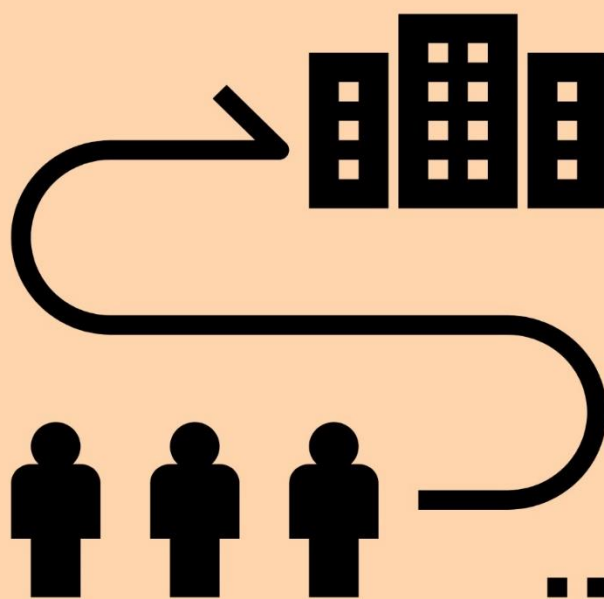


The new party politics of the European Union

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Mediterranean migration crisis after the Lisbon Treaty
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Abstract: The present paper draws the attention of political scientists towards the participation of the European Parliament in EU legislation making on migration and in the EU management of the migration crisis of the last seven years. The paper aims at knowing whether and, in the positive case, why the members of the Parliament mainly backed the management decisions and actions of the EU Council, Commission, and member governments in response to the inflow of refugees and irregular migrants. The analysis of the EP votes demonstrates that the mainstream Political Groups, namely the PGs of national mainstream parties, play as the passive legitimizers of the decisions of the European Council and the Commission. They are qualified as the passive legitimizers because the MEPs of the national mainstream parties share the policy their country government leaders adopt in the European Council towards restricting immigration. In other terms, the MEPs and the government chiefs of the mainstream national parties share the interest of being re-elected by the anti-immigration voters.

Keywords: *European Parliament, Political Groups, Migration, Party Politics.*

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The new party politics of the European Union

Evidence from the EP Political Groups' votes on the Mediterranean migration crisis after the Lisbon Treaty reform of the European Council

The making of the EU decisions of collective management of the Mediterranean migration crisis has been a tortuous and difficult process. Since 2011, the year the number of irregular migrants crossing the central Mediterranean Sea grew remarkably in respect to the previous years, European leaders, political parties, and the general public have been disputing about how to face by individual and collective actions the mass migration phenomenon that many perceived as a serious threat to European states, societies and persons. This process has been completed in 2017. In late 2018, the Italian government decided to fully comply with the measures of crisis management of the EU, namely with strict border control, effective hotspots, mandatory return, and external partnerships.

The interest of political scientists in the issue has been growing since 2011 but the phenomenon continues to be understudied. Migration experts ever underrated the growth of migration and warned policy-makers about the need of developing appropriate response policies, not limited to tight border control, to meet the nature and size of the phenomenon. Growth of knowledge about managing mass migration by effective and legitimate actions, instead, has been small and insufficient. The present paper draws the attention of political scientists towards the participation of the European Parliament (EP) in the making of the EU legislation on migration and the EU management of the migration crisis of the last seven years. The paper aims at knowing whether and, in the positive case, why the members of the EP (MEPs) restricted themselves to backing the management decisions and actions that have been made by the EU Council, the Commission, and the member governments to respond to the inflow of refugees and irregular migrants. The analysis is part of the research work on *Managing the Immigration Crisis* that has been developed at the University of Catania in the framework of the H2020 Project (grant number 2015/649484) named *TransCrisis. Enhancing the EU's Transboundary Crisis Management Capacities*¹.

The present paper adds knowledge about the legitimacy of the increasingly restrictive legislation about immigration and the EU crisis management by examining the votes of the Political Groups (PGs) of the EP on parliamentary documents about migration issues in general and, in particular, the management decisions that have been made by the European Council, the Council, and the Commission during the 7th and 8th term of the European Parliament. The analysis of the EP votes on migration issues demonstrates that the mainstream PGs, namely the PGs of national mainstream parties, play as the *passive legitimizers* of the decisions of the European Council and the Commission. They are qualified as the *passive legitimizers* because the MEPs of the national mainstream parties share the view the government leaders of their country endorse in the European Council Conclusion about immigration and the management of the migration crisis. Briefly, the representatives of the national governments in the EU institutions, namely the European Council and the Council, negotiate,

¹ The general objective of the *TransCrisis* Project has been to enlarge scientific and policy knowledge about the response of the EU leaders and institutions to the crises the European Union is facing in current times. The specific objective of the Catania research team has been providing knowledge to explain and assess the EU response to the inflow of migrants. The team's research covers the study of the nature and causes of the current migration phenomenon (Attinà, 2016), the building of the EU response to the Mediterranean migration flows since 2011 (Attinà, 2016; Attinà, 2017; Irrera, 2016; Panebianco, 2016), the legitimacy of the EU management (Attinà and Rossi, 2017), and the EU's management assessment (Attinà 2018a, 2018b).

prepare and sign the common policies having regard for their electoral interest. The MEPs of the mainstream national parties approve the policies of the European Council because these policies take into due account the electoral interest of the parties in charge of government in the member countries.

The present paper is organised as it follows. The first section reviews existing knowledge about migration as an issue of party politics in the European states. The second section reviews political science knowledge about the EP involvement in the EU decision-making on migration issues and policies. The third section explains the turning of the European migration policies at the time of the Mediterranean migration crisis. In the fourth section, Political Groups (PGs) voting on migration resolutions in the 7th parliamentary term (2009 – 2014) and the first two years of the 8th term (2014 – 2016) are analysed. The analysis is aimed at answering the question: do EP Political Groups vote consistently with the *in-charge/opposition party cleavage*? In other terms, do the MEPs of the national government coalition vote for the migration documents approved by their government representatives in the European Council and the Council? Similarly, do the MEPs of the national opposition parties vote against those documents to stay in agreement with the position of their own national parties and electoral strategy? In the concluding remarks, this paper stresses the relations between the legitimizing role of the mainstream PGs in the field of migration policies and the institutional change caused by the Lisbon Treaty reform that made the European Council the top policy-making institution of the EU for the most contentious issues.

Migration as issue of party competition

The flow of refugees and irregular migrants that left their country in the last six years marks a watershed in the political party competition on migration issues in Europe. In the past, migration policy analysts used to describe the left-wing parties as pro-immigration actors and the right-wing parties as anti-immigration actors. They used to remark that the right wing and centrist parties favoured labour immigration under the influence of the business lobbies while the left-wing parties, in agreement with trade unions, looked carefully at immigration in the belief that it could damage native workers. The analysts recognized the propensity of the left-wing parties towards defending immigrant rights and also avoiding negative effects on the wage and employment conditions of the native workers (Han, 2014; Hix and Noury, 2007).

Economic growth, unemployment and the previous levels of immigration are the factors influencing party position on migration policies. de Haas and Natter (2015) remark that the difference between left-wing, more pro-integrationist parties and right-wing, more anti-integrationist parties ends when entry and immigration control come into deliberation since pro and anti-control groups exist in parties of the Left and the Right. The migration crisis has strengthened this affinity and has dragged the parties of the whole political spectrum towards strict entry control and rules restricting all forms of immigration. Many experts explain this converging position of all political parties as the effect of adding physical security threat to the usual image of the migrants as actors that either threaten the interests of the local workers or improve the interests of particular industrial sectors, or do both things. As Lahav and Messina explain, *the inability of states to manage immigration unilaterally and effectively – while responding adequately to growing public insecurity – has led to greater bilateral and multilateral efforts to restrict the flow of persons, and especially asylum-seekers and illegal migrants, across national borders* with the support of left, centre and right parties (2005: 851-2). Accordingly, de Haas and Natter observe that, since almost all the mainstream political parties ended

with sharing the same position about irregular migration, today *there is no clear association between the political orientation of governments and the restrictiveness of migration policies* (2015: 2).

While Hinnfors and als. (2012) present the case of the Swedish social democrats to demonstrate that restrictive policies have never been the prerogative of the right-of-centre parties, Han (2014) and Bale (2008) observe that the mainstream parties are always under pressure from radical and populist parties, the media, and their own members and electorates to take a harder-line. On knowledge of the current events, de Haas and Natter (2015) come to the conclusion that the emergence of far-right anti-immigration parties diminished the influence of the business lobbies and civil society groups on the migration policies of the European countries, and shifted migration out of client politics into public politics. Today, migration is one of the political issues that raise the attention and interest of broadest collection of citizens. De Bruycker remarks that these issues share three features, namely public salience, polarization, and actor expansion. Public salience is the importance that public opinion attributes to a specific issue. It pushes political elites to address the issue and to craft claims about it. Polarization is the high disagreement and conflict existing among different groups of stakeholders on specific aspects of the issues. It pushes political elites to appeal to the public interest to defend their position. Actor expansion is the mobilization of civil society groups that makes political elites prone to appeal to public interest (De Bruycker, 2017: 3-4).

The increased political salience of migration boosted the role of the populist and anti-immigration groups, and pushed all political parties to play a visible, not necessarily innovative, role in migration policy-making. In the elections that have been made in the EU countries in the last seven years, both the left- and right-wing parties have hunted for voters by promising to harden border controls and to narrow access for migrants to labour market and welfare services. Briefly, in the last two decades, all the mainstream political parties positioned themselves on restrictive migration policies in order to respond to the voter hostility to immigration and to face the rise of the far-right and populist parties. Only a very few, minor opposition parties, mostly on the left-hand side of the party system and outside the mainstream party area, i.e. with no chance of becoming government parties, kept supporting no-restrictive immigration policies.

EP and the EU decision-making on migration

Since the mid-Eighties, EU has gained greater authority in immigration-related matters. To Lahav and Messina, this process is in line with the neo-functionalist theory, which suggested that co-operation in economic and social areas spills over to new policy areas (2005: 854). Under the consultation procedure of the Treaty of Rome, the Parliament had the power to give non-binding opinion on the proposals initiated by the Commission. The 1986 Single European Act introduced the co-operation procedure that gave to the Parliament legislative powers in some areas and to the Council the power of rejecting by unanimous vote the amendments proposed by the Parliament. The 1992 Treaty of Maastricht created the co-decision procedure that gave to the EP additional powers like the power of preventing, in agreement with the Council, the adoption of a specific legislation submitted by the Commission. In 1999, the Amsterdam Treaty put under Community procedures the matters relating to asylum, visas, immigration and control at external borders, and transferred immigration from the first to the third pillar of the European Community. Since May 2004, the Commission gained the right of initiating immigration legislation while the Parliament gained the right to be consulted. These reforms started the formation of the common immigration policy. In December 2004, the Council admitted Parliament to immigration policy-making by extending co-decision to legislation

on irregular migration and border control issues. Last, on December 2005, the Parliament obtained the co-decision power in the field of asylum and, in December 2009, after the entry into force of the Lisbon Treaty also in the field of legal immigration.

Experts claim that during the process of expansion of the EP decisional powers, MEPs were open-minded towards immigration issues. They used to keep soft positions regarding immigration restrictions and shared the permissive policies of the governments, including the approval of amnesty regulations and regularization mechanism to manage irregular immigration in agreement with the business lobbies and civil society groups (Baldwin-Edwards and Kraler, 2009; Brick 2011; McGovern, 2014). But in 2005, with the extension of co-decision to immigration issues, the attitude of the MEPs changed. Since EP gained formal power in the procedure for making rules on irregular immigration and asylum, many MEPs abandoned the liberal position and increasingly voted in agreement with the restrictive rules proposed by the Council and the Commission.

Esther Lopatin (2013) maintains that, since MEPs turned to sharing the Council ruling responsibility under the co-decision procedure, they also shared the Council new approach that turned towards restricting legislation on irregular migration. Lopatin's quantitative analysis of MEP voting on several pieces of irregular immigration and asylum legislation, documents the shift of the three major Political Groups from liberal to restrictive immigration and asylum legislation. The Liberal Group, ELDR/ALDE, passed from strong pre-2005 pro-immigration position to hard negative stance both on asylum and irregular migration issues. Before 2005, the Socialist Group, PES/S&D, voting cohesion was very high in supporting the most liberal policy; after 2005, many Socialist MEPs moved to the restrictive camp, and party cohesion disappeared. The pre-2005 mildly restrictive approach towards irregular migration of the Christian-Democrat and Popular Group, EPP, changed into a strongly restrictive one after 2005. The smaller Greens/EFA and extreme left GUE/NGL Political Groups, instead, did not change pro-immigrant rights policy before and after 2005.

Lopatin comes to the conclusion that since *'the co-decision procedure indeed gave increased authority to the EP, it also placed upon the EP increased responsibility in terms of the legislative process ... the EP has become, in certain areas, more pragmatic in working with the Council'* (2013: 741). Lahav and Messina, instead, present a different explanation of the change of the MEPs voting on immigration. They observe that MEPs voting change depends on the increasing salience of immigration. The new condition caused the convergence of the MEPs attitudes towards immigration and the preference for immigration restrictive policies. This change overcame the past ideological divisions. From the beginning of this century, the European parliamentarians have been more responsive to the concern of their national electorates about deterioration of the cultural, economic, political and social environment of their country. MEPs also moved closer to national, rather than common, regulation of immigration since also the electorates turned more nationalist and hesitant towards EU competence over migration (Lahav and Messina, 2005: 871-2).

The analysis of the EP votes on migration in the following part of this paper supports Lahav and Messina's view and qualifies Lopatin's about the MEPs' ruling responsibility sharing with the Council. The empirical analysis of the PG votes on immigration, on irregular migration, and on the EU's management of the migration crisis of the last six years demonstrates that the institutional condition, namely sharing decision power responsibility, is not separated from the political condition, namely the sharing of anti-immigration policy by the European Council and the mainstream PGs. In other terms, both the MS governments that approve restrictive immigration documents in the Council

meetings and the MEPs that vote documents approving the Council documents in the EP plenary are the members of the same national parties that want to cut down the number of migrants in their country in order to please the voters and to be re-elected.

The independence of the MEPs from the national parties is an open question. The increased legislative power of the EP has increased the pressure of the national parties on the deputies elected in the party lists of the European elections. Hix and Nouri postulate that pressure can take also the form of voting instructions on highly salient issues (2007: 187). But, since the Lisbon Treaty made the European Council the top policy-making EU institution, it is not an issue that the prime minister and the MEPs of the governing parties share the interest to be re-elected and therefore pass EU legislation that does not harm the interests, and does not oppose the expectations, of their voters when public politics issues are on the table. Therefore, during the past years, the European Council has been constantly in charge of the common management of the Mediterranean migration crisis since border crossing by irregular migrants has been public politics issue. Accordingly, the analysts' expectation is that the PGs populated by national majority parties approve the documents that support the crisis management choices of the European Council.

The Mediterranean migration crisis as watershed of migration policy in Europe

Since the 1970s, the EU governments did not oppose to let in regular and irregular migrants as cheap labour force. This permissive policy went by with the economic crisis in the late years of the past decade. Next to it, the European governments cut down the number also of regular immigrants by restricting visa rules, and went down the anti-immigration road paved by extremist and populist parties for containing the electoral growth of these parties. Later on, they blamed Italy for firing the migration crisis and jeopardizing Schengen by flooding Europe with illegal immigrants that the Italian Navy saved from sinking boats. The EU governments refuse to recognize also the economic benefits of immigration and keep on returning illegal immigrants to last departure and origin countries after ignoring the humanitarian duty of rescuing and helping refugees and forced migrants.

Europeans have been ever kind to receiving migrants. They welcome non-national workers especially those bearing skills, on condition that these persons have signed a job deal and do not oppose to leave back home as soon as the job term expires. In addition to temporary economic migrants, Europeans welcome asylum seekers coming from countries of undisputed conditions of political persecution and war. Any other migrant is perceived as threat to the normal economic and cultural conditions of the receiving country.

Generally, European governments ruled immigration by client politics, in collaboration with business and trade unions and with humanitarian and religious groups. Initially, they did not meet great opposition to passing amnesty regulations to legalize the status of irregular migrants and meet the hopes of business circles and civil society groups (Hansen, 2003). Client politics went almost unopposed because the European labour markets needed foreign workers to fill in jobs in sectors of low-profit margins that the Europeans refuse to take and that cannot be delocalized to countries with low labour costs. These jobs are in the agriculture, fishing, constructions, mining, caregiving and nursing, cleaning, and hospitality sectors. Also population aging has raised demand for foreign workers.

After the 2008 economic and financial crisis, opposition to permissive immigration policy grew, and the anti-immigration and xenophobic parties got remarkable electoral success. Henceforth, in total

disdain of the foreign labour need of the European economies and households, governments and mainstream parties ceased to be permissive towards irregular immigrants and turned to halting immigration by passing restrictive rules. Since permissive policy and client politics went by, immigration turned into public politics. This occurred at the time the Arab Spring revolts, especially the Syrian war, added a lot of refugees to the multiyear-long inflow of irregular immigrants. Briefly, Europe entered into the migration crisis because the citizens, struck by economic decline and public expenditure cuts, shared the populist parties' anti-immigration messages that the policy-makers were unprepared to respond to (Attinà and Rossi, 2017).

Viewed from Europe, the mass movement of people towards the continent is threat to the normal conditions of the European countries and the effect of the unauthorized border crossing by third-country nationals. Therefore, the governments have called on the EU to engage itself in the management of such a trans boundary crisis. But the EU management has been difficult to shape and carry out because all the MS governments have continued to play the national management approach.

From the 2011 increase to the decrease of the inflow of irregular migrants in 2017, the management of the migration crisis by the EU institutions and governments has passed through five contingency scenarios. The outbreak of Arab Spring and consequent uncertain conditions of North African countries inflated the existing flows of people escaping the hard conditions of living in Africa and Central-Western Asia. The EU leaders did not recognize forced migration and responded by conventional border control means like halting, identifying and, to a small extent, returning the migrants in lack of regular visa. Next to such *Conventional response* scenario that lasted until October 2013, the Italian government decided to prioritize, in harmony with humanitarian law and the international law of the sea, the humanitarian dimension and to respond to the tragedy of migrant sinking boats by activating the *Mare Nostrum* Search and Rescue (SAR) operation. The EU governments condemned the operation and blamed the Italian government for impairing Schengen by missing to control the EU external border properly. But, a year later, the EU governments and the Commission recognized the humanitarian aspects of the unsafe crossing of the Mediterranean Sea and turned towards, they said, *a comprehensive approach*. This involved the EU SAR operation *Triton*, the plan to relocate the migrants hosted in Greece and Italy to all the EU countries, the EUNavFor-Med (today, *Sophia*) anti-smuggling operation, and the EU concern with the root causes of migration. The British and Visegrad governments overtly opposed the turn of the EU migration policy. The consent of the other EU governments proved to be mostly elusive. They tailored the implementation of the EU management decisions on domestic interests and the people mood about migration. On October 2015, the *EU Turn to a comprehensive approach* was gone and replaced by the *Fencing-the-EU* approach that lasted to the end of 2016. The massive arrival of migrants from Turkey and the Balkans convinced the EU governments to slide back to the conventional means of border control and to push on the Commission-led external migration policy. To get Europe rid of refugees and migrants, the EU called on the governments of the transit and origin countries to block people at the borders in exchange for financial and technical assistance. On March 2016, the EU governments signed the accord with the Turkish government. On next October and December, they signed migration compacts and partnership agreements with the Lebanon and Jordan governments, and, later, similar engagements with Afghanistan and African governments. The EU-Turkey deal saved Germany and the Central-Eastern MSs from the influx of Syrian and Afghan refugees. To the EU leaders, the shutting down of the Eastern Mediterranean route proved the appropriateness of the *fencing-Europe* strategy and of cooperation with third countries, especially those of last departure.

On such belief, on October 2016, the EU governments acceded to the Commission proposal to widen the mandate and resources of FRONTEX and turn it into the 28th European Border and Coast Guard, alongside the existing national ones.

Besides almost ending immigration through the East Mediterranean route, the main return of the EU-Turkey deal was the growth in number of migrants arriving to Italy from Libya. Hence, the EU leaders urged Italy to stop the migrants from landing on its coasts, and to return irregular migrants to the origin country. In turn, the EU was ready to supplement support actions. The Italian government decided to tighten border control, expand the execution of return decrees, and, most important, cut down smuggling by giving financial and technical assistance to the Libyan coast guard and by imposing a code of conduct on NGO-operated SAR missions. The EU reciprocated the Italian efforts by expanding financial assistance to Libya in order to all-out stop migrant departures. In conclusion, the current *Stop-and-back* management scenario should be the final one since all the EU member governments share the same approach, namely strict border control, effective hotspots, mandatory return, and external partnerships. The governments of the European countries, however, keep tailoring the management measures on the voter preferences and the political goals of the ruling parties.

EP voting on migration and the Mediterranean migration crisis

In the last years, no debate about migration and the migration crisis turned into a heated dispute in the EP and the parliaments of the MSs. Generally speaking, the deputies of all the European parliaments preferred to let the state government manage the crisis and limited their involvement in the policy-making towards migration issues to a few, rash, and casual debates. Briefly, the role of the MEPs towards the Council and Commission's building of the EU migration crisis management has been very much the same as the role of the members of the national parliaments towards their government. The EP PGs avoided entering into serious confrontation among themselves and with the Council and the Commission. Accordingly, the argument of the present paper is that the most of the MEPs share the view of the government leader of their country about the management of the current migration crisis and, consequently, play as the *passive legitimizers* of the management decisions of the European Council and the Commission.

This argument fits to the present EU constitution. According to original treaties, the government-opposition rule of democracy is not part of the institutional framework of the Union. But, the amendments that have been made to the decisional procedures by the reform treaties, especially the Lisbon Treaty, have strengthened the relations between the top executive institution of the EU, the European Council, and the parliamentary institution. In particular, in the present EU policy-making architecture, the heads of government in the European Council and the MEPs of the parties in charge of government in the member countries have the same position on the approval and rejection of key policy and legislative documents since they defend the interests of the same voters. In other words, the MEPs that have been elected in the list of the parties in charge of the national government normally vote in harmony with the position expressed by the head of government of their country in the European Council.

On the above-mentioned assumptions, the hypotheses of the present analysis are the following:

- (a) *most of the winning vote coalitions on migration documents in the EP plenary are coalitions of the PGs of mainstream, majority parties of the MSs. The PGs formed by MEPs from national minority parties are involved in a small number of winning coalitions;*
- (b) *the larger the number of MEPs elected in the list of national parties in charge of government in a PG, the higher the voting cohesion of that PG on migration legislation proposed by the government representatives in the European Council.*

Since 2009, the threshold to form a Group in the EP is 25 MEPs, coming from one quarter of member states, i.e. 7 in EU28. The biggest group in the Parliament is EPP, *European People's Party*. It is broadly a centre-right group, and pro EU integration group. S&D, the *Progressive Alliance of Socialists and Democrats*, known also as the Socialist group, is the main centre-left group. ALDE/ADLE, the *Alliance of Liberals and Democrats for Europe*, is the main centrist group in the Parliament and the most Euro-enthusiastic one. ECR, the *European Conservatives and Reformists* group, born in 2009 when the British Conservative Party decided to leave the EPP group and form a right-of-centre Eurosceptic group, is the third largest group in the 8th term. Greens/EFA, the *European Greens/European Free Alliance* group, gathers parties focused on regional and national interests. GUE, the *European United Left/Nordic Green Left* group, gathers members of Communist and traditional Socialist parties as well as Scandinavian left-wing environmentalist groups. It is broadly Eurosceptic and anti-capitalist. EFDD, *Europe of Freedom and Direct Democracy*, is the group of MEPs who disagree with the idea of European integration from a broadly right-wing perspective. ENF, *Europe of Nations and Freedom*, is the group of the far-right Eurosceptic parties. A few MEPs are not members of any PG.

The number of seats of the PGs of the 7th and 8th terms is shown in Table no. 1 together with the number of countries of the member parties (Column C), and the number of countries in which in 2014 at least one member party was either in charge of government or member of the government coalition (Column D).

Table no.1: Seats, country of origin, and government parties in the 7th and 8th term.

	Term 7 (2009-2014) A	Term 8 (2014-) B	Countries (2014) C	Government Parties (2014) D
EPP	274	216	27	13
S&D	195	189	28	13
ALDE/ADLE	83	69	21	9
ECR	57	73	18	3
Greens/EFA	58	50	17	3
GUE-NGL	35	52	14	0
EFDD	31	45	9	0
ENF	0	39	9	0

Source: Author's data set.

Generally speaking, party voting-cohesion is explained by the ideological orientation and the programme shared by the party members. But political parties are not monolithic entities, and the elected members of a party may have a variety of positions on policy areas. This is the case with the

PGs of the EP especially because the PG members are elected from different party lists in competitive national polls. The members of a PG are members of national parties that should have ideology and programme close to that of the other member parties but normally this condition takes a loose shape.

Data

The data of the present analysis are those of the 63 roll-call votes of the EP plenary on legislative and non-legislative documents on migration issues (See list in the Appendix). The data source is the VoteWatch website². The time period of the votes is 1st July 2009 to 31 December 2016, the time of the 7th Term and the first two years of the 8th Term.

The following information about the vote on the 63 migration documents has been recorded for the present analysis:

1. The *name* of the document and the *date* of vote in the plenary.
2. The *type* and *procedure* of the document. The type is either the draft legislation resolution (DLR) type or the Joint motion for resolution and Motion for resolution (JMR/MR) type. The documents of the first type are voted with one of four procedures known as the budget, legislative consultation, legislative consent, and legislative ordinary (1st/2nd reading) procedure. The documents of the second type are voted with non-legislative procedure.
3. The *PG winning coalition*, i.e. the PGs that form the majority that approves the document by the requested procedure.
4. The *vote numbers*, i.e. the number of *for* votes, *against* votes, and *abstention*.
5. The overall *PG vote coherence*, i.e. the arithmetical average of the scores of the Agreement Index of all the PG. VoteWatch is the source of these data.
6. The *policy*, i.e. the main policy area object of the document. VoteWatch records all the 63 documents as pertaining to the Civil liberties, Justice, and Home affairs area. The present analysis is aimed at measuring and assessing the EP participation in the current migration crisis. Consequently, each document is assigned to one of the two policy classes relevant to the objectives of the present analysis, i.e. *migration* and the *Mediterranean migration crisis*. The former deals with migration and related issues like regular migration, asylum, visa, and international protection. The documents of the latter, instead, deal with the EU management of the current flows of irregular and forced migrants. Some documents of the *migration* policy area shortly mention also aspects of the Mediterranean migration crisis. These documents have been recorded only in the *migration* policy class.

Roll-call votes are small share of all the EP votes. Most of the EP plenary votes are taken by ‘show of hands’. The analysis of roll-call votes is useful to know the winning coalition, i.e. which PGs are the voting majority and approve a document, and to measure the PG voting cohesion, i.e. how much the members of a PG share the PG political line.

Winning coalition is the cluster of the PGs that form the requested majority for the approval of the legislative and non-legislative documents. The EP decision-making rules request large winning coalitions. Therefore, the participation of the large PGs is condition for building winning coalitions and approving documents. But the institutional requisite, i.e. the large size majority requested by the

² The VoteWatch website, established in 2009, covers all voting activity in the European Parliament and the Council of Ministers since the seventh 5-year term of the European Parliament. See <http://www.votewatch.eu>.

Parliament rules of procedure, cannot be overstretched. Ideological differences between and within the PGs have an impact. Though observers and scientists believe that the imperative of reaching voting majority, i.e. the decisional responsibility of the MEPs for approving documents, overcomes the ideological coherence of the approving coalition, the analysis of *voting cohesion* unveils tension caused by the institutional imperative and existing ideological difference. On the other hand, normally the PG cohesion is high in the vote of motions and non-legislative documents since the institutional imperative is missing.

Analysts have measured the voting cohesion of the PGs in various ways since an index of voting cohesion demonstrated the presence of EP ‘coherent’ party groups (Attinà, 1990). The VoteWatch EP dataset measures voting cohesion by the ‘Agreement Index’ (AI). Cohesion is calculated with the following formula

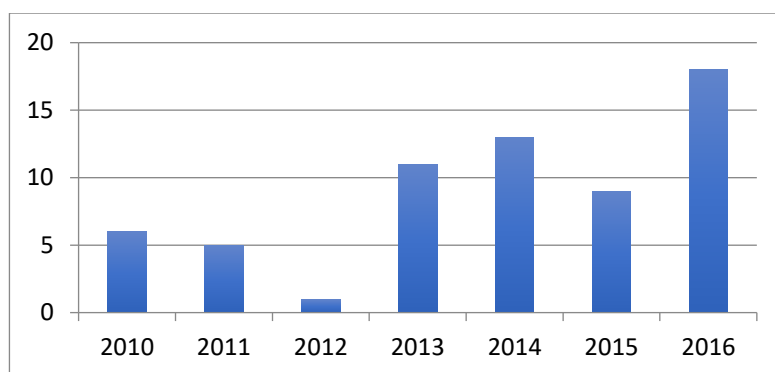
$$AI = (\max(Y, N, A) - (0.5((Y + N + A) - \max(Y, N, A)))) / (Y + N + A)$$

where Y is the number of votes “For”, N is the number of votes “Against”, and A is the number of “Abstentions” (see Hix, Noury, Roland, 2005). The cohesion rate of a PG on a set of documents about an issue area, like migration, is the arithmetical average of the scores of the Agreement Index of the PG votes on the documents of that issue area that have been selected for analysis.

Analysis

Concern for migration issues has been increasing since the late Nineties but the European policy-makers recognized the emergence of the crisis in 2011, the year of the high growth of migrant inflow. However, the public debate hit only in 2013, after the Italian decision to send the *Mare Nostrum* ships to rescue the mounting number of people at risk of life in the Mediterranean seawaters (Attinà 2016, 2017). The MEPs followed suit. The number of roll-call votes has been increasing since 2013, apparently in response to the growing perception of the contentious nature of the issue by the mainstream political parties of the EU countries (Figure no. 1).

Figure no. 1: Total number of EP votes on migration documents, 2010-2016



Source: Author's data set

The protest of the anti-immigration parties and social groups for the growing number of irregular migrants was voiced much earlier but MEPs voted by roll call a small number of documents till 2012. In the five years of the Seventh Term, 38 documents were voted by roll call. In the two years of the Eight Term, 25 documents were voted by roll call. Furthermore, only in the Eight Term, differently from the precedent one, the documents about the Mediterranean migration crisis are more numerous

than those about Migration in general, namely 61% against 39%, and the number of votes on non-legislative documents exceeds the number of the votes on legislative documents, namely 14 against 4 (see Table no. 2).

Table no. 2: Policy and type distribution of migration documents (2010-2016)

POLICY and TYPE	Term 7 (5 years)	Term 8 (2 years)	Totals
MIG (Migration)	25 (71 %)	11 (39 %)	36
DLR Draft legislation resolution	23	5	28
MfR-JMR Joint motion for resolution and motion for resolution	2	6	8
MMG (Mediterranean Migration Crisis)	10 (29 %)	17 (61 %)	27
DLR Draft legislation resolution	6	3	9
MfR-JMR Joint motion for resolution and motion for resolution	4	14	18

Source: Author's dataset

The winning coalition

As it occurs almost to all the votes of the Parliament, the three major groups – ALDE, S&D, and EPP – are the members of the largest number of winning coalitions (Table no. 3). But in the Eight Term, EPP is very distant from the other major groups. The difference between EPP and the other major groups recurs also in the type and policy class of the voted documents. The ALDE and S&D membership in the winning coalitions is almost the same in the two classes. The EPP's winning coalition membership, instead, lowers in the 'motion resolutions' and is at the maximum in the documents about the Mediterranean migration crisis.

The Greens/EFA Group is the member of a high number of winning coalitions. Mainly, it joins the coalitions that approve motions about the Mediterranean migration crisis (see percentage in the last column of Table no. 3). All the small Groups, instead, join a small number of winning coalitions. These data confirm the hypothesis of the dissent of Left and Right Groups of non-mainstream parties. Irrespective of their left and right position, they disagree both on the draft legislation resolutions proposed by the governments in the Council and by the Commission, and on the position expressed in motion resolution documents by the Groups of mainstream parties.

Table no. 3: PG membership in winning coalitions: number and percentage (2010-2016)

	All (No. 63. 7T: No. 33. 8T: No. 28)				Type (DLR: No. 37. MfR/JMR: No.26)			Policy (MIG: No. 36: MMG: No. 27)		
	Tot.	%	% 7T	% 8T	Tot.	% DLR	% MfR/JMR	Tot.	% MIG	% MMG
ALDE/ADLE	61	97	97	96	36	97	96	35	97	96
S&D	60	95	97	100	35	95	96	34	94	96
EPP	59	94	100	86	37	100	85	33	92	100
EFA	43	68	61	82	20	54	88	22	61	78
GUE-NGL	31	49	45	25	18	49	46	19	53	41
ECR	27	43	55	36	18	49	38	16	44	41
EFDD	23	37	48	18	15	41	27	15	42	30
ENF	1	2	0	4	0	0	4	0	0	4

Source: Author's dataset

The voting cohesion

The PG cohesion in voting legislative documents, i.e. co-decision legislation documents, is expected to be higher than cohesion on non-legislative documents. This statement is based on the hypothesis of the present study that postulates that the representatives of state governments in the Council and the representatives of national government parties in the European Parliament have the same position on the issues to be ruled by EU legislative documents because they care about defending the interest of the national voters. The voting cohesion on non-legislative documents, instead, is expected to be lower because these documents have no direct, i.e. regulative, impact on the voter interest. Additionally, the motions are the instrument of the MEPs for expressing dissent from the positions of the EU policy-makers, both the members of the Commission and the Council. Consequently, voting discipline is less compelling also to the members of the mainstream parties.

PG vote cohesion is very high in the EP. The Agreement indexes provided by VoteWatch for all the votes in the plenary and for the votes on the documents regarding the ‘Civil liberties, Justice & Home Affairs’ policies, that cover migration and migration crisis, give evidence of the high voting cohesion that characterizes all the Groups in the 7th and 8th term (see Table no. 4). The EFD Group is the only exception to this regularity. The PG cohesion of the ALDE/ADLE and EPP Groups is higher in the votes on the ‘Civil liberties, justice & home affairs’ documents than in the votes on all the issues and policies. The same is true for the Greens/EFA Group. The third mainstream party Group, the S&D, instead, reduces the voting cohesion on ‘Civil liberties’ policy documents in the voting of the 8th Term. In general, the voting cohesion of the non-mainstream party Groups on ‘Civil liberties’ documents is lower than the overall cohesion.

Table no. 4: Voting cohesion (AI) of the PGs in all the votes (Overall) and in the votes on legislative and non-legislative documents regarding ‘Civil liberties, justice & home affairs’ policy issues

		7 Term	8 Term
ALDE/ADLE	Overall	79.37	83.32
	Civil liberties	92.46	87.17
S&D	Overall	92.63	93.71
	Civil liberties	95.38	89.81
EPP	Overall	88.40	88.69
	Civil liberties	93.60	91.02
EFA	Overall	86.65	79.27
	Civil liberties	96.40	98.31
GUE-NGL	Overall	91.54	91.99
	Civil liberties	83.70	88.42
ECR	Overall	94.68	95.62
	Civil liberties	83.38	74.62
EFD	Overall	48.59	48.48
	Civil liberties	51.47	38.41
ENF	Overall		69.89
	Civil liberties		74.57

Source: VoteWatch

As the analysis comes to the 63 documents on migration and the Mediterranean migration issues (see Appendix), two classes of voting cohesion are distinguished, the ‘very high cohesion’ class that occurs when the statistical mean of the AI score of all the PGs is 90 and above 90, and the ‘high cohesion’ class that occurs when the mean is below 90, namely between 79 and 89. Three on four approved legislative documents are in the highest agreement index class, a proportion larger than that dividing the two classes of the non-legislative documents (Table no. 5).

Table no. 5: AI class of the legislative and non-legislative documents (2010-2016)

Voting Cohesion classes	No. of documents	DLR documents	MfR & JMR documents
AI 90-97	44	28	16
AI 79-89	19	9	10
	63	37	26

Source: Author’s dataset

Results and conclusions

The analysis of the data supports the hypothesis that the PGs of mainstream national parties side with the representatives of the national governments in the EU institutions, namely the European Council and the Council (of Ministers). The conventional explanation of this alignment is that the MEPs have been increasingly moving towards responsible behaviour along the process of growing legislative powers of the Parliament. In other terms, they feel engaged in collaborating with the other legislative institutions of the EU. Since the Lisbon Treaty entered into force, however, the European Council has addressed the Commission about initiating legislation and also preparing bureaucratic acts. This is the case of many EU decisions of management of the migration crisis. Therefore, the present analysis demonstrates that the representatives of the national governments in the EU institutions, namely the European Council and the Council, that negotiate, prepare and sign the common policies, and the MEPs of the mainstream national parties share the same vote on common policies since they share the objective of forwarding the interest of their voters and the goal of being re-elected by the voters.

The paper supports also the interpretation of the current migration crisis and the management of the crisis by the European leaders as a crisis caused simultaneously by the structural conditions of the global system, the conditions in the countries of departure of the migrants, and the conditions of the European countries. The 2008 economic and financial crisis and the growth of populist and rightist, anti-immigration political parties pushed the mainstream parties to abandon the permissive policies that allowed to third country nationals to enter into the EU irregularly and to turn into foreign workers thanks to amnesty regulations that were requested also by domestic business groups and civil society organisations. Accordingly, the findings of Hix and Noury’s research (2007) about politics rather than economics as the main determinant of the EU migration and immigrant integration legislation continues to hold. The 2008 economic crisis and the by-effect of the electoral growth of anti-immigration parties, on one side, and the institutional change of the Lisbon Treaty that put the European Council at the top of the EU policy-making, on the other side, changed the roots of the political determinant of the EU migration policy. The political imperative of stopping the growth of the populist, anti-immigrant parties has replaced the left-right cleavage of the European political parties and EP political groups as the main determinant of the pro- and anti-immigration orientation

of the European policy-makers. It has determined also the end of the immigration permissive policy and, last but not least, the controversial EU management of the Mediterranean migration crisis.

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Appendix

List of the 63 documents on migration and the Mediterranean migration issues voted in EP plenary in 7th Term and in the first two years of the 8th Term

Type	Proced.	Majority	for	against	abs.	PG cohesion	Policy	Date	Name
DLR	OL1	ALDE ECR EFA EPP GUE SD	86	8	7	91	MIG	07/10/10	Third countries whose nationals must be in possession of visas when crossing the external borders of Member States
DLR	OL1	ALDE ECR EFA EFDD EPP GUE SD	96	1	2	97	MIG	14/12/10	Trafficking in human beings
MfR	NL	ALDE ECR EFA EPP SD	86	5	9	88	MIG	14/12/10	Creation of an immigration liaison officers network
DLR	OL1	ALDE EFA EPP GUE SD	86	4	9	96	MMG	14/12/10	Extension of the scope of Directive 2003/109/EC to beneficiaries of international protection
JMR	NL	ALDE EFA EFDD EPP SD	85	8	7	97	MMG	15/12/10	Future of the Africa/EU strategic partnership on the eve of 3rd Africa/EU summit
JMR	NL	ECR EFDD EPP	60	23	17	97	MMG	16/12/10	Eritrean refugees held hostage in Sinai- PPE
JMR	NL	ALDE ECR EFA EFDD EPP SD	94	3	3	95	MMG	10/03/11	Southern Neighbourhood, and Libya in particular, including humanitarian aspects
DLR	OL1	ALDE EPP GUE SD	47	46	7	89	MIG	06/04/11	Granting and withdrawing international protection
DLR	OL1	ALDE ECR EFA EFDD EPP GUE SD	91	2	7	91	MIG	06/07/11	List of travel documents entitling the holder to cross the external borders and which may be endorsed with a visa
DLR	OL1	ALDE ECR EPP SD	82	9	9	95	MMG	13/09/11	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)
DLR	OL1	ALDE EFA EPP SD	83	4	13	95	MIG	27/10/11	Qualification and status of third country nationals or stateless persons as beneficiaries of international protection
MfR	NL	ALDE EFA EPP GUE SD	86	6	8	96	MMG	11/09/12	Enhanced intra-EU solidarity in the field of asylum
DLR	OL1	ALDE ECR EFA EFDD EPP GUE SD	91	4	6	91	MIG	06/02/13	External Borders Fund
DLR	OL1	ALDE ECR EFA EFDD EPP GUE SD	93	3	3	92	MMG	06/02/13	European Refugee Fund, the European Return Fund and the European Fund for the Integration of Third-Country Nationals
DLR	OL1	ALDE ECR EFDD EPP SD	87	4	9	91	MIG	12/06/13	Amendment of Schengen border code and Convention implementing the Schengen Agreement
DLR	OL1	ALDE EFDD EPP SD	73	18	8	90	MIG	12/06/13	Establishment of 'Eurodac' for the comparison of fingerprints
DLR	OL1	ALDE EPP SD	74	18	8	90	MIG	12/06/13	Temporary reintroduction of border control at internal borders
DLR	LC	ALDE EPP SD	77	15	8	89	MIG	12/06/13	Establishment of an evaluation mechanism to verify application of the Schengen acquis
DLR	LO	ALDE ECR EFA EFDD EPP GUE SD	93	4	3	93	MIG	11/09/13	EU-Cape Verde agreement on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the EU
DLR	LO	ALDE EFDD EPP SD	83	12	5	90	MIG	11/09/13	EU-Cape Verde agreement on the readmission of persons residing without authorization

DLR	OL1	ALDE EFDD EPP	52	41	7	86	MIG	12/09/13	Third countries whose nationals must be in possession of visas when crossing EU external borders
MfR	NL	ALDE ECR EFA EFDD EPP GUE SD	97	2	1	95	MIG	12/09/13	Situation of unaccompanied minors in the EU
DLR	OL1	ALDE ECR EFDD EPP SD	80	17	3	91	MMG	10/10/13	European Border Surveillance System (EUROSUR)
DLR	OL1	ALDE EFA EPP GUE SD	80	9	11	91	MIG	05/02/14	Conditions of entry and residence of third-country nationals for the purposes of seasonal employment
DLR	OL1	ALDE EFA EPP GUE SD	85	12	3	94	MIG	25/02/14	Conditions of entry and residence of third-country nationals
DLR	OL1	ALDE ECR EFA EFDD EPP GUE SD	93	3	3	93	MIG	27/02/14	Control of persons at external borders
DLR	OL1	ALDE ECR EFA EPP GUE SD	90	8	2	92	MIG	27/02/14	Visa requirements for third-countries nationals
DLR	OL1	ALDE ECR EFA EPP GUE SD	91	7	2	92	MIG	27/02/14	Third countries whose nationals must be in possession of visas when crossing the external borders of Member States and those whose nationals are exempt from that requirement
DLR	LO	ALDE EFDD EPP SD	80	15	6	93	MIG	12/03/14	EU-Azerbaijan Agreement on the readmission of persons residing without authorisation
DLR	OL1	ALDE ECR EFA EPP SD	81	17	2	93	MIG	13/03/14	Asylum, Migration and Integration Fund and Internal Security Fund (general provisions)
DLR	OL1	ALDE EFDD EPP SD	79	15	6	91	MIG	13/03/14	Internal Security Fund (Police cooperation, preventing and combating crime and crisis management)
DLR	OL1	ALDE EPP SD	78	17	5	89	MIG	13/03/14	Internal Security Fund (External borders and visas) -
DLR	OL1	ALDE ECR EFA EPP SD	89	9	2	96	MMG	13/03/14	Asylum, Migration and Integration Fund
DLR	OL1	ALDE EFDD EPP	53	41	6	92	MIG	15/04/14	Conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer
DLR	OL1	ALDE EPP SD	80	7	13	86	MMG	26/04/14	Surveillance of external sea borders
MfR	NL	ALDE ECR EFA EFDD ENF EPP GUE SD	89	10	1	95	MMG	17/12/14	Situation in the Mediterranean and the need for a holistic EU approach to migration
JMR	NL	ALDE EFA EFDD EPP SD	67	19	14	86	MMG	29/04/15	Report of the extraordinary European Council meeting (23 April 2015) - The latest tragedies in the Mediterranean and EU migration and asylum policies
MfR	BU	ALDE ECR EFA EPP SD	84	11	6	92	MMG	07/07/15	Draft amending budget No 5/2015 - Responding to migratory pressures
MfR	NL	ALDE SD	39	32	29	84	MIG	09/07/15	European Agenda on Security
DLR	LC	ALDE EFA EPP GUE SD	72	23	5	87	MMG	09/09/15	Provisional measures in the area of international protection for the benefit of Italy and Greece
JMR	NL	ALDE EFA EPP GUE SD	68	23	9	84	MMG	10/09/15	Migration and refugees in Europe
MfR	BU	ALDE ECR EFA EPP GUE SD	88	10	2	94	MMG	14/10/15	Draft amending budget No 7/2015: Managing the refugee crisis: immediate budgetary measures under the European Agenda on Migration

MfR	BU	ALDE EFA EPP GUE SD	83	10	7	93	MMG	25/11/15	Mobilisation of the Flexibility Instrument for immediate budgetary measures to address the refugee crisis
DLR	LO	ALDE ECR EFA EPP GUE SD	89	9	2	95	MIG	15/12/15	Arrangement with the Swiss Confederation on the modalities of its participation in the European Asylum Support Office
JMR	NL	ALDE EFA EPP GUE SD	79	18	3	91	MMG	16/12/15	Situation in Hungary: follow-up to the European Parliament Resolution of 10 June 2015
MfR	NL	ALDE EFA EPP GUE SD	78	21	2	95	MIG	19/01/16	The role of intercultural dialogue, cultural diversity and education in promoting EU fundamental values
JMR	NL	ALDE EFA SD	50	34	15	79	MIG	21/01/16	EU priorities for the UNHRC sessions in 2016
DLR	OL 1	ALDE EFA EPP GUE SD	81	13	5	89	MIG	02/02/16	Rules governing the movement of persons across borders (Schengen Borders Code)
JMR	NL	ALDE ECR EPP SD	75	13	13	93	MMG	04/02/16	Situation in Libya
MfR	NL	ALDE EFA GUE SD	56	22	23	81	MIG	08/03/16	The situation of women refugees and asylum seekers in the EU
MfR	NL	ALDE EFA EPP SD	64	29	7	84	MMG	12/04/16	The situation in the Mediterranean and the need for a holistic EU approach to migration
DLR	OL 2	ALDE ECR EFA EPP GUE SD	10	88	2	95	MIG	11/05/16	Entry and residence of third-country nationals for the purposes of research, studies, training, volunteering, pupil exchange and au pairing
MfR	NL	ALDE ECR EFA EFDD EPP GUE SD	80	9	11	86	MIG	12/05/16	Preventing and combating trafficking in human beings
DLR	LC	EPP SD	62	30	8	86	MIG	26/05/16	Provisional measures in the area of international protection for the benefit of Sweden
MfR	NL	ALDE EFA EPP GUE SD	69	27	4	86	MMG	05/07/16	Refugees: social inclusion and integration into the labour market
MfR	NL	ALDE EFA EPP SD	74	4	22	90	MMG	05/07/16	The fight against trafficking in human beings in the EU's external relations
DLR	OL 1	ALDE ECR EPP SD	68	25	7	92	MMG	06/07/16	European Border and Coast Guard
MfR	NL	ALDE EFA EPP GUE SD	67	18	15	79	MIG	13/09/16	Creating labour market conditions favourable for work-life balance
MfR	NL	ALDE EFA EPP SD	73	18	9	90	MMG	13/09/16	EU Trust Fund for Africa: the implications for development and humanitarian aid
MfR	NL	ALDE ECR EFA EFDD EPP SD	85	8	7	91	MMG	14/09/16	EU relations with Tunisia in the current regional context
DLR	OL 1	ALDE ECR EFDD EPP SD	75	17	8	91	MIG	15/09/16	Travel document for the return of illegally staying third-country nationals
DLR	LC	ALDE EFA EPP GUE SD	72	20	8	84	MMG	15/09/16	Asylum: provisional measures in favour of Italy and Greece
MfR	NL	ALDE EFA GUE SD	49	48	4	91	MMG	25/10/16	Human rights and migration in third countries