unseren europäischen Partnern absprechen und koordinieren müssen, wie zum Beispiel die Rückführung woanders registrierter Flüchtlinge. Und es gibt Fragen, die wir nur gemeinsam zufriedenstellend regeln können, als gesamteuropäische Lösung, wie zum Beispiel die Sicherung der Außengrenzen, die Reform von Dublin und die solidarische Aufgabenteilung in Europa.<sup>57</sup>*

As Nahles is the parliamentary head of the SPD fraction – a party forming the Grand coalition with the Union parties – her conciliatory rhetoric is not that surprising when it is scrutinized in the light of the ongoing *Asylstreit*. She can be seen not taking a strict stance on the issue about handling certain measures regarding asylum policy on a national or a European level but is rather trying to find a compromise between these two dimensions. This is best exemplified when Nahles inserts the third dimension of national measures that need to be agreed with European partners. Her summarization about what needs to be done on different levels regarding the asylum and refugee policy can be seen as a clear complimentary speech act to Merkel's government statement as the governing coalition that Nahles also represents in her

---

<sup>57</sup> *There is no national or European solution in refugee policy. There are tasks that we have to regulate nationally, for example reforming the BAMF, establishing the AnKER centers or sometime in the future start preparing the immigration law. [...] There are questions that we can decide nationally, but which we also have to discuss and coordinate with our European partners, such as the returning of refugees registered elsewhere. And there are questions that we can only settle satisfactorily together, as a pan-European solution, such as securing the external borders, the reform of Dublin and the solidarity-based division of tasks in Europe. (GB, 42. Sitting, 4116)*

role as the chair of her parliamentary fraction is trying to establish a clear direction to develop the policy regarding asylum and refugees.

The AnKER centres were already handled above but the reform of the Federal Office for Migration and Refugees is most likely a reference to a scandal that was exposed during the spring of 2018 in the Office's functions. Some of the workers of the Office had given refugee status to asylum-seekers, who were not legally qualified for it. Between 2013 and 2016 in Bremen. These events came to light in March of 2018 – just as the newly-formed Grand coalition had started its reign.<sup>58</sup> The immigration law (*Einwanderungsgesetz*) also mentioned as a national measure by Nahles is most likely a reference to the work force law (*Fachkräfteeinwanderungsgesetz*) already discussed in the coalition agreement of the Grand coalition and agreed upon by Bundestag along with other legislation regarding labour migration and asylum in the so-called Migration package (*Migrationspaket*) a year later on 15<sup>th</sup> of August 2019.<sup>59</sup> All of Nahles' examples on what needs to be done on national level policymaking all rise out of the political necessity but she clearly puts them in an order of importance as the situation of the Federal Office for Migration and Refugees needs to be dealt with first to allow the efficient functioning of the AnKER centres and sometime later the implementation of the immigration law.

The parliamentary co-chair of the left fraction Sahra Wagenknecht addresses in her speech the national measures that need to be agreed upon with European partners as she ridicules the intentions of interior minister Seehofer to convert the refugees from the German border by envisaging what the concrete consequences of these measures would be. According to Wagenknecht, if Germany decided to act solely from national basis on the issue, other European countries would simply follow Germany's example and no longer register refugees. She conceives such action taken by Germany as only creating more cracks in the relations between the European countries.

*Was würde denn die Zurückweisung registrierter Asylbewerber an der deutschen Grenze tatsächlich verändern? Wenn Deutschland im Alleingang beschließt, zurückzuweisen, dann werden andere Länder eben im Alleingang beschließen, nicht mehr zu registrieren. Was haben Sie dadurch gewonnen, außer dass Sie neuen Sprengstoff für die innereuropäischen Beziehungen gelegt haben?<sup>60</sup>*

---

<sup>58</sup> <https://www.zeit.de/politik/deutschland/2018-05/bamf-aussenstelle-bremen-innenausschuss-bundestag-sondersitzung-horst-seehofer-jutta-cordt>

<sup>59</sup> <https://www.buzer.de/s1.htm?g=Fachkr%C3%A4fteeinwanderungsgesetz&f=1>

<sup>60</sup> *What would the rejection of registered asylum seekers at the German border actually change? If Germany single-handedly decides to reject, then other countries will single-handedly decide not to register anymore.*

Wagenknecht's notion is brief but it does underline the significance Germany plays in asylum policy on a European level. As Germany has been able to manoeuvre on the European level in a manner that has made the common European asylum policy to be heavily based on German preferences and thought out of the country's perspective, the individual actions of it would most probably again play a major role in the issue regarding the return of registered asylum-seekers. Should Germany take a fully national decision on this salient issue, the other European countries would simply follow, making the solving of the issues regarding for example the CEAS even more difficult. This fragment also demonstrates the fact how Germany's national leeway in the European asylum policy issues has grown thinner because of the Refugee crisis of 2015.

### **4.3 Quarrel settled; debate continues: second reading of the appropriation bill of 2018 in early July**

The second and third reading of the appropriation bill for the year 2018 (*Haushaltsgesetz 2018*) took place on the 4<sup>th</sup> and 5<sup>th</sup> of July, just before the summer break of the parliament. During these readings, *Asylstreit* was effectively over as a compromise had been reached by the Union parties. However, the debate was heavily concentrated not only to German asylum policy but also on the compromise reached by the union parties. I will conduct the analysis of the second reading concentrating on the budget section (*Einzelplan*) 04 as this is the section of the Office of Federal Chancellor managed by chancellor Merkel. The reason why I have picked this section became clear in the theory chapter of this thesis: the federal chancellor is *de facto* representative of the federal government in Bundestag. Section 04 was debated in Bundestag on 4<sup>th</sup> of July. As the second and third reading regarding a legislative act are usually bind together, the third reading only serving a declarative function about the overall processing of the motion, the main emphasis of this paragraph will be on the second reading.

---

What have you gained from it, apart from *setting new explosives for intra-European relations?* (GB, 42. Sitting, 4121)

### **4.3.1 General notions on budget debates in parliament**

Budget of the government builds the obligatory core area of parliamentary agenda, which is embodied by its regularity on it. Agreement about the budget is an annual event in parliament, as withholding it would paralyse the state apparatus. This agreement lies on the principle of the acclamation of epideictic rhetoric and is a central factor in the consensual interpretations of parliamentarism. Before the voting, there might be some parliamentary diplomacy involved and during which an intensive search for compromise takes place. The moment of deliberation is therefore to be found in the dispute about the priorities and main emphasis of the proposed budget. (Palonen 2019, 77, 85.)

Even though being one of the oldest topics in parliamentary debate, the budget is still politically significant. For the government, it expresses the credibility of its political profile as for the opposition, the budget, with all its possible weaknesses, can present chances of overthrowing the government in the next elections. Therefore, it is not often wise for the opposition to show too much initiative in budgetary politics but concentrate on finding the weaknesses of the financial policy of the government and criticizing them. As the budget is a government's proposal, it also possesses the parliamentary initiative on the budget and presents the government with a chance to decide annually its profile and priorities regarding its policy. The government's resources are always superior to the oppositions on budgetary matters. (Palonen 2019, 112-114.) It is also good to note that as the Grand coalition was a majority government, the passing of the appropriation bill of 2018 was never going to become problematic, since it had already garnered a parliamentary majority behind it.

### **4.3.2 Parliamentary journey of the appropriation bill in Bundestag**

Before moving on to the analysis of the later readings, there are a few things to consider regarding the procedure regarding appropriation bills in the context of Bundestag. The process of budget regulation is given in the article 110 of the basic law, which states that the yearly budget shall be determined by passing a law concerning the implementation of the budget proposal. The presentation of the budget proposal is mainly the task of the federal government. One of the biggest committees of Bundestag, the budget committee (*Haushaltsausschuss*) is involved in every phase of the budget's formation and control. (Ismayr 2012, 342, 350.)

As the process of implementing a yearly budget is a legislative process, it is handled by the parliament the same way as common law proposal. Traditionally, law proposals are debated in three parliamentary readings, the second and third reading usually added together to the same item on the agenda. The biggest effort to form and amend these proposals are not made in the parliamentary readings, but in the

committees and other working groups. Law proposals concerning financial matters – such as *Haushaltsgesetz 2018* – have to publish a final report given by the budget committee before the third reading. (Ismayr 2012, 238, 240–241, 243.)

### 4.3.3 Analysis of Section 04: Federal Chancellery

*“Ich habe natürlich immer wieder mich gefragt: ist das richtig und wichtig dass du auf diesen Prinzipien beharrst? Und habe mir dann gesagt: ja. Deshalb bin ich auch froh dass wir jetzt diese Lösung haben”<sup>61</sup>*

- Angela Merkel

During the second reading of section 04 for the appropriation bill of 2018, Merkel’s speech was still heavily directed to the European level issues regarding migration. This is mostly due to the fact that the EU migration summit continued after her government declaration the previous week and Merkel wanted to express the later decisions reached in this summit<sup>62</sup> to the parliament. In her speech, Merkel highlighted the significance of the decision reached in the EU migration summit. She names the topic of migration as the main challenge facing the European Union. The interests regarding this topic do vary inside the Union but Merkel concludes that the council meeting came to an agreement with the fact that the topic is not only the issue of those member states, which are challenged by it but a task for every member state. For Merkel and many others, the question of how to deal with the issues of migration decides the faith of Europe. Thus, the conclusion reached by the council holds a special value for Merkel.

*Aber im Kern haben wir uns mit der großen Herausforderung der Europäischen Union beschäftigt, die uns ja auch hier zu Hause so in Bann hält. Das ist das Thema der Migration. Die Interessenlage in der Europäischen Union bezüglich der Fragen der Migration ist unterschiedlich. Aber – und das war der eigentliche Wert dieses Rates – wir haben uns dazu verständigt, dass es eben nicht nur die Frage für einzelne Mitgliedstaaten ist, die diese Mitgliedstaaten herausfordert, sondern dass es eine Aufgabe ist, die alle angeht. [. . .] Weil aber nach meiner tiefen Überzeugung und nach der tiefen Überzeugung vieler anderer der Umgang mit dieser Migrationsfrage*

---

<sup>61</sup> “Of course, I have asked myself again and again: is it right and important that you insist on these principles? And then I have said to myself: yes. That's why I'm glad that we now have this solution.” (Angela Merkel about the asylum compromise on ARD talk show *Farbe bekennen* on 4<sup>th</sup> of July 2018)

<sup>62</sup> For the full council resolution, see: <https://www.consilium.europa.eu/en/press/press-releases/2018/06/29/20180628-euco-conclusions-final/>

*darüber entscheiden wird, ob Europa Bestand haben kann, weil es eine so bewegende Frage ist, war es wichtig, dass wir zu dieser Einigung gekommen sind.*<sup>63</sup>

There is a strong tone of solidarity in Merkel's speech. Migration is seen as *the* challenge of the European Union and even though the interests of single member states differ, the challenge posed by migration is common to all. The way which this challenge is resolved will according to Merkel decide the faith of the European Union as a whole, which is why she is thankful for the recognition of the challenge as a common European issue. As Merkel remarks that migration is a challenge that also holds Germany under its spell, this assurance to the parliament that all the council members agree – or as Merkel puts it: deeply believe – that migration is a common challenge to European Union has a certain value to it as it gives promise for cooperation and solidarity in overcoming this challenge. Merkel herself states that this was the real value of the council meeting.

Merkel also addresses the national situation as she says that there has to be more order in all types of migration towards Germany so that the citizens have the assumption that law and order are being enforced. These according to Merkel are the mission and concern of the federal government. She mentions that interior minister Seehofer will soon present his masterplan in which all the fields where Germany can become more efficient, better and faster will once more be looked at. Merkel concludes by saying that the federal government will continue placing emphasis on the integration of those refugees that have prospects of staying in Germany.

*Es muss mehr Ordnung in alle Arten der Migration kommen, damit Menschen den Eindruck haben: Recht und Ordnung werden durchgesetzt. Das sind unser Auftrag und unser Anliegen. [...] Der Bundesinnenminister wird seinen Masterplan vorstellen, wodurch in allen Bereichen noch einmal geguckt wird: Wo müssen wir effizienter werden? Wo müssen wir besser werden? Wo müssen wir schneller werden? – Wir werden natürlich auch das Thema der Integration für diejenigen, die Bleibeperspektiven haben, weiter in den Mittelpunkt stellen.*<sup>64</sup>

---

<sup>63</sup> *But in essence we have dealt with the great challenge of the European Union, which also holds us under its spell here at home. That is the topic of migration. The interests of the European Union regarding the questions about migration vary. But - and that was the real value of this Council meeting - we have agreed that it is not just a question for individual Member States, which challenges these Member States, but an objective that concerns every one of us. [ . . . ] But because, it is my deep belief and the deep belief of many others that how this migration issue is dealt with will decide whether Europe can survive, because it is such a moving question, it was important that we reached this agreement.* (GB, 45. Sitting, p. 4668)

<sup>64</sup> *There must be more order in all types of migration so that people have the impression: law and order are enforced. That is our mission and our concern. [...] The Federal Minister of the Interior will present his masterplan, which will allow us to take another look at all areas: Where do we have to become more efficient? Where do we have to become better? Where do we have to become faster? - Of course,*

Merkel makes here a statement about the foundational objective of the government as the upholder of societal peace by bringing order to all types of migration. The Masterplan Migration is brought up by her once again as a means of achieving this order. It is interesting to note that Merkel only briefly declares that Seehofer will present the masterplan but does not go into details about the measures that caused controversy between her and Seehofer a mere month ago. Merkel also touches upon the integrational aspect when speaking about bringing order to migration towards Germany, which most likely came about by the critique directed towards the Masterplan by not taking enough into account the integration policies. The analysis has also shown that Merkel takes integration into consideration when discussing refugee migration.

The co-chair of the AfD fraction Alice Weidel argues that the welcoming culture practised by Merkel and her cabinets in recent years and the lack to introduce corrective measures has led to the current government crisis. This crisis, according to Weidel, is long from over as she describes that Merkel has only achieved a pyrrhic victory over Seehofer. Weidel goes on to give her vision about the entire crisis as she accuses Merkel of taking apart the interior minister, because Seehofer had threatened to apply at least partly the valid law after three years of its arbitrary suspension. To prevent Seehofer from doing this, Weidel accuses Merkel of abusing her guideline competence as a chancellor. She concludes that the guideline competence is not made for suspending the law or constitution permanently.

*Ihre Weigerung, den Irrweg Ihrer Willkommenskultur einzugestehen und die notwendigen Maßnahmen zur Kurskorrektur wenigstens einzuleiten, hat die aktuelle Regierungskrise ausgelöst, die mit Ihrem Pyrrhussieg über Horst Seehofer noch längst nicht ausgestanden ist. Sie demontieren Ihren Innenminister, weil er damit droht, nach drei Jahren willkürlicher Außerkraftsetzung wenigstens teilweise wieder geltendes Gesetz anzuwenden. Um das zu verhindern, missbrauchen Sie Ihre Richtlinienkompetenz. [ . . ] Die Richtlinienkompetenz ist nicht dazu da, Recht und Verfassung dauerhaft außer Kraft zu setzen.<sup>65</sup>*

---

we will also continue to focus on *the issue of integration* for those who have prospects of staying in Germany. (GB, 45. Sitting, 4670)

<sup>65</sup> Your refusal to admit *the wrong path of your welcoming culture* and to *at least initiate the necessary measures to correct the course* has triggered the current government crisis, which is far from over with your *pyrrhic victory over Horst Seehofer*. You are taking apart your interior minister because he is threatening to *re-enforce the valid law, at least partly, after three years of arbitrary suspension*. To prevent that from happening, *you are abusing your guideline competence*. [ . . ] The guideline competence is not there to permanently suspend law and the constitution. (GB, 45. Sitting, 4667)

In Weidel's argumentation *Asylstreit* is the long overdue result of the direction of German asylum policy of previous years. It is possible to observe here the interesting transformation in the meaning of the concept of welcoming culture (*Willkommenskultur*) also touched upon in the literary review as Weidel uses it to describe the federal asylum policy, although in a rather pejorative manner as she sees the concept for being responsible for leading to the government crisis. The pyrrhic victory mentioned by Weidel is of course a reference to the compromise reached by the Union parties in *Asylstreit*, which she also seems to conceive as a result, which has left both CDU and CSU in ruins and not actually solved the quarrel at all.

An argument regarding the guideline competence is also made by Weidel as she concludes that Merkel is misusing it by 'taking apart' her cabinet's interior minister, who is just trying to re-enforce the valid law on the German border after three years of its suspension, which of course is again a reference to the events of the late summer of 2015. It has become evident during the analysis that this is a very common conception of the members of the AfD parliamentary fraction. Weidel conceives that Merkel has abused her political power of ultimately deciding the guideline in the policy issues involved in *Asylstreit* by continuing the suspension of national law and constitution. Weidel's view about the guideline competence is rather one-sided as she seems to conceive it more as an instrument for the federal chancellor to dictate the policy guideline but as was discussed in the literary review, this is not the case as the chancellor still has to take into account the political leeway she has in the issues at hand and negotiation is still required.

The co-chair of the Left parliamentary fraction Dietmar Bartsch also addresses the settled *Asylstreit* and the EU summit as he says that he has gotten a lot of questions in the last days about the stance of the Left party to the quarrel. More precisely if the Left stands behind Merkel or Seehofer in the dispute. Bartsch then goes on to address the events of the late summer of 2015 as he conceives Merkel's decision not to close German borders from those in distress as a humane decision. However, he wants to make clear that the choice between Merkel and Seehofer is only superficial as this has been demonstrated by the recent EU summit. According to Bartsch, Merkel and Seehofer actually want the same thing, which is the European isolation, militarizing the outer borders and placing refugees into camps. Bartsch concludes by saying that Seehofer wants to build these camps directly to German border and Merkel outside the European Union.

Ich wurde in den letzten Tagen oft gefragt, *ob die Linke im Asylstreit jetzt bei Angela Merkel oder bei Horst Seehofer steht. Ganz klar und eindeutig: Natürlich war die Entscheidung von Frau Merkel im September 2015, die Grenzen nicht zu schließen und den Menschen in Not zu helfen, eine humane Entscheidung. [...]* Es



muss aber auch deutlich gesagt werden: *Die Wahl zwischen Angela Merkel und Horst Seehofer ist nur eine oberflächliche Wahl; das haben die Ergebnisse des EU-Gipfels sehr deutlich gezeigt. In der Sache wollen Angela Merkel und Horst Seehofer das Gleiche: europäische Abschottung, Militarisierung der Außengrenzen, und Flüchtlinge sollen in Lager gesteckt werden. Horst Seehofer will die Lager nur direkt an der Grenze bauen und Angela Merkel außerhalb der Europäischen Union.*<sup>66</sup>

As can be observed not only from Bartsch's speech but from the analysis in general, the events of the Refugee crisis and the actions of Germany are after almost three years still a central topic in the debates of Bundestag. Even though Bartsch conceives the decision of the third Merkel cabinet to suspend the Dublin regulation as a humane decision, he goes on to criticize the results achieved in the EU migration summit. Bartsch's notion about Merkel and Seehofer wanting in essence the same thing could be interpreted as Bartsch criticizing the entire results of the summit through the points regarding migration in the summit's resolution.

The resolution states that the member states can take internal measures to stop refugees from crossing national borders inside the Schengen area and that member states need to ensure the effective control of the EU's outer borders, which can be achieved with the help of the Border and Coast Guard Agency FRONTEX – an agency heavily criticized of its actions in its field of operation<sup>67</sup>. 'European isolation' and 'militarizing the outer border' in this sense would mean that the member states of the EU would start imposing border controls all the while FRONTEX acts as a 'military force' on the outer borders. As Bartsch is speaking about Seehofer wanting to place the refugees in camps on the German border, he is most likely referring to the criticized AnKER centres as they were criticized for their inhumane conditions. Bartsch's argument about Merkel wanting to establish the camps outside of the European Union is again best approached by looking at the summit resolution as it states that a second tranche of the facility for Refugees will be launched in Turkey – a country which had already in 2016 played a criticized role in the management of the refugee pressure faced by Europe.

---

<sup>66</sup> I have often been asked in recent days *whether the Left now stands with Angela Merkel or Horst Seehofer in the asylum quarrel. Very clearly and unequivocally: of course, Mrs Merkel's decision in September 2015 not to close the borders and to help people in need was a humane decision. [...] But it must also be said clearly: The choice between Angela Merkel and Horst Seehofer is only a superficial choice; the results of the EU summit have shown that very clearly. In substance, Angela Merkel and Horst Seehofer want the same thing: European isolation, militarisation of the external borders, and refugees are to be put into camps. Horst Seehofer wants to build the camps only directly at the border and Angela Merkel outside the European Union. (GB, 45. Sitting, 4681)*

<sup>67</sup> <https://www.euronews.com/2021/07/29/allegations-lawsuits-and-damning-reports-how-frontex-became-the-most-contentious-eu-agency>

Christian Lindner from the FDP fraction says in his speech that the prerequisite for a European solution is that Germany makes it clear that it is not willing nor able to carry the main burden caused by the migration from outside and the secondary migration from inside Europe, which has been the case since 2015. Later in his speech Lindner goes on to make a direct suggestion to Merkel by concluding that since the matter of migration is such a canted issue also inside Merkel's own fraction, the problem should be addressed over the party lines and handle this decisive question in the same manner as was done in the early 1990's with the Asylum compromise: by leaving behind the political lines of debate and rethinking the issues together.

Wir glauben, dass *die Voraussetzung für eine europäische Lösung ist, dass wir zunächst als Bundesrepublik Deutschland deutlich machen, dass wir, anders als seit 2015, nicht mehr willens, nicht mehr in der Lage sind, die Hauptlast der Migration von außen und der Sekundärmigration innerhalb Europas zu tragen.* [...] Frau Merkel, Frau Bundeskanzlerin, unser Vorschlag ist: *Da dieses Thema selbst in Ihrer eigenen Fraktion so verkantet ist, lassen Sie uns das Problem parteiübergreifend lösen und in dieser entscheidenden Frage, wie Anfang der 90er-Jahre beim Asylkompromiss, die politischen Debattenlinien verlassen und gemeinsam neu denken!*<sup>68</sup>

The speech can be seen as a continuation of the agenda of Lindner and his fraction from the debate regarding the government statement as he brings up again the unwillingness and inability of Germany to be the country that carries the main burden from the management of the Refugee crisis, which to him has been the case ever since the start of it. This according to Lindner needs to be the starting point for the European solution and as such it again echoes Lindner's view about the unequal burden sharing that is going on inside the EU. Lindner also makes an interesting argument about settling the differing opinions regarding the asylum policy on a national level as he reaches into the parliamentary history of Germany. The growing political pressure regarding the refugee situation in the recently reunified Germany was met in 1993 with the asylum compromise. During this time, it was FDP that built a governing coalition with the union parties while Helmut Kohl from the CDU acted as the federal chancellor. This fact brings an intriguing tone Lindner's proposition as he is the fraction chair of FDP, a party closely involved with the asylum compromise

---

<sup>68</sup> We believe that *the prerequisite for a European solution* is that we as the Federal Republic of Germany first make it clear that, unlike since 2015, we are no longer willing, no longer able, to *bear the main burden of migration from outside or secondary migration within Europe.* [...] Mrs. Merkel, Mrs. Chancellor, our proposal is: *Since this issue is so canted even in your own parliamentary group, let's solve the problem across party lines and in this crucial issue, as in the early 1990's with the asylum compromise, leave the political lines of debate and rethink together!* (GB, 45. Sitting, 4676-4677)

of 1993. Nevertheless, Lindner's notion is also a good place to end this analysis as his last sentence about leaving behind the political lines of debate and gather together to rethink the policies regarding asylum would be a welcome suggestion not only on the national level.

## 5 CONCLUSION

This thesis set out to study what kind of conceptions regarding the asylum policy of Germany could be read out from the plenary debates of Bundestag during the German government crisis of 2018. Parliamentary conceptions were defined as speech acts of conceptual interpretation by competing political ideologies organised as parliamentary fractions as they attempt to give their own valid and legitimate meanings to the form of polity and direction of policy through linguistic action, which presents itself in the form of parliamentary rhetoric in the plenum of Bundestag. The analysis demonstrates that the plenary debates from this time embody a manifold of conceptions across parliamentary fractions regarding this policy field. Before presenting the findings in detail, I will shortly summarize the discussion about the parliamentary procedure of Bundestag as this thesis also aimed to clarify the nature of this federal parliamentary assembly by discussing its logic of function, which – as was evidenced – greatly affects the plenary debate conducted during the sittings.

The ‘ideal’ parliamentary debate, where motions are discussed *pro et contra* and *in ultramque partem* does not take place in the plenum of Bundestag, which has to do with the parliamentary procedure of this assembly. This aspect was addressed with the help of the thoughts of Frank Ankermit by discussing the efficient executive power of the governmental bureaucracy reducing the role of the contemporary parliament. It was concluded that this kind of manifestation of bureaucratization of the government diminishing the role of the parliament can be observed in the parliamentary reality of Bundestag as well and it has some profound implications on the logic of function of this parliamentary assembly. Bundestag can be considered as a ‘working parliament’, where a high degree of specialization, coordination and cohesion is needed. These are made possible by the parliamentary groups and committees of Bundestag as they assemble behind closed doors to discuss legislative matters and the committee recommendations for decisions for motions usually has a decisive character, which greatly shapes the policy and polity of legislative periods.

The parliamentary procedure of Bundestag also has some major implications to two most central functions of this federal assembly: the legislative and control function. Both of these functions do not take place in the plenum but in the committee meetings. In these closed-off meetings, all the parliamentary groups across the traditional government opposition division participate to decision-making in collaboration. This ensures the efficient functioning of Bundestag as a legislative organ. Therefore, the plenary debates of Bundestag are not debates *per se* but should rather be viewed as a channel of information to the public about the work done in the parliamentary committees 'disguised' in the form of parliamentary rhetoric. The parliamentary conceptions about current policy and polity questions, however, are presented in the plenum, which was also evidenced by the analysis. These conceptions reflect the work done in the committees, which also makes the studying of them and the parliamentary rhetoric of Bundestag meaningful.

All the analysed debates represent a different kind of function in the parliamentary procedure of Bundestag as the first one in the form of *Aktuelle Stunde* can be considered either a parliamentary discussion on current topics that serve a common interest or in some cases also a parliamentary control mechanism. The topic of the *Aktuelle Stunde* in question fell more into the first category as the publicly known but in substance unknown Masterplan Migration worked on by interior minister Seehofer and his ministry was discussed by the parliament. As such, its handling in parliament opened a chance to not only scrutinize the current polity in the form of the federal government but also criticize the federal policy of the recent years as this debate centred mostly on national level. The policy guidelines were considered as being unclear and the government was conceived as being unable to take action in pressing asylum policy matters. The asylum policy guidelines of the previous years were also conceived as inefficient in the sense that it had allowed the polarization of the political climate in Germany. The differing opinions inside the Union about the measures that should be included in the masterplan were also critiqued.

The second debate analysed was a government statement issued by chancellor Merkel, which handled the EU migration summit she was attending at the time. Government statements serve as an instrument of the federal government to clarify the policy lines in certain issues to Bundestag and the public but they also offer the chance for the federal chancellor to set a common policy direction. This particular government statement served first and foremost the purpose of informing the parliament about the hitherto results of the summit but can also be viewed as an effort by the federal government to establish a clear policy direction on both the European and national levels. The analysis shows that Chancellor Merkel – the representative of the entire federal government through her office – spoke extensively about the federal asylum policy but also addressed the European level as well as the events of late

summer of 2015. She reminded the parliament about Germany's successful asylum policy of the past and also legitimized the actions of her previous government during the height of the Refugee crisis. The future direction of asylum policy was conceived by Merkel as being anchored in the coalition agreement of her fourth cabinet as she viewed it as a kind of a safeguard against another exceptional situation as experienced in 2015. The conceptions in this debate concentrated around Germany's role in Europe as differing views about the country's role in managing the Refugee crisis were given. The analysis of this debate also demonstrates, how the conceptions regarding the responsibilities and Germany's role in asylum policy between the national and European levels vary across the parliamentary fractions.

The third debate analysed was the second reading of a motion of law. More precisely, the second reading of the section 04, which is the budget section of the federal chancellery for the appropriation bill of the year 2018. As the passing of the appropriation bill is a yearly duty of the parliament and doesn't usually pose any surprising results in terms of voting, it still offers a chance to scrutinize the form of polity and direction of policy for the parliamentary opposition. It was meaningful to concentrate on this particular section of the motion as the federal chancellery represents the entire federal government in Bundestag. In the second reading of section 04, the conceptions of federal asylum policy were heavily concentrated on the European dimension but also on the aftermath of *Asylstreit*. Merkel concluded that migration is a common European issue in need of common European solutions. She also laid out the guidelines on what will be done next on the national level, mentioning the Masterplan as a key element for the federal asylum policy, signalling also the compromise reached between the Union parties in *Asylstreit*. The compromise was however scrutinized in the parliament as being unsatisfactory. This debate also reflected the differing conceptions about Germany's role in European policymaking in the field of asylum.

Earlier in the thesis, I argued that *Asylstreit* on its part still echoed the events of the late summer of 2015 and the actions taken by Germany. The analysis further demonstrates this as the conceptions presented by the representatives of the parliamentary fractions regarding the federal and European asylum policy tend to centre around the events that took place a mere three years earlier. The overarching theme of the events and Germany's actions underline the significance they still had on the overall debate about asylum policy in Bundestag. Germany was mostly conceived as acting from a European and humanitarian basis when the country opened its borders to the refugees arriving to Europe but the need for control and order to the current situation was commonly recognised. It is of course not surprising that the conceptions of the representatives of AfD make an exception to this, since the party's agenda is based on anti-immigration and it's parliamentary representatives conceive

the current situation as *Ausnahmezustand* with the absence of valid national law. All in all, it can be said that the parliamentary conceptions and contestation throughout the analysis seems to focus on Germany's overall role in Europe and the balancing between national and European level in asylum policy matters. This also reflects the nature of *Asylstreit* as a confrontation between national and European policy preferences in this policy field.

Of course, since the events of the summer of 2018, a lot has happened in the federal politics of Germany and the times have continued to be tough for the Union parties also after the government crisis. Angela Merkel stepped down as the chairperson of the Union already in December 2018 and since then the party has had three different chairpersons in three years with Annegret Kramp-Karrenbauer, Armin Laschet and now Friedrich Merz. It was Laschet who took the party to the federal election in the midst of a global pandemic in the autumn of 2021 and acted as the *Spitzenkandidat* of the Union for the office of chancellor as Merkel had announced her retirement from politics. After the elections, where the Union parties again experienced a new historical electoral defeat, the newly elected 20<sup>th</sup> Bundestag chose Olaf Scholz – the minister of finance in Merkel's fourth cabinet – as the ninth federal chancellor of Germany on 8<sup>th</sup> of December 2021 and the new traffic light coalition (*Ampelkoalition*) consisting of SPD, FDP and the Greens – first of its kind on the federal level in German history – started its work on the same day.

Despite new developments in the federal politics, the persisting issues regarding forced migration have not disappeared as the international situation continues to be fragile. One can for example think of Afghanistan once again falling under Taliban rule and causing thousands of people from the many tribes residing in the country to flee persecution. Even though many European countries also evacuated Afghan nationals during their own evacuation operations, perhaps the words of Angela Merkel found also in the title of this thesis were in the mind of European leaders as they said that the people fleeing Taleban persecution requires a greater cooperative effort by the EU with the neighbouring and transit countries<sup>69</sup>. At the time of writing this thesis, however, the possibility for refugee movements inside Europe can also not be ignored considering the tense situation on the Ukrainian-Russian border and the ongoing global pandemic has of course also had its effect on forced migration as the economies and health care systems of developing countries have greatly been impaired. In the near future, if more efficient measures in battling climate change cannot be made, climate-caused refugee migration will increase. These few examples further express the multifaceted reasons behind forced migration and the need for asylum.

---

<sup>69</sup>[https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698776/EPRS\\_BRI\(2021\)698776\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698776/EPRS_BRI(2021)698776_EN.pdf)

I want to conclude this thesis by saying that even though I have studied the parliamentary conceptions on asylum policy presented in the plenum of Bundestag – the parliamentary assembly of a country holding international significance in asylum policy matters – the issues regarding forced migration cannot be solved by words or passed laws in the parliamentary assembly of any one country but require a joint action by the entire international system. This system of course is in itself tangled in such a complex way and the reasons for forced migration are so complex that any profound and effective joint action seems very difficult to accomplish.



## 6 SOURCES

Primary sources:

Plenary session protocols of the Bundestag from the 19<sup>th</sup> legislative period:

40<sup>th</sup> plenary session. Doc. no. 19/40., 15<sup>th</sup> of June 2018

42<sup>nd</sup> plenary session. Doc. no. 19/42., 28<sup>th</sup> of June 2018

45<sup>th</sup> plenary session. Doc. no. 19/45., 4<sup>th</sup> of July 2018

Available: <https://pdok.bundestag.de/>

Secondary sources:

Research literature:

Ankersmit, Frank. 2002: Political Representation. Stanford, CA: Stanford University Press.

Brekke, J-P. & Brochmann, G. 2014: Stuck in Transit: Secondary Migration of Asylum Seekers in Europe, National Differences, and the Dublin Regulation. *Journal of Refugee Studies*, 28:2, 145-162.

Burkhardt, Armin: Debattieren im Schaufenster: zu Gebrauch und Pervertierung einiger parlamentarischer Sprachformen im Deutschen Bundestag. 301-334. In the book from Schulz, A. & Wirsching, A. (edit.) 2012: *Das Parlament als Kommunikationsraum*. Düsseldorf: Droste Verlag.

Crage, Suzanna. 2016: The More Things Change ... Developments in German Practices Towards Asylum Seekers and Recognised Refugees. *German Politics*, 25:3, 344–365.

Faas, T. & Klingelhöfer, T. 2019: The more things change, the more they stay the same? The German federal election of 2017 and its consequences. *West European Politics*, 1–13.

Freeden, Michael: Conceptual history, Ideology and Language. In the book from Steinmetz, W. Freedon, M. & Fernández Sebastián, J. 2017: *Conceptual history in the European space*. New York, NY: Berghahn Books.

Hart, Roderick P. 1997: *Modern Rhetorical Criticism*. Boston, MA: Allyn & Bacon.

Hough, Dan. 2006: The German Bundestag Election of 2005. *Representation*, 42:1, 73–82.

Ismayr, Wolfgang. 2012: *Der Deutsche Bundestag*. Wiesbaden: Springer VS.

Laubenthal, Barbara. 2019: Refugees Welcome? Reforms of German Asylum Policies Between 2013 and 2017 and Germany's transformation into an Immigration Country. *German Politics*, 28:3, 412–425.

Meinel, Florian. 2019: *Vertrauensfrage – Zur Krise des heutigen Parlamentarismus*. München: Verlag C.H. Beck.

Mushaben, Joyce Marie. 2017: Wir schaffen das! Angela Merkel and the European Refugee Crisis. *German Politics*, 26:4, 516–533.

Palonen, Kari: Concepts and debates. In the book from Steinmetz, W. Freedon, M. & Fernández Sebastián, J. 2017: *Conceptual history in the European space*. New York, NY: Berghahn Books.

Palonen, Kari. 2019: *Parliamentary Thinking: Procedure, Rhetoric and Time*. Cham: Palgrave Macmillan.

Patzelt, Werner: Das Parlament als Kommunikationsraum. Funktionslogik und analytische Kategorien. 45–73. In the book from Schulz, A. & Wirsching, A. (edit.) 2012: *Das Parlament als Kommunikationsraum*. München: Droste Verlag.

Perron, Catherine. 2020: Reimagining German identity through the politics of history: changing interpretations of German past migrations during the “Refugee crisis”, 2015/2016. *Journal of Ethnic and Migration Studies*, 1–17.

Reiners, W., & Tekin, F. 2019: Taking Refuge in Leadership? Facilitators and Constraints of Germany's Influence in EU Migration Policy and EU-Turkey Affairs during the Refugee Crisis (2015–2016). *German Politics*, 1–16.

Rossell Hayes, A. & Dudek, C.M. 2020: How Radical Right-wing Populism Has Shaped Recent Migration Policy in Austria and Germany. *Journal of Immigrant & Refugee Studies*, 18:2, 133–150.

Rudzio, Wolfgang. 2019: *Das politische System der Bundesrepublik Deutschland*. 10th edition. Wiesbaden: Springer VS.

Saalfeld, Thomas. Bureaucratisation, coordination and competition: parliamentary party groups in the German Bundestag. In the book from Heidar, K. & Koole, R. (edit.) 2000: *Parliamentary Party Groups in European Democracies: Political Parties Behind Closed Doors*. 23–39. London: Routledge.

Schmälder, Julia. 2018: A European response to non-compliance: the Commission's enforcement efforts and the Common European Asylum System. *West European Politics*. Volume 41, 2018. Issue 6. 1330–1353.

Schuette, Leonard. 2018: Collective memory in Germany and the great foreign policy debate: the case of the European refugee crisis. *Cambridge Review of International Affairs*, 31:3-4, 272–290.

Schuster, Liza. Unmixing Migrants and refugees. In the book from Triandafyllidou Anna (edit.) 2015: *Routledge Handbook of Immigration and Refugee Studies*. 297–303. London: Taylor and Francis group.

Steinmetz, W. & Freeden, M.: Introduction. Conceptual history. In the book from: Steinmetz, W. Freeden, M. & Fernández Sebastián, J. 2017: *Conceptual history in the European space*. New York, NY: Berghahn Books.

Tekin, Funda. 2016: Europapolitische Prioritäten Deutschlands in den Bereichen Innere Sicherheit, Asyl- und Einwanderungspolitik. *Handbuch zur deutschen Europapolitik*. 341–354.

Wiesner, Claudia; Haapala, Taru & Palonen, Kari. 2017: *Debates, rhetoric and political action: practices of textual interpretation and analysis*. London: Palgrave Macmillan.

Zaun, N., & Ripoll Servent, A. 2021: One step forward, two steps back: the ambiguous role of Germany in EU Asylum policies. *Journal of European Integration*, 43(2), 157–174.

Media sources:

Bundesministerium des Innern, Bau und Heimat. 2018: Masterplan Migration: Maßnahmen zur Ordnung, Steuerung und Begrenzung der Zuwanderung. <[https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/migration/masterplan-migration.pdf?\\_\\_blob=publicationFile&v=7](https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/migration/masterplan-migration.pdf?__blob=publicationFile&v=7)>, accessed 26<sup>th</sup> of November 2020.

Bundesministerium des Innern, Bau und Heimat. 2021: Top Thema: Verantwortung & Zusammenhalt: Der Masterplan Migration. <<https://www.bmi.bund.de/SharedDocs/topthemen/DE/topthema-masterplan-migration/topthema-masterplan-migration.html>>, accessed 26<sup>th</sup> of November 2020.

Bundesministerium für Justiz. "Bundeswahlgesetz § 6 Wahl nach Landeslisten". <[https://www.gesetze-im-internet.de/bwahlg/\\_6.html](https://www.gesetze-im-internet.de/bwahlg/_6.html)>, accessed 20<sup>th</sup> of October 2021.

Bundesministerium für Justiz. "Grundgesetz für die Bundesrepublik Deutschland Art 16a". <[https://www.gesetze-im-internet.de/gg/art\\_16a.html](https://www.gesetze-im-internet.de/gg/art_16a.html)>, accessed 3<sup>rd</sup> of October 2021.

Bundesregierung. 2018: "Ein neuer Aufbruch für Europa Eine neue Dynamik für Deutschland Ein neuer Zusammenhalt für unser Land – Koalitionsvertrag zwischen CDU, CSU und SPD, 19. Legislaturperiode. <<https://www.bundesregierung.de/resource/blob/974430/847984/5b8bc23590d4cb2892b31c987ad672b7/2018-03-14-koalitionsvertrag-data.pdf?download=1>>, accessed 15<sup>th</sup> of January 2022.

Bundeszentrale für politische Bildung. 2010: "Volkskammer der DDR stimmt für Beitritt". <<https://www.bpb.de/politik/hintergrund-aktuell/69018/volkskammer-stimmt-fuer-beitritt-20-08-2010>>, accessed 16<sup>th</sup> of September 2021.

Buzer.de. 2019: "Fachkräfteeinwanderungsgesetz (FachKrEG k.a.Abk.)". <<https://www.buzer.de/s1.htm?g=Fachkr%C3%A4fteeinwanderungsgesetz&f=1>>, accessed 17<sup>th</sup> of January 2022.

European council. 29<sup>th</sup> of June 2018: "European Council conclusions, 28 June 2018". <<https://www.consilium.europa.eu/en/press/press-releases/2018/06/29/20180628-euco-conclusions-final/>>, accessed 18<sup>th</sup> of January 2022.

European Union Agency for Asylum. 2022: "New EU Agency for Asylum starts work with reinforced mandate". <<https://euaa.europa.eu/news-events/new-eu-agency-asylum-starts-work-reinforced-mandate>>, accessed 20<sup>th</sup> of January 2022.

Eurostat. 2016: "Record number of over 1.2 million first time asylum seekers registered in 2015". <<https://ec.europa.eu/eurostat/documents/2995521/7203832/3-04032016-AP-EN.pdf/790eba01-381c-4163-bcd2-a54959b99ed6>>, accessed 8<sup>th</sup> of October 2021.

Handelsblatt. 1<sup>st</sup> of July 2018: "Merkel, Seehofer und die Flüchtlingspolitik – So eskalierte der Asylstreit". <<https://www.handelsblatt.com/politik/deutschland/chronologie-merkel-seehofer-und-die-fluechtlingspolitik-so-eskalierte-der-asylstreit/22756616.html?ticket=ST-1297780-ePQLQoKffwQvf2gUoQaM-ap4>>, accessed 16<sup>th</sup> of November 2021.

Henley, Jon. The Guardian. 29<sup>th</sup> of June 2018: "EU migration deal: what was agreed and will it work?". <<https://www.theguardian.com/world/2018/jun/29/eu-summit-migration-deal-key-points>>, accessed 16<sup>th</sup> of November 2020.

Liboreiro, Jorge. Euronews. 26<sup>th</sup> of August 2021: "Allegations, lawsuits and damning reports: How Frontex became the most contentious EU agency". <<https://www.euronews.com/2021/07/29/allegations-lawsuits-and-damning-reports-how-frontex-became-the-most-contentious-eu-agency>>, accessed 18<sup>th</sup> of January 2022.

Mentzelopoulou, Maria-Margarita. European Parliamentary Research Service. November 2021: Evacuation of Afghan nationals to EU Member States. <[https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698776/EPRS\\_BRI\(2021\)698776\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698776/EPRS_BRI(2021)698776_EN.pdf)>, accessed on 7<sup>th</sup> of February 2022.

Otto, Ferdinand. Zeit. 29<sup>th</sup> of May 2018: "'Ein handfester, schlimmer Skandal'". <<https://www.zeit.de/politik/deutschland/2018-05/bamf-aussenstelle-bremen-innenausschuss-bundestag-sondersitzung-horst-seehofer-jutta-cordt>>, accessed 15<sup>th</sup> of January 2022.

Polat, Filiz. 31<sup>st</sup> of January 2018: "Sprecherin für Migration und Integration: Filiz Polat zur Obfrau im Innenausschuss des deutschen Bundestages gewählt". <<https://www.filiz-polat.de/presse/meldung/filiz-polat-zur-obfrau-im->

[innenausschuss-des-deutschen-bundestages-gewaehlt.html](#)>, accessed 14<sup>th</sup> of January 2022.

Süddeutsche Zeitung. 26<sup>th</sup> of September 2018: “Viel Experten-Kritik an Ankerzentren für Flüchtlinge”. <<https://www.sueddeutsche.de/politik/landtag-muenchen-viel-experten-kritik-an-ankerzentren-fuer-fluechtlinge-dpa.urn-newsml-dpa-com-20090101-190926-99-44828>>, accessed 17<sup>th</sup> of January 2022.

Tagesschau. 27<sup>th</sup> of May 2018: “Seehofers verbales Schulterzucken”. <<https://www.tagesschau.de/inland/ankerzentren-seehofer-101.html>>, accessed 16<sup>th</sup> of January 2022.

Tagesspiegel. 20<sup>th</sup> of June 2018: “Merkel reist Sonntag zu EU-Asyl-Gipfel nach Brüssel”. <<https://www.tagesspiegel.de/politik/fluechtlingspolitik-merkel-reist-sonntag-zu-eu-asyl-gipfel-nach-bruessel/22711944.html>>, accessed 16<sup>th</sup> of November 2021.

Thurau, Jens. DW. 10<sup>th</sup> of July 2018: “Seehofers Masterplan: "Mein Plan ist Teil der Asylwende"”. <<https://www.dw.com/de/seehofers-masterplan-mein-plan-ist-teil-der-asylwende/a-44598129>>, accessed 26<sup>th</sup> of November 2020.

UNHCR. 2005: Global report. <<https://www.euronews.com/2021/07/29/allegations-lawsuits-and-damning-reports-how-frontex-became-the-most-contentious-eu-agency>>, accessed 10<sup>th</sup> of November 2021.

UNHCR. 2010: convention and protocol relating to the status of refugees. <<https://www.unhcr.org/3b66c2aa10>>, accessed 11<sup>th</sup> of January 2022.

UNHCR. 2022: “Asylum and Migration”. <<https://www.unhcr.org/asylum-and-migration.html>>, accessed 11<sup>th</sup> of January 2022.

Von der Mark, Fabian. DW. 2<sup>nd</sup> of July 2018: “Merkel und Seehofer finden Asylkompromiss”. <<https://www.dw.com/de/merkel-und-seehofer-finden-asylkompromiss/a-44497493>>, accessed 17<sup>th</sup> of November 2020.

Zeit. 5<sup>th</sup> of July 2018: “Immer mehr Bürger unzufrieden mit der Bundesregierung”. <<https://www.zeit.de/gesellschaft/zeitgeschehen/2018-07/ard-deutschlandtrend-asylstreit-union-horst-seehofer>>, accessed 17<sup>th</sup> of November 2020.

