

Borders Over Bridges:

How the European Union's Flawed Policy on the Refugee Crisis Will Weaken Europe

Since 1999, the European Union (EU) has been working to create a standardized system for processing and admitting asylum seekers, or refugees, into EU territory. Until 2012, the Common European Asylum System (CEAS) was well on its way to achieving its goals and facilitating the integration of refugees into member nations. The highest number of asylum seekers in any one year was only 425,000 in 2001. However, the situation changed dramatically in 2015: suddenly three times as many asylum seekers reached the borders of the EU. Some 1.3 million migrants made their way to various EU member states in 2015 alone (*A Common European Asylum System*, 2016) . The pace hardly slowed down the following year, when over 1.2 million people sought asylum in the EU (Connor, 2017). If the promise and effectiveness of the EU's asylum and refugee policies are to be tested in a crisis, then there is no better opportunity than this one. Unfortunately for both migrants and citizens of the EU, EU leaders are so far spectacularly failing this test.

Given the scale of the crisis, it's easy to see why the EU has struggled to address the situation adequately. Though the organization has an incentive to quickly and efficiently integrate refugees into European society, no individual nation wants to carry much of the burden of moving asylum seekers into their states even temporarily, creating a massive problem of collective action. Unfortunately, the EU is not being graded on a curve, and the consequences of failing in this crisis will not be readily overlooked in the future. I argue in this article that the EU's failure may result in two negative outcomes. First, the EU's status as a bastion of liberalism and human rights will be threatened, limiting its ability to claim the moral high ground for prospective future members and in disputes with objectively illiberal nations. Second, this could

undermine the unity of the EU that is underpinned at least in part by these moral principles. The breakdown of cooperation and growing insularity may deaden Europe's economy and further polarize politics in the organization.

In order to clarify these consequences and ultimately provide a potential solution, this article will proceed in three stages. First, I will examine the cause of the influx of refugees, including how the EU as an institution has failed to implement policies that will curtail the violence in nations like Syria and Iraq. This failure to react to the civil war in Syria with anything more than perfunctory sanctions reflects the same issues present within the organization during the conflict in Bosnia and Herzegovina nearly three decades ago and allows us to draw similar conclusions about the EU's next steps. Second, I will examine the consequences of the refugee crisis for the trajectory of European integration going forward. I argue that the EU is losing its moral status not only because of its handling of the Syrian civil war in the first place, but also because of how it is handling refugees, especially its decision to work with a nation like Turkey to reduce the flow of migrants into the Union. The xenophobia and hysteria building within member states over the potential for significant growth of Arab minority populations shows how little planning has gone into integrating the migrants. As for the EU's work with Turkey, Ankara's movement away from democratic norms makes it quite the strange bedfellow for the EU. Crafting policies that depend on Turkey's collaboration to stop migrants undercuts the high moral standards the EU has espoused since its inception. If the EU decides to cooperate more extensively with the increasingly authoritarian Turkey, or even advances its application to join the EU in exchange for aid in dealing with refugees, then this may very well be the death knell for the institution's status as a paragon of morality. Third, I will show how the second consequence—the EU losing its unified stance in areas beyond migration—could come about.

Indeed, opposition parties with a mind towards leaving the EU, primarily to “regain sovereignty over their borders,” are gaining strength and many come with platforms that include protectionist and authoritarian policies antithetical to the Union. I conclude this article with an exploration of the benefits of immigration, and how these benefits can ultimately be the foundation upon which potential solutions to the crisis facing the EU are raised.

Origin of Crisis

In December of 2010, Tunisian street vendor Mohamed Bouazizi, frustrated with his corrupt local government’s treatment of him and his business, set himself ablaze. His self-immolation lit a fire in the hearts of millions of Arab citizens across the MENA region. Before long, the Arab Spring movement spread to Syria, and the world largely rejoiced because of the opportunity for brutal dictators like Bashar Al-Assad to be overthrown, and for citizens of Arab nations to finally build more liberal, democratic societies. It only took five years for these dreams to be dashed (Anderson, 2016). Syria soon erupted into full blown chaos. The US beat the retreat from its more than a decade long conflict in neighboring Iraq, allowing the terror group Islamic State in Iraq and Syria (ISIS) to launch a full-scale war that carried over into Syria. Millions fled the war-torn nations, many seeking not only escape from the violence, but also the opportunity to live, work, and raise a family in a safer more open society. Between the proximity to the Middle East, and the relative wealth of nations on the continent, Europe was the clear choice. Unfortunately, the EU has fared about as well in the refugee crisis as the governments of Arab Spring nations fared in maintaining peace during the protests exploding through their nations.

All Talk, No Action

When the civil war began in Syria, the EU seized the opportunity to roundly denounce President Bashar Al-Assad. Its boldness was likely borne from the belief that the regime would not last long against the swelling rebellion. This belief was clearly mistaken, and in the five years since declaring that Assad must be ousted, the EU has done little to either facilitate his downfall or even react to the chaos the war he wages creates. This in contrast to the proxy war being waged between Russia which supports Assad and the United States which supports the rebels. The United States' involvement goes back to the genesis of the crisis, preparing missiles for deployment in defense of Turkey. While Germany and Spain cooperated with this operation originally, they later withdrew their support. Other EU nations mirrored this lackluster response, with the UK's parliament refusing to grant authorization to aid the US in arming and training Syrian rebels (Pierini, 2016).

The EU's inaction isn't altogether surprising. During the chaos in the Federal Republic of Yugoslavia, it avoided pushing for action to prevent ethnic cleansing of Bosniaks, ignored hundreds of Serbian violations of an established no-fly zone, and put the violence down to "ancient hatreds" between ethnic groups to absolve itself of responsibility (Cohen, 2009). Despite arguing that diplomacy was the most plausible, humanitarian solution, Brussels couldn't put together a coherent plan and ended up exacerbating the problems of the region. Unfortunately, some of the same traps are being sprung on the EU with regards to the MENA region conflicts. Rhetoric regarding ancient hatreds between groups is *en vogue* today in discussions over Syria, appearing almost as readily as the cheap talk with few actual plausible plans for resolution to the crisis (Denison and Mujanovic, 2015). While the EU cannot singlehandedly shape the discourse on Syria, it has the capacity to engage diplomatically and militarily in a way that could limit the bloodshed and stabilize the state. Instead, the EU seems to

be happy merely shifting the effects of the civil war upon other nations, all while ignoring the cause. Some nations, like Turkey, are all too happy to exchange aide in the crisis with political concessions.

Warming to Turkey

One of the EU's foundations has been its steadfast commitment to upholding democratic ideals and making sure potential member states embrace the values of democratic liberalism before being admitted into the alliance. In this section, I explain how the EU's moral bona fides are corroded by working with Turkey, a state that is becoming more authoritarian under President Tayyip Erdogan. Though arguments abound that there is little enforcement of the EU's liberal policies after entrance into the alliance—arguments that carry considerable weight with the increasing illiberalism of states like Hungary and Poland—the potential for incoming states to reject democratic ideals would set the EU back in a much more profound way. So, when the EU hinted at reigniting long stalled talks with Turkey over its accession process in exchange for aid in stemming the flow of migrants, it naturally raised eyebrows. While Erdogan began his career in 2002 as a secular democrat aiming for modest political and economic reforms, by 2014 he had taken strikes against nearly every pillar of democracy. In 2013, he ordered police to brutally crack down on protesters in Gezi Park. He stirred up fears of an amorphous “deep state” to justify purging hundreds of judges the following year. He also insinuated himself into the media, with leaked tapes showing him giving the leaders of Turkey's national news network, Habertürk TV, instructions on how to cover his government, particularly the way it responded to the Gezi Park protests (Kirişci, 2016).

Yet the EU has hinted that it is not opposed to admitting Turkey into the alliance. Though the official position remains that Turkey is far away from this coveted admittance, in August the

President of the European Commission, Jean-Claude Juncker, said that he was “not in favor of ending the accession talks with Turkey, which is a demand from the European Parliament” (Eder, 2017). Meanwhile, Turkey’s assistance in the refugee crisis further undercuts the notion that the EU is wholly opposed to working with democratically illiberal nations. Indeed, the very adoption of the policies, which include financial support for refugees in Turkey, visa liberalization for Turkish nationals, and the ability for Greece to return “irregular migrants” to Turkey, are potentially illegal (Collett, 2016). The illegality stems from how the provision would be implemented, as the principle of *non-refoulement* prevents asylum seekers from being sent back to unsafe states. Meaning the EU must either declare the increasingly dangerous Turkey “safe,” violate the rules for returning refugees, or simply lie—declare that these policies will be able to reduce the flow of migrants while really doing nothing of the sort (Collett, 2016). Either way, the partnership with Turkey is clearly becoming more of a detriment than an advantage, especially as populism and illiberalism begin to spread throughout the rest of Europe.

The Rising Far-Right

This section will chart the rise of the UK Independence Party (UKIP) and similar parties in other EU member states, and outline how and why their anti-immigrant, nationalist policies will spell trouble for the Union as a whole. The United Kingdom’s liberal credentials are well established and carry back centuries, with documents like the Magna Carta creating a foundation for the establishment of political liberal theory. Yet this deep and abiding respect for democratic principles, like openness in government and respect for the rule of law, didn’t stop the nation from narrowly voting to move away from an international organization just as committed to these principals. When the United Kingdom voted to leave the EU in 2016, it did more than just insulate itself against refugee inflows, it also made it very clear that even nations with decades of

history within the alliance could and would put their own nation first. The hairline vote was bolstered by the far-right UKIP, with members like Nigel Farage exaggerating or outright lying about the potential benefits of leaving the Union behind.

The UK's final decision may have influenced the rise of various, similar populist parties across the rest of Europe. It's early days for both Brexit and the fallout in the EU but less liberal states are already moving away from the core values of the organization and using Brexit and the handling of refugees to whip up support for their more autocratic policies. Few nations would sign off on a policy to completely break away from the European Union as the UK did. After all, the organization offers far more benefits than it could possibly undercut even if migrant placement were mandatory and well enforced. However, there are many equally dangerous political positions that parties in the same family as UKIP could explore. Take Poland's Prime Minister Beata Szydlo's hardline anti-immigration stance, declaring the country will accept no refugees in 2017 despite this policy very likely being against EU law. Her Law and Justice Party is now pushing through reforms that will limit judicial autonomy. Similar refusals come from nations like, Hungary, where Viktor Orban not only actively refuses refugees, but is seeking ways to criminalize their presence—in September of 2015, he made crossing the border a felony, punishable with up to 3 years in prison (Haraszti, 2015). Germany's Alternative for Germany (AfD) is attempting to restrict Muslims' religious expression by pushing for a ban on minarets (Chen, 2017). Latvia's National Alliance, France's National Front and Greece's Golden Dawn are all gaining traction amidst the crisis, pushing protectionist, anti-immigration and overall anti-EU isolationist policies (Chakelian, 2017).

The influence of these far-right parties is simultaneously overestimated and underestimated by the general populations: It is overestimated because in most cases they don't

have a feasible path towards a parliamentary majority. AfD and National Front both had record setting years in their respective German and French elections, yet neither party received enough votes to become a political force by itself. The National Front gained a paltry 8 seats compared to immigration friendly rival Macron's *En Marche*'s 330 seats (Crabtree, 2017). AfD did considerably better, but still came out third with 88 seats out of 630 in Germany's Bundestag (Bhatti, 2017). Yet they are underestimated because this lack of political power gives them greater credibility when they rail against the supposedly corrupt system that caters to "elites in the EU." They also build arguments against immigration upon flawed logic and toxic rhetoric that emboldens dangerous bad actors. Orban, for example, frames immigration as an "us vs. them" proposition, with supporters in the population being regarded as patriotic and emboldened to discriminate against migrants, while those sympathetic to migrants are demonized and considered unpatriotic (Chen, 2017). In Germany, AfD has openly called for policies that would allow border police to shoot migrants on sight and, in some ways more worrying, a softer stance on Germany's guilt during WWII (Wildman, 2017). The more chaos spreads, the more power these far-right parties gain. If they do get enough leverage in their respective populations it will be easy to use it to move away from the EU, following in the footsteps of the UK. The end result could be an anti-immigrant EU that becomes economically stagnant.

A Better Way Forward

The rise of the far right is particularly puzzling given the general consensus by economists that immigration is a net benefit to societies. Migrants tend to find work in low-skilled sectors, and while their cheap labor displaces some workers, they create new opportunities in sectors like farming or foodservice that increase the economy's overall size (Matthews, 2017). Even better, migrants are generally young and spend decades working and

paying into entitlements that are used to support the aging populations of host nations. Higher birth rates amongst migrant communities means children are likely to pay for their parents' own welfare in the future (Rapoza, 2017). If the positive aspects of immigration are espoused and readily defended, then citizens of the EU will have an easier time accepting refugees into their lives.

After the benefits of migration and integration are clearly explained, in my view the next step should be to firmly establish rules for refugees and for the countries that receive them.

Instead of allowing nations to refuse acceptance of refugees, it would be much better policy to establish a quota system that accounts for the size of member states (Politico, 2016). Of course, it must also outline clear consequences for member states that don't adhere to their quota.

Concerning the refugees themselves, the EU needs to increase support for Frontex, its border patrol agency. Currently employing 500, and with plans to double staff by 2020, Frontex has the potential to determine more efficiently who should be granted asylum and where, particularly if employed at the border between Turkey and Greece, where most migrants arrive ("Frontex | About the Agency", 2017). Unfortunately, former Brussels prime minister, Guy Verhofstadt suggests more than 2000 officers would need to be present to adequately take up the task (Politico, 2016). At the very least, the EU can rethink its €6 billion Turkey deal, and instead give financial support to the migrants directly (Tisdall, 2017). Receiving direct aid will empower migrants and give them a sense of independence that is sorely needed after traveling hundreds of miles from their home and being wholly dependent on various governments for the prospect of food, shelter and safety. But perhaps most importantly, the EU must make some hard decisions about how to approach the crises in the MENA region.

While much of the current focus rightly rests on Syria and Iraq, Libya is currently embroiled in a civil war, and Egypt has every potential to backslide into one. Only the Mediterranean Sea separates them from Greece and potential asylum in the EU. The more dire situations on land get, the higher the chance refugees will head into the sea. The death toll of migrants who drown in the Mediterranean is rising precipitously every day. We see that these refugees do not make a stop in Turkey beforehand, making them a more immediate issue than refugees from Syria. The EU cannot hope to singlehandedly stop intrastate conflict, but it can hold to the moral, ethical, and legal principles it was founded upon. That would mean not offering authoritarian leaders like Erdogan or, in 2010, Muammar Gaddafi money to police their nations' borders (Traynor, 2010). It would also behoove the union to coordinate military and diplomatic strategies between members and prepare for the worst in neighboring states. If tensions escalate, all states will know what they must do, and no individual state will have to shoulder the blame alone if plans don't work out.

The power of migration is known to be a boon to societies. Thus, even with the harrowing experiences migrants are going through to get to EU nations, in the long term they will very likely prove to be upstanding, hardworking members of society whose descendants will have more than paid off their debt. But if the EU doesn't consider these long-term benefits and instead continues to look for ways to cheat its own systems, it will not be able to please anyone. The ramifications could be disastrous for all parties involved. With millions of lives, billions of euros, and the very ideas of European integration and regional cooperation hanging in the balance, Brussels must study up—this is one test it can't afford to fail.

References

A Common European Asylum System. (2016) (p. 3). Luxembourg. Retrieved from https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/docs/ceas-factsheets/ceas_factsheet_en.pdf

Anderson, S. (2016). *Fractured Lands: How the Arab World Came Apart.* *The New York Times.*

Bhatti, J. (2017). *Germany's far-right AfD party gains seats in national parliament in major cultural shift.* *USA TODAY.* <https://www.usatoday.com/story/news/world/2017/09/24/germany-afd-gains-seats-national-parliament/698039001/>

Chakelian, A. (2017). *Rise of the nationalists: a guide to Europe's far-right parties.* *Newstatesman.com.* <https://www.newstatesman.com/world/europe/2017/03/rise-nationalists-guide-europe-s-far-right-parties>

Chen, J. (2017). *The Europe We Wished For: European Integration in the Wake of the Refugee Crisis.* (Undergraduate). University of North Carolina at Chapel Hill.

Cohen, B. (2009). *Why Europe Failed to Halt The Genocide in Bosnia.* *Washington Report on Middle East Affairs.* <https://www.wrmea.org/1993-april-may/why-europe-failed-to-halt-the-genocide-in-bosnia.html>

Collett, E. (2016). *The Paradox of the EU-Turkey Refugee Deal.* *migrationpolicy.org.* <https://www.migrationpolicy.org/news/paradox-eu-turkey-refugee-deal>

Connor, P. (2017). *European asylum applications remained near record levels in 2016.* *Pew Research Center.* <http://www.pewresearch.org/fact-tank/2017/03/15/european-asylum-applications-remained-near-record-levels-in-2016/>

Crabtree, J. (2017). *French presidential candidate Marine Le Pen wins just 8 seats in parliament.* *CNBC.* <https://www.cnn.com/2017/06/19/national-front-marine-le-pen-wins-8-seats-in-parliament-macron-en-marche-steams-ahead.html>

Denison, B., & Mujanović, J. (2015). *Syria isn't Bosnia. And no, the problem isn't 'ancient hatreds.'* *Washington Post.* <https://www.washingtonpost.com/news/monkey-cage/wp/2015/11/17/syria-isnt-bosnia-and-no-the-problem-isnt-ancient-hatreds/>

Eder, F. (2017). *Jean-Claude Juncker, upbeat and ready for a fight.* *POLITICO.* <https://www.politico.eu/article/jean-claude-juncker-upbeat-and-ready-for-a-fight/>

Frontex | About the Agency. (2017). *Frontex.europa.eu.* <http://frontex.europa.eu/pressroom/faq/about-the-agency/>

Haraszti, M. (2015). *Behind Viktor Orbán's War on Refugees in Hungary*. *HuffPost*.
https://www.huffingtonpost.com/miklos-haraszti/viktor-orban-hungary-refugees_b_8100906.html

How to solve Europe's migration crisis. (2016). *POLITICO*.
<https://www.politico.eu/article/solve-migration-crisis-europe-schengen/>

Kirişci, K. (2016). Turkey and the international liberal order: What happened?. Brookings., from
<https://www.brookings.edu/blog/order-from-chaos/2016/02/23/turkey-and-the-international-liberal-order-what-happened/>

Matthews, C. (2017). *The Economics of Immigration: Who Wins, Who Loses and Why* | *TIME.com*. *TIME.com*. <http://business.time.com/2013/01/30/the-economics-of-immigration-who-wins-who-loses-and-why/>

Pierini, M. (2016). *In Search of an EU Role in the Syrian War*. *Carnegie Europe*.
<http://carnegieeurope.eu/2016/08/18/in-search-of-eu-role-in-syrian-war-pub-64352>

Rapoza, K. (2017). *Here's Why Europe Really Needs More Immigrants*. *Forbes.com*.
<https://www.forbes.com/sites/kenrapoza/2017/08/15/heres-why-europe-really-needs-more-immigrants/#60683f194917>

Tisdall, S. (2017). *Europe seeks a long-term answer to a refugee crisis that needs a solution now*. *the Guardian*. <https://www.theguardian.com/world/2017/jul/22/divided-europe-refugee-crisis-italy-serbia-greece>

Traynor, I. (2010). *EU keen to strike deal with Muammar Gaddafi on immigration*. *the Guardian*. <https://www.theguardian.com/world/2010/sep/01/eu-muammar-gaddafi-immigration>

Wildman, S. (2017). *Meet the far-right party that's bringing racism and xenophobia back to Germany*. *Vox News*. <http://www.vox.com/world/2017/9/26/16360916/afd-german-far-right-racism-xenophobia>