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Faculty of Behavioural, Management and Social sciences

Bachelor Thesis

**“Wir schaffen das!”- An analysis of the decisions that led to an open-door refugee policy
in Germany during the EU immigration crisis, which started in 2015**

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Abstract

“Wir schaffen das!”, literally meaning “We can do that!”, is one of the most famous statements in German politics which characterizes the policy responses of the German government to the immigration crisis in 2015. This study is aimed at explaining the decisions that have led to an open-door refugee policy in Germany during the crisis in 2015. The guiding research question is: To what extent can we explain decision of Germany to opt for an open-door refugee policy —as a response to the 2015 EU immigration crisis—by (1) decision-makers’ preferences, (2) national decision-making institutions and (3) the influence of public opinion? Based on several decision-making theories the decision-making process gets reconstructed and analyzed. The thesis concludes that the decision for an open-door refugee policy can be to a large extent explained by the preferences of the decision-makers and the decision-making institutions. Especially the policy position of Angela Merkel and her formal competencies as Chancellor are crucial in explaining the decision. Public Opinion is another factor that had substantial influence on the policy positions of the actors involved in the decision-making process.

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List of Abbreviations

CDU	Christlich-Demokratische Union Deutschlands
CSU	Christlich-Soziale Union in Bayern e. V.
EU	European Union
SPD	Sozialdemokratische Partei Deutschlands
SQ	Status Quo
UNHCR	United Nations High Commissioner for Refugees

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1. Introduction

The migration crisis, which started in 2015, constituted the biggest population movement in Europe after World War II. According to the UNHCR (2015) over one million people have reached Europe by sea in 2015. Most of them were fleeing from war and persecution in their home countries as they hoped for peace, safety and a better life for their families. Not all of those people seeking for a better life, reached the shores of Europe. Around 4000 refugees most probably drowned in the sea during their dangerous journey to Europe (UNHCR, 2015).

The EU migration policies were not prepared for such a massive rush of refugees. Standard operating procedures (laid down in the Dublin treaty that directs that refugees need to be registered in the first country they enter within the EU, were not applicable and therefore a crisis evolved rapidly. In Germany the municipalities were overwhelmed with such an massive influx of refugees and the capacities of the Federal Office for Migration and Refugees were insufficient to manage the asylum procedure of every applicant rapidly.

To tackle the crisis, immediate policy responses on the national level were needed, as at that time there was no common response at the supranational level. What is more, policy responses among EU member states differed: some states, were ready to help and to host refugees and established sets of measures to overcome the crisis, such as Germany. On the other hand, there were also some states that have been rather unwelcoming towards refugees and sent them further to another countries or dumped them into camps under miserable conditions.

Because of their uniqueness, the policy responses of Germany are especially notable: Germany, as the country that accommodated the highest number of refugees, was very open towards hosting refugees and responded with several measures to the looming crisis. Until the end of 2015, around 890 000 refugees came to Germany (Bundesministeriums des Innern, für Bau und Heimat, 2016) The German policy responses are informally named as “open-door refugee policy”. Especially remarkable is the decision by German Chancellor Angela Merkel in agreement with her cabinet on the 4th of September 2015 to take thousands of refugees that have been on their way from Hungary across Austria to Germany. The decision is until today one of the most disputable decisions in German politics. This thesis seeks to explain how Merkel and her government came to such an extraordinary decision.

This will be approached by a model-guided analysis of the decision-making process in Germany. The model-based analysis will be conducted on the basis of the decision makers preferences, as Shepsle (2010) raises awareness of the fact that rational choices are made, based on an incorporation of preferences and beliefs. The influence of policy preferences is a key element in understanding decision outcomes (Stokman, 2013). Beside the preferences also the decision-making institutions influence the decision-making process (Shepsle, 2010). Together with the preferences of the decision-makers, the

institutional procedures and formal rules are determining the decision outcome. According to a study by Page and Shapiro (1983) on the influence of public opinion on policy making in the United States, shows that change in public policy goes quite often congruent with change in public opinion. Therefore, also the relationship between public opinion and the decision outcomes will be analyzed in this research.

In addition to the aforementioned decision on the 4th of September 2015, three other issues will be analyzed, not only in the cabinet, but also in the Bundestag, in order to compare whether policy positions differ, decisions-making institutions have different implications and to what extent each decision-making process gets influenced by public opinion.

1.1. Scientific and societal relevance

It is scientifically interesting whether the decisions could have really been made rationally in such a crisis situation, as according to Christensen, Læg Reid and Rykkja (2016), crises are characterized by high levels of uniqueness and uncertainty and differ from routine emergencies. In crisis situations, government must respond firmly and signal leadership, but under time-pressure, what limits the options available to it. Consequently, government choices are uncertain and complex. Congleton (2005) further reports, that a crisis situation leads to unpleasant surprises calling for urgent responses. Such surprises imply that elected officials will not have an electoral mandate to address a crisis with specific policies, but rather hurriedly conforming to the interests of his or her electoral majority. As Congleton (2005) and Shepsle (2010, p.17) pointed out, it is hard to be rational under conditions of uncertainty. Therefore, this research seeks to explore whether the policy decision of Germany can be explained based on models of (collective) rational decision-making.

This research will contribute to the understanding of how national preference constellations and institutional arrangements shape decision-making processes in crisis situations. The thesis seeks to test, whether institutional arrangements and formal procedures influence decisions, as decision-making took place among Merkel and her cabinet and within the Bundestag. In addition to that, it is scientifically interesting to apply different decision rules to the issues and subsequently, to compare the respective decision outcomes. Furthermore, it will fill the gap in scientific literature, on how (collective) rationality in decision-making during crisis situations can be improved, given the constraints on goal-oriented (rational) decision-makers. In addition to that, this thesis will show how responsive the German government has been to citizens preferences and to what extent their decisions have been influenced by general public opinion.

Furthermore, it is interesting to find out what has driven Germany to make such a disputable policy decision and what factors have influenced the decision-making process. Additionally, the periods of crisis are over and so, from the past five years lessons can be drawn how to respond to such crisis situations in future. Most of the available literature focus on the time during and before the crisis. The research should contribute to the understanding of decision-making processes in uncertain situations.

The migration crisis, as the biggest population movement after World War II, has also a high societal relevance. The crisis led to a controversy over refugees: some nations, such as Germany, were helpful and ready to support them. A “new welcoming culture” was celebrated in Germany, what became visible at the Munich rain station in September 2015, where many people applauded when trains with refugees arrived in September 2015 (Kleres, 2018). Everywhere in Germany volunteers were mobilized to help arriving refugees with clothing donations, language learning and supported them in the registration procedure (Hassenkamp, 2015)

But it also led to a lot of criticism directed at the German government. On one side, many citizens were not satisfied with the German policy responses to the crisis and there were many attacks on refugee hostels by right-wing groups (N-tv, 2015). Already before the crisis in 2014, the anti-Muslim movements of Patriotic Europeans against the Islamicization of the Occident (PEGIDA) have been founded (Holmes and Casteñada, 2016). On the other side, a lot of refugees have not been registered if they crossed the German border and so also potential terrorists could enter Germany and pose a potential threat to German citizens (Welt, 2015).

The refugee crisis is also a matter of inequality. Countries such as Germany, played an important role by responding to the crisis with an open-door refugee policy, but other states such as the United States, Turkey, Jordan, Saudi Arabia, Russia, and Iran have contributed to further displacement (Holmes and Casteñada, 2016).

Moreover, on the 22nd September 2015 the European Council decided, in response to the massive influx of refugees in Italy and Greece, to relocate 120 000 refugees proportionally equal among EU member states (Council Decision (EU) 2015/1601, 2015). Based on the relocation scheme, 4 027 refugees should be relocated from Italy to Germany and, 13 009 refugees should be relocated from Greece to Germany (European Commission, 2015).

Germany complied with the EU decisions on refugee relocation and took a high number of refugees. But, many countries in Eastern Europe, for example, Hungary have not complied and rejected to host the assigned number of refugees. In Hungary 306 refugees should be relocated from Italy to Hungary and 988 from Greece to Hungary, but they actually took 0. (European Council, 2015).

Moreover, the issue is omnipresent: around 80 million people worldwide are currently fleeing from conflict, persecution or events seriously disturbing public order in their home countries, more than never before (UNHCR, 2020). It is nowadays still relevant and constantly discussed in the news, as in January 2020 Turkey has opened the border to the EU and thousands of refugees are again seeking for support within the EU (Zeit Online, 2020). Many of them are waiting for a continuation of their journey on the Greek island Lesbos in very difficult conditions. Therefore, an equal, proportional and fair distribution of the refugees among all EU member states is needed in order to prevent another humanitarian crisis.

1.2. Research question

The decisions during the crisis in Germany have been very controversial and many people wonder how and why the government could have come up with such decisions. Therefore, this thesis tries to find out how the respective decisions can be explained focusing on three key independent variables. It is aimed at explaining how (collective) decision-making during a crisis is influenced by the national preference constellations, respective institutional arrangements and public opinion in crisis situations. The research question is of explanatory nature:

To what extent can we explain decision of Germany to opt for an open-door refugee policy—as a response to the 2015 EU immigration crisis—by (1) decision-makers' preferences, (2) national decision-making institutions and (3) the influence of public opinion?

In order to answer the main research question of this study, four sub-questions have been developed:

SQ1: What have been the policy responses to the migrant crisis in Germany?

SQ2: What were the preferences of Germany decision-makers in responding to the crisis?

SQ3: What were the institutional decision-making procedures in Germany?

SQ4: What was Germany's general opinion on refugees?

2. Theoretical framework

2.1. General decision-making models

To understand the decision-making process in Germany different decision-making theories will be used, in order to reconstruct and analyze the decision-making processes.

Thomson, Stokman and Torenvlied (2003) refer to different models of decision-making: Achterkamp (1999) identifies four different stages of collective decision making: (1) In the first stage each policy actor receives information on the position, on the importance (the salience each actor attaches to the issue) on the topic and on the capabilities of the other actors involved. With this information expectations on a common outcome can be made. (2) In the second stage, actors use the information of the first stage in order to exert influence on other actors and thereby also on the outcome. (3) Third, actors that receive such influence attempts need to respond: they either accept it and adjust their policy position or reject it. (4) In the last stage, the final policy positions are transformed into a collective outcome.

There are different models of collective decision-making. The Expected Utility Model by Bueno de Mesquita (1994) and The Exchange Model by Stokman and van Oosteren (1994) Both models are similar

with regard to the stages in the decision-making process, but they differ with regard to the mechanisms how actors exert influence on each other (Thomson et. al, 2003).

The Expected Utility Model is based on non-cooperative game theory and examines the constitution and break-up of coalitions separately (Bueno De Mesquita, 1994). According to the model, actors decide whether or not to challenge another actor's policy positions whose policy decisions differ from their own, based on the expected utility of not challenging. If the actors who receive the challenge give into the challenge, they must moderate their position. If they resist, they either still need to moderate their position, or the challenging actor loses and must moderate his position towards the one of the actors who got challenged (Bueno De Mesquita, 1994)

The exchange model is based on cooperative game theory and examines the possibility of exchanges of voting positions between actors across different issues. In a political exchange, each of the actors has a supply issue, in which it is willing to make concessions towards the other actor by a shift of its position toward the one of the other actor (Stokman & van Oosten, 1994). On that account, each actor also has a demand issue, on which basis they demand support for their position from the other actor. As in the expected utility model, the exchange lead to a shift in the voting positions of the actors involved (Thomson et. al, 2003).

Another decision-making model is the compromise model. This model can generate a prediction on the outcome of collective decision-making based on the average policy position on an issue whereby the actors are weighted by their capabilities (voting power) multiplied by the salience they attach to the respective issue (Achen, 2006).

A fourth decision-making model is the median-voter theorem by Duncan Black (1958). This model allows us to predict majority decision-making outcomes. According to the theorem, one alternative is never the worst for any actor among all other alternatives. This alternative is the median-voter and wins against any other alternative. The preferences of each actor must be ordered and plotted in a preference curve for each actor with a peak for the first preference in order to be sufficient for determining a median-voter (Single-Peakedness Condition) (Black, 1958). If actors differ in their voting powers, one must take them into account and calculate the power-weighted median. According to Torenvlied & Thomson (2004), this is the most accurate forecast for decision outcomes.

For analyzing collective decision outcomes, we need to define three variables for each actor who is directly involved in the decision-making process: policy position, voting power and salience (Stokman, 2013)

The policy position represents the preferences regarding an issue of an actor. The voting power predicates the capabilities an actor has of influencing decision-making process so that his policy position will get realized. The salience is the importance an actor attaches to the issue, so if for one actor, one

issue is more important than another one, he attaches a higher salience to the issue that he considers as more important (Stokman, 2013).

2.2. Decision-makers preferences

One important factor that can explain respective decision outcomes are the preferences of the decision-makers. The Rational choice approach by Shepsle (2010, p.17) is a form of “methodological individualism” where the unit of analysis is the individual. According to this approach, individuals have preferences and beliefs and if they act in accordance with their preferences and beliefs. They are self-interested and make the rational choice (Shepsle, 2010, p.16) Preferences of actors can be ordered and if there is no other available alternative object that is better than one object according to the chooser’s preferences, then this object is the rational choice (Shepsle, 2010, p. 24). To order preferences, the preferences should satisfy two conditions: Comparability and Transitivity. Comparability means that the (policy) alternatives should be comparable in terms of their preference and Transitivity means that the preference relation should be transitive for any alternative (Shepsle, 2010, pp. 24-25).

For the reason that the world of preferences can be regarded as an “interior world”, it is not always clear what someone’s preferences are and therefore we very often need to make assumptions about what ones intuitions, motives and preferences have been (Shepsle, 2010, p.17). During the decision-making process actors try to achieve their preferred decision outcome, denoted as the policy position (Stokman, 2013) The policy position is the preference of the decision-maker in the decision-making process.

Stokman (2013) emphasizes that preferences and interests of the policy makers are key in understanding collective decision-making, especially an “interest alignment” is essential, to come from differences in preferences to a collective decision outcome.

In the models that will be used for the analysis the policy positions of the actors will represent the preferences.

Based on these theoretical assumptions I come up with the following hypothesis:

H1: Under the assumption of rational decision-making, the preference constellations of German decision-makers explain the decisions that lead to an open-door policy in Germany.

2.3. Decision-making institutions

Preferences of individuals are just one factor that leads to rational behavior in decision-making, as also the external environment in which people find themselves plays a role (Shepsle, 2010, p. 17). Decisions are not only determined by the actor’s policy positions, regarding models by Stokman et al. (2013) decision outcomes are rather determined by a combination of decision-makers preferences and formal institutional rules. According to Ostrom (1986) and Shepsle (2010), institutions do affect the outcome

of decision-making, beside the preferences of the decision-makers and they matter for collective results. For Shepsle (2010, p. 356) decision-making institutions include executives, legislatures, bureaucracies and courts. Stokman et al. (2013) defines the institutional part that influences decision outcomes rather as formal rules. These institutional rules determine among others the set of actors that are formally empowered to be part of the decision-making process in order that they can exert influence on other actor's policy positions and so also on the decision outcome. Besides, through formal institutions, formal institutional rules are established, which determine the voting weights, so the capabilities actors have to exert influence on the outcome, and rules of the decision-makers and the sequence of moves they can make (Stokman, 2013). Furthermore, decision-making institutions define the voting rule under which respective decisions are made (Achen, 2006). Decision outcomes are then the result of an interplay between institutional arrangements and procedures on the one hand and preferences of actors with voting power on the other hand (Stokman, 2013).

Shepsle (2010, p.125) identifies three different institutional arrangements: the pure majority rule, a closed-rule committee system and an open-rule committee system. A pure majority rule implies that any legislator can make an attempt to change the SQ and if it wins, it becomes the new SQ. This procedure takes so long, as no legislator makes any new attempts to change the SQ. Under a closed-rule system, a committee decides, whether to allow changes in the status quo and disposes "gatekeeping agenda power". Under an open-rule committee system, changes to the committee's proposal could be made.

As according to several scholars also institutions and not just individual preferences matter for collective results I come up with the following second hypothesis:

H2: The decision-making institutions in Germany explain the decisions for an open-door policy in Germany.

2.4. Public opinion

Democracies give people the possibility to determine politics and therefore, various theories state that also the preferences of the public influence policy preferences, measured for example in opinion surveys, of the actors involved in (political) decision-making processes. The extent to which governments respond with policies to citizens preferences is a key feature in democratic theory (Dahl, 1956). Democratic responsiveness is defined, as that what occurs when the democratic process induces the government to form and implement policies that citizens want. Political responsiveness might be greatest concerning highly salient issues for which the scope of conflict is broad (Page and Shapiro, 1983). Salience is a key element in the responsiveness of the government to citizens preferences, for the reason, that government will only be responsive to citizens preferences on salient issues (Burstein, 2013). Citizens usually attach more salience to domestic issues than to foreign policy issues (Burstein, 2013).

Several scholars have found causal linkages between government policies and aggregated public opinion, that public opinion influences public policy. The more salient an issue is to the public, the stronger the linkage might be (Burstein, 2013). According to a study by Page and Shapiro (1983) in which they have examined the relationships between changes in preferences and changes in policy in the United States, one can very often identify congruence between changes in public opinion and changes in policy. Changes in policy have been much more often congruent to public preferences than noncongruent (Page and Shapiro, 1983). Such congruences could indicate that there is a democratic responsiveness. Especially on opinion changes that are large and where the public attaches a high salience on the respective issues, government responded with changes in policy.

On the grounds of these theoretical assumptions and due to the fact, that the refugee crisis 2015 was an issue in Germany that was overall highly salient, the following third hypothesis can be formulated:

H3: The (general) opinion of the German public during and before the crisis explains the preferences of decision-makers for an open-door policy in Germany.

The three hypotheses H1, H2 and H3 can be illustrated in the following causal diagram:

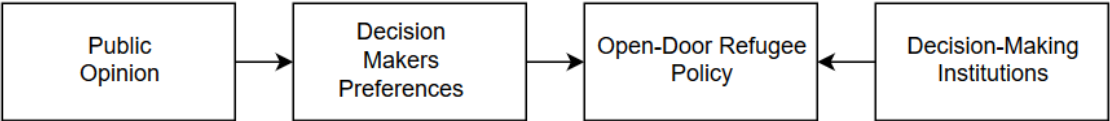


Figure 1: Causal diagram

3. Methodology

3.1. Research design

This study is going to be a single-case study using a model-guided approach. According to Yin (2014), “a case study is an empirical inquiry that investigates a contemporary phenomenon in-depth and within its real-world context, especially when the boundaries between phenomenon and context may not be clear”. The contemporary phenomenon (the “crisis case”) in this study is going to be the EU immigration crisis, which has started in 2015, but within this, a case analysis of the decision-making process within Germany during the crisis will be performed. Based on this approach, the study is going to understand how and why decisions by Germany have been made in response to the crisis. As stated by Gerring (2004), case studies are “intensive studies of a single unit, that can be generalized across a larger set of units”. The study of the case of Germany should adjust rational and collective decision-making in crisis in such away, that it can be applied to similar cases.

The case in question, can be regarded as an extreme case, because the decision of Germany was unique within the EU. The study will explore how the national government came to such an exceptional decision.

To explore the causes of the outcome, the explanatory approach of Causal Process Tracing (CPT) by Blatter & Haverland (2012) can be used. It clarifies how such an outcome has been possible and it looks for links between causal factors and the respective outcome. The result of a CPT study can be regarded as “recipe for making an outcome possible”. This should help with finding the various causes that can explain the decision for an open-door refugee policy in Germany.

The model guided approach is going to be conducted by applying different models of decision-making and different decision rules, that have been explained in more detail in the previous section, on the case, more specifically on each issue that is part of the analysis. Under this approach, it should be possible to see whether other decision rules and models would have led to other decision outcomes and to what extent the outcome has been influenced by the respective decision rule.

Besides, the Framework for Studying Institutions by Shesple (2010) will be used in order to explore whether the decisions could also be explained by the institutional set-up of Germany, as according to Shepsle (2010, p.355) “collective action comes to pass in the political community because standard procedures are established that provide political actors with procedures are established that provide political actors with appropriate incentives to take the action necessary to provide a public good or control an externality”. The framework consists out of four components: division of labor and regular procedure, specialization of labor, jurisdictions and delegation and monitoring. To define the formal institutional procedures for the decision-making procedures in the German government and the Bundestag, the general rules, on which basis decisions in the cabinet and the Bundestag are made, will be examined.

For defining what the (general) public opinion on refugees in Germany was, several opinion polls in the time frame from April 2015 to October 2015 of the polling agency “Infratest dimap” will be used. It collects citizens opinions on important political issues that are currently salient to the public in Germany.

3.2. Case selection and sampling

The case that is studied in this research is the EU immigration crisis in 2015, more explicitly the focus of this study is Germany and its policy responses to the crisis. The unit of analysis in this case study is Germany. The respective decision-makers in Germany will be considered as the population of this study. The case of Germany and their decisions during the EU immigration crisis can be classified as an extreme case, due to the uniqueness, comparing decisions of other EU member states during the immigration crisis (open-door refugee policy). This extreme case helps to understand whether the institutional arrangements, the national preference constellation and public opinion can explain the decision at the national level.

3.3. Operationalization

To study the decision-making process of Germany during the crisis, mainly qualitative data is going to be used. Already existing data will be used, but also original data will be collected. In order, to collect data on the preferences of the German decision-makers, a content analysis of respective debates in the national parliament, national policy documents and newspaper articles will be performed. Furthermore, much of the information will be obtained from the book “Die Getriebenen” by Robin Alexander. The book narrates the events and decision-making processes around refugee politics in Germany during the crisis 2015. In addition to that, party programs are going to be analyzed in order further underpin the national preference constellations. Examining existing government documents, should also help to define the institutional setting.

Beside those existing data sources, new data is also going to be collected. Interviews with experts are going to be conducted. Those are going to be representatives from parties from the national parliament of Germany, namely the German “Bundestag”. The interviews should help to get a deeper insight into the decision-makers policy positions. Moreover, the interviews should contribute to define the saliences of the respective actors in the decision-making process. Based on those collected data, it will be possible to analyze the decision-making process in accordance with the aforementioned theories and to test the respective decision-making models on the respective decision-making processes.

For defining the public opinion, data will be obtained from the polling agency “infratest dimap”, which regularly collects citizens opinions on issues to which the public attaches a high salience in Germany, such as German refugee politics during the crisis in 2015. This data will be compared to the policy positions of the actors and should help to show how public opinion has influenced the decision-maker’s preferences and so, the decision outcome.

3.4. List of issues for the Analysis

The research will focus on four issues in Germany during the EU refugee crisis in 2015. Issue 1 can be regarded as the central issue of the analysis, as it is one of the most crucial issues that can explain the German policy responses to the crisis. The same goes for Issue 2. Besides, also Issue 3 and 4 will be included in the analysis to show how the policy positions of the actors have changed over time. Issue 1 and 2 are issues that have been covered in the cabinet and Issue 3 and 4, both have been covered in the Bundestag.

Table 1: Main events

Issue	Date
Bundestag says „No“ to taking more refugees from Syria and Iraq	23.04.2015
The German Government announces, that around 800,000 refugees can be expected until the end of 2015	19.08.2015
The Federal Office for Migration and Refugees (BAMF) announces that the Dublin III regulation will be suspended for Syrian refugees	26.08.2015
During the summer press conference of the German Government, Merkel responded with “Wir schaffen das” to the question on how to deal with the refugee problem/issue	31.08.2015
Merkel decides in agreement with her colleagues in the cabinet to take the refugees that have been on their way from Hungary through Austria to Germany	04./05.09.2015
Introduction of border controls at the Austrian-German border	13.09.2015
The European Council decides to proportionally equal distribute refugees from Greece and Italy among EU member states	22.09.2015
The Bundestag decides on a package of measures to overcome the refugee crisis including more a strict asylum law	15.10.2015
The Dublin III regulation will be again applied in Germany	10.11.2015

3.4.1. Issue 1: Refugees on their way from Hungary to Germany

The most crucial decision around the open-door refugee policy of Germany was the decision by Angela Merkel in the night of the 4th September in 2015: Thousands of refugees started their journey from Budapest-Keleti to Germany, across Austria, by foot. The Hungarian prime minister Viktor Orbán consulted with the Austrian chancellor Werner Faymann about the refugees which have been on the highway on their way to Austria. Faymann was afraid that the situation in Hungary will escalate and that the Hungarian police will break up the refugee track with violence. Faymann called Merkel in order to ask whether Germany and Austria could split the intake of refugees. Merkel said she needs to consult with her colleagues. In the meantime, Hungary decided to send buses to the refugees on the highway, that should take them to the Austrian border. This increased the pressure for Merkel and Faymann to make a decision. Merkel consulted with her closest colleagues from the cabinet about the legal issues of this decision, but as everything was in line with German and EU law, she finally decided to make an exception, because of the emergency situation of the refugees in Hungary and, and to open the borders for refugees (Alexander, 2017, pp. 57-61).

Actors involved:

Angela Merkel (Chancellor), Frank-Walter Steinmeier (Minister of Foreign Affairs) Peter Altmaier (Head of the Chancellery), Sigmar Gabriel, (Minister for Economic Affairs, Vice-Chancellor), Horst Seehofer, (Minister-President of Bavaria), Thomas de Mazière (Minister of the Interior)

Alternatives:

SQ: Open the borders for all refugees

1) Keep the borders closed for refugees

3.4.2. Issue 2: Introduction of border controls at the Austrian border

After many thousands of refugees have entered Germany after the 4th of September 2015, the capacities to host refugees of municipalities were almost used up, further measures were needed. Furthermore, the refugees were not registered at the German border, and so, potential terrorists could also enter Germany. Therefore, already on 12th September, only one week after Merkel “opened” the borders for refugees, Merkel and the cabinet, plus the Minister-President of Bavaria, Horst Seehofer, discussed an introduction of border controls. In a teleconference, they have decided to introduce border controls and not to only to control, but also to hinder refugees without necessary documents from entering Germany. But the decision was not implemented as planned, as in the end this regulation was again changed. Refugees will be controlled, but not hindered from entering Germany if they want to apply for asylum.

Actors involved:

Angela Merkel (Chancellor), Frank-Walter Steinmeier (Minister of Foreign Affairs) Peter Altmaier (Head of the Chancellery) Sigmar Gabriel, (Minister for Economic Affairs, Vice-Chancellor) Horst Seehofer, (Minister-President of Bavaria), Thomas de Mazière (Minister of the Interior)

Alternatives

SQ: No introduction of border controls

1) Introduction of border controls including the possibility to hinder respective refugees from entering

2) Introduction of border controls, pure controlling, no hindering of any refugee

3.4.3. Issue 3: Proposals on taking more refugees from Syria and Iraq

In April 2015 the opposition parties “Bündnis 90/Die Grünen” and “Die Linke” proposed with two different proposals, among others, to increase the quota to take more refugees from Syria and Iraq which are fleeing from the catastrophic conditions in their home countries. They further emphasize in the

proposal that family reunification with family members which are still in their home countries or still on their way should be simplified.

The committee for home affairs of the Bundestag consulted on the proposal and advises with the votes of the coalition parties “SPD” and “CDU/CSU” to reject the proposal. They are not completely against taking more refugees, but they emphasize that for this an EU-wide solution is needed. Furthermore, more refugees could be too challenging for municipalities.

Actors involved:

CDU/CSU, SPD, Bündnis 90/Die Grünen, Die Linke

Alternatives:

SQ: Germany does not take more refugees from Syria and Iraq (Rejecting the proposal)

1) Increase the quota for taking more refugees from Syria and Iraq (Accepting the proposal)

3.4.4. Issue 4: Package of measures to tackle the crisis

To manage the massive influx of refugees in the past weeks and months, the Bundestag discussed a package of measures, proposed by the Grand coalition, consisting out of CDU/CSU and SPD, on the 15th October 2015. The package is mainly aimed at speeding-up the asylum process in Germany. This should be achieved by various measures: Categorize asylum-seekers from Albania, Kosovo and Montenegro as “safe states”, easing-up the process of establishing reception centers for refugees, replacing cash benefits by non-cash benefits for asylum-seekers, speeding-up the process of deportations, allowing contract work for skilled asylum-seekers already after three months and subsidize municipalities and federal states for the construction of public housing.

Besides, the two parties Die Linke and Bündnis 90/Die Grünen proposed two other different proposals: Die Linke proposed a fundamental change in German asylum and refugee policies, including, that Germany should further on be open for refugees, a higher focus on integration of asylum-seekers and refugees, housing in decent (humane) conditions, support of municipalities that are overwhelmed with refugees, further security measures for refugees, a reform of the Federal Office for Migration and Refugees etc..

Bündnis 90/Die Grünen proposed a fair sharing of the financial responsibility regarding the massive intake of refugees. The proposal includes a structured involvement of the state in covering the costs of supporting and integrating refugees and asylum-seekers, increasing the number of staff of the Federal Office for Migration and Refugees and an introduction of a subsidy program for citizen engagement for refugees.

Alternatives:

SQ: No further measures to manage the influx of refugees

- 1) Package of measures as proposed by the CDU/CSU and SPD
- 2) Fundamental change in asylum- and refugee policies (Proposal Die Linke)
- 3) A fair sharing of the financial responsibility among municipalities, federal governments and national government (Proposal Bündnis 90/Die Grünen)

Actors involved:

CDU/CSU, SPD, Bündnis 90/Die Grünen, Die Linke

3.5. Data analysis

Conclusions to this study will be drawn by causal inferences, which are going to be made based on a reconstruction of the decision-making process of German during the immigration crisis starting in 2015. Based on this reconstruction, an analysis of the preference constellations, decision-making institutions and public opinion in Germany will be made. Furthermore, causal inferences will be drawn from the model-guided approach: It is going to be identified whether the decision-making processes can be explained by the models or whether the models are not applicable. The four issues are going to be reconstructed, each issue under majority rule and a under a compromise, to see whether the decision rule affects the outcome. The predictions from the models will be compared with the actual decision outcomes, what will provide a certain level of confidence regarding the validation of the model.

4. Analysis

As mentioned by many scholars, decisions get influenced by decision-makers preferences, decision-making institutions and public opinion. To what extent the decisions in Germany during the refugee crisis have been influenced by these components will be analyzed below. The aim of this analysis is to reconstruct the decision-making processes in the cabinet and in the Bundestag and to come up with the factors that can explain the respective decision outcomes. Furthermore, the analysis will compare the decisions made in the cabinet (Issue 1 and 2) with the decisions in the Bundestag (Issue 3 and 4).

4.1. Actor constellations

Every actor involved in the four issues on which the analysis will focus can be placed into the following table. The table represents each actor's policy position, the salience an actor attaches to the issue and the voting power with which an actor has influence on the decision outcome. Each policy position got a number between 0 and 2 assigned, where 0 represents the SQ and 2 the most extreme position. The salience an actor attaches to the issue is represented by a value between 0 and 1, where 0 means that the actor attaches no importance to the issue and 1 means that the actor has very high stakes to the respective

issue. Finally, the voting power is also defined by a value between 0 and 1, where 0 means that the actor has no voting power at all and 1 means, that the actor possess full voting power. If the voting power is equal between the members, as in the German cabinet, each actor has a voting power of 1.

For the parties in the Bundestag, estimates on Issue 1 and 2 (marked in blue) can be constructed. But due to a lack of data, it was not possible to estimate the values for the cabinet actors on Issue 3 and 4 with any level of certainty.

Table 2: Actor constellations

Actor	Issue 1			Issue 2			Issue 3			Issue 4		
	Position	Saliency	Voting Power	Position	Saliency	Voting Power	Position	Saliency	Voting Power	Position	Saliency	Voting Power
Angela Merkel (CDU)	1	1	1	0.5	1	1						
Horst Seehofer (CSU)	0	0.95	1	1	1	1						
Frank-Walter Steinmeier (SPD)	1	0.9	1	1	0.9	1						
Sigmar Gabriel (SPD)	1	0.9	1	1	0.9	1						
Peter Altmaier (CDU)	1	0.9	1	0.5	0.9	1						
Thomas de Mazière (CDU)	0	0.95	1	1	1	1						
CDU/CSU	0 (1)	0.9	0.5	1	1	0.5	0	0.8	0.5	1	1	0.5
SPD	1 (0)	0.9	0.17	1	1	0.17	0	0.8	0.17	1	1	0.17
Bündnis 90/Die Grünen	1	1	0.17	0.5	1	0.17	1	1	0.17	1.5	1	0.17
Die Linke	1	1	0.17	0	1	0.17	1	1	0.17	2	1	0.17

4.1.1. Saliencies

The saliences of the policy actors are estimates based on a variety of sources: the saliences of the actors in the cabinet are based on the book “Die Getriebenen” by Robin Alexander (2017), what narrates decision-making processes in the cabinet during the refugee crisis 2015 in detail. Partly also the interviews with key informants help to estimate the saliences of the cabinet actors, but as the interviews were conducted only with actors that have been involved in decision-making in the Bundestag, they will construct the main basis for the salience estimates of that the each party in the Bundestag attaches to the issues. Besides, transcripts of parliamentary debates and party programs help to make expectations about the salience estimates.

I expect every actor to attach a high salience to all the issues as the topic is of normative importance.

Issue 1

Seehofer and Merkel differ from the other actors: Merkel attaches the highest salience, because she puts the topic on the agenda, as she faces pressure from Austria and Hungary. She regards it as a humanitarian duty to take the refugees and disregard the Dublin III regulation. Seehofer attaches the second-highest salience, as he, as the Minister-president of Bavaria, is immediately affected by the decision, for the reason, that all refugees will cross the German border in Bavaria.

Issue 2

The situation is heating up: thousands of refugees already came to Germany and many further thousands are on their way. Therefore, Merkel and Seehofer both still attach a high salience to the topic. Besides, also Thomas de Mazière attaches a very high salience, because, he as the Minister for Interior affairs, is responsible for implementing the decision outcome.

Issue 3

The parties Die Linke and Bündnis 90/Die Grünen attached high saliences to the issue as they proposed several times to increase the capacities for refugees. In contrast, the coalition parties CDU/CSU and SPD did not put any issues on increasing the refugee quota on the agenda and therefore they attach a slightly lower salience, but still a high one, because the issue is of normative importance as Germany I already the country within the EU that took the highest number of refugees.

Issue 4

Federal states and municipalities get to the limits of their capacities with taking refugees and every party in the Bundestag proposes a set of measures to handle the crisis. Therefore, each faction attaches a high salience.

4.1.2. Voting power

In Germany, the chancellor has “Richtlinienkompetenz” (policy-making power), and has the ability to guide the cabinet, decides about the policy direction and has also the responsibility for policy decisions. Therefore, Merkel has the ability, to guide the cabinet towards her policy position. Besides, the ministers in the cabinet act in accord with the “Ressortprinzip”, through which they independently lead their own branch. Although the chancellor has the ability to guide the cabinet in a respective direction, she is tied to the collective decision by the cabinet and can also be outvoted (Die Bundeskanzlerin, 2020). On this basis I attach the same voting power to each actor in the cabinet.

The voting power of the parties in the Bundestag is weighted on the respective number of seats of the parties. The values have been transformed with the *Shapley–Shubik power index* by Shapley and Shubik (1954). The coalition parties CDU/CSU and SPD form a majority coalition.

4.1.3. Policy position

The policy positions for the actors in the cabinet are also estimated on the basis of the book “Die Getriebenen” by Robin Alexander (2017). Furthermore, the estimates are based on newspaper articles. It was not possible to conduct an interview with any of the actors in the cabinet, to define the policy position with more certainty. The policy positions of the actors in the Bundestag (the parties) is partly based on interviews with representatives from two parties. Additionally, the positions have been determined based on an examination of the respective party programs for the period 2013-2017 and of debates in the Bundestag.

4.2. Decision-Making Analysis

4.2.1. Issue 1

Cabinet:

Majority voting:

Median voter:

We assume single-peaked preferences among the policy actors. We have a group of six, therefore the median will be in between the 3rd and the 4th voter:

0 -- 0 -- 1 -- 1 -- 1 -- 1

If we apply the median-voter model, the outcome under majority voting would be 1.

Compromise:

$$1(1*1) + 0(0.95*1) + 1(0.90*1) + 1(0.90*1) + 1(0.90*1) + 0(0.95*1) / 6 = 0.62$$

The outcome under compromise decision-making would be 0.62, what is closer to SQ than the median, but the decision outcome would still be Alternative 1.

Reconstruction of the decision-making process how I could have taken place in the Bundestag:

Bundestag:

The decision for this issue has been made in the cabinet, now it will be tested whether decision-making in the Bundestag (theoretically) would have led to the same or a different decision.

Majority voting:

Median voter:

We assume single-peaked preferences among the policy actors. We have a group of four, with different voting powers, with 0.5 as the weighted median. For the reason that there is a coalition out of CDU/CSU and SPD in the Bundestag, one of the parties needs to shift their voting position towards the one of the other party in an exchange.

Assuming a political exchange in which CDU/CSU make concessions in other issues and the SPD shifts their position towards the one of their coalition parties CDU/CSU:

Power-weighted median:

$$0.67 \text{ (CDU/CSU, SPD)} - 0.34 \text{ (Bündnis 90/Die Grünen, Die Linke)}$$

$$0 - 1$$

As the power-weighted median = 0.5, the outcome is undecided between 0 and 1

Assuming a political exchange in which SPD makes concessions in other issues and the CDU/CSU shifts their position towards the one of their coalition party SPD:

$$1 - 1 - 1 - 1$$

The outcome would be 1.

Under the assumption that the SPD would have voted in accordance with their coalition party CDU/CSU, the outcome would be somewhere between 0 and 1, fairly undecided between the two. So, certainly the outcome would differ from the outcome in the cabinet, and due to the powerful position of the CDU/CSU it is highly possible that SQ would remain. But if the CDU/CSU would change their position towards the one of the SPD, the outcome would be 1.

Compromise:

Assuming a political exchange in which CDU/CSU make concessions in other issues and the SPD shifts their position towards the one of their coalition parties CDU/CSU:

$$0(0.90*0.50) + 0(0.90*0.17) + 1(1*0.17) + 1(1*0.17) / 4 = 0.09$$

Assuming a political exchange in which SPD makes concessions in other issues and the CDU/CSU shifts their position towards the one of their coalition party SPD:

$$1(0.90*0.50) + 1(0.90*0.17) + 1(1*0.17) + 1(1*0.17) / 4 = 0.94$$

The outcome under compromise decision-making would be 0.09, if the SPD changes their position towards the one of the CDU and SQ would remain then. If vice versa CDU/CSU changes their positions towards the one of the SPD, the outcome would be 0.94 and the decision would be Alternative 1.

But what would be the decision outcome if Merkel and Altmaier would have preferences in accord with their party, CDU?

Majority voting in the cabinet if Merkel and Altmaier would have taken the policy position of the CDU/CSU (SQ):

We assume single-peaked preferences among the policy actors. We have a group of six, therefore the median will be in between the 3rd and the 4th voter:

$$0 - 0 - 0 - 0 - 1 - 1$$

The median voter would be then 0 and so, SQ would remain.

4.2.2. Issue 2

Cabinet:

Majority voting:

Median voter:

We assume single-peaked preferences among the policy actors. We have a group of six, therefore the median will be in between the 3rd and the 4th voter:

$$0.5 - 0.5 - 1 - 1 - 1 - 1$$

If we apply the median-voter theorem, the outcome under majority voting would be 1.

Compromise

$$0.5(0.5*1) + 1(1*1) + 1(0.9*1) + 1(0.9*1) + 0.5(0.9*1) + 1(1*1) / 6 = 0.75$$

Under a compromise the decision outcome would be 0.75, in between 0.5 and 1, undecided between the two. The actual decision outcome was 1, therefore it is more likely that the decision rule in the cabinet was majority voting.

But in the end the outcome was shifted to 0.5, as before the policy was implemented, discrepancies among the cabinet members came up regarding the consequences that an introduction of border controls would bring along and no actor wanted to accept the responsibility for the aftermath of this decision. Therefore, the final decision was 0.5.

Bundestag:

The decision for this issue has also been made in the cabinet, now it will be again tested whether decision-making in the Bundestag (theoretically) would have led to the same or a different decision.

Majority voting:

Median voter:

We assume single-peaked preferences among the policy actors. We have a group of four, with different voting powers, with 0.5 as the weighted median.

$$0.67 \text{ (CDU/CSU, SPD)} - 0.17 \text{ (Die Grünen)} - 0.17 \text{ (Die Linke)}$$

$$1 - 0.5 - 0$$

The outcome under majority voting in the Bundestag would have been 1, as the weighted median of 0.5 is closest to the position of the CDU/CSU and SPD (1).

Compromise

$$1(1*0.5) + 1(1*0.17) + 0.5(1*0.17) + 0(1*0.17) / 6 = 0.76$$

The outcome under compromise decision-making in the Bundestag would be 0.76. This is closer to 1 than to 0, therefore 1 would be the outcome. The Bundestag outcome under compromise is almost similar to the compromise outcome in the cabinet (0.75).

4.2.3. Issue 3

Bundestag:

Majority voting:

Median voter:

We assume single-peaked preferences among the policy actors. We have a group of four, with different voting powers, with 0.5 as the weighted median.

0.67 (CDU/CSU, SPD) – 0.34 (Bündnis 90/Die Grünen, Die Linke)

$0 - 1$

Under majority voting the outcome would have been undecisive between 0 and 1.

Compromise:

$$0(0.8*0.5) + 0(0.8*0.17) + 1(1*0.17) + 1(1*0.17) / 4 = 0.09$$

Under a compromise the outcome would be 0.09, so the SQ would remain. The compromise outcome is closer to the actual outcome (0) than the median voter outcome.

4.2.4. Issue 4

Bundestag:

Majority voting:

Median voter:

We assume single-peaked preferences among the policy actors. We have a group of four, with different voting powers, with 0.5 as the weighted median.

0.67 (CDU/CSU, SPD) – 0.17 (Die Grünen) – 0.17 (Die Linke)

$1 - 1.5 - 2$

The outcome under majority voting would have been 1.

Compromise:

$$1(1*0.5) + 1(1*0.17) + 1.5(1*0.17) + 2(1*0.17) / 4 = 0.31$$

Under a compromise the outcome would have been 0.31. According to calculation the SQ would remain, but as SQ would be here the worst option for all actors (=threat point), this option would not have been possible. As the actual outcome was 1, the decision was made under majority voting.

Table 3: Summary of the Model Calculations

	Issue 1			Issue 2			Issue 3			Issue 4		
	Model outcome		Actual outcome	Model outcome		Actual outcome	Model outcome		Actual outcome	Model outcome		Actual outcome
	Median-Voter	Compromise		Median-Voter	Compromise		Median-Voter	Compromise		Median-Voter	Compromise	
Cabinet	1 Merkel & Altmaier with party position: 0	0.62	1	1	0.75	1 (initial outcome, 0.5 got implemented)	-	-	-	-	-	-
Bundestag	Ex.SPD: 0-1 Ex. CDU/CSU: 1	0.09	-	1	0.76	-	0-1	0.09	0	1	0.31	1

4.3. Causal Analysis

4.3.1. Decision-makers preferences

Hypothesis 1 predicted that the decision for an open-border policy in Germany can be explained by the preferences of the decision-makers involved. Regarding the preference constellation, the most important actor in the decision-making process to an open-border policy was Angela Merkel. First, it is important to notice that she proposes an opening the borders for all refugees on the 4th of September 2015 as a humanitarian crisis in Hungary and Austria is emerging if no country would act. Merkel acts as a powerful agenda setter as she proposes items for the agenda and generates the alternatives. Her position was to open the borders for all refugees, no exception, because she regards the situation as a humanitarian emergency and because of this exceptional situation, the decision should be a onetime exception.

Here it is important to notice that this is not the policy position of her conservative party CDU. So, Merkel deviates from the position of her party, what would be to stick to the SQ. Same goes for the Head of the Chancellery, Peter Altmaier, who is also a member of the CDU. He was one of the closest advisors of Merkel in those times, who took part of the decision-making process and he was always in line with Merkel's positions (Brost and Schuler, 2015). He also deviates from his party position. The deviation of their party positions of both is crucial here, as if they would have stick to them, SQ would remain.

This can be seen by looking at the application the median voter model to this issue above with Merkel's and Altmaier's policy position in accord with the position of their party. In contrast, the policy position of their colleagues, Horst Seehofer (CSU) and Thomas de Mazière (CDU), was in accord with the party's preference, sticking to the SQ. This shows, that the preference of the decision-maker does matter here

for the decision outcome of this issue, as if Merkel and Altmaier would have the same preference as her colleagues from the CDU/CSU, the outcome would be SQ, the party preference.

By turning to the second issue, one sees that the situation looks similar: Merkel and Altmaier are in line with the policy position of “soft” border controls (0.5). They wanted to prevent that there will be pictures in the media of for example policemen pushing back refugee families (Aust, Lutz and Malzahn, 2016). In contrast, all other actors involved preferred the more extreme alternative, to close the borders for refugees. But we cannot regard this situation as a “normal” decision-making situation, as the collective decision outcome was 1, according to majority voting in the cabinet, but in the end 0.5 got implemented as nobody wanted to be responsible if scenarios will happen how they were imagined by Altmaier and Merkel before.

Regarding issue 1 and issue 2, it became visible that the decision outcomes have only been possible, because Merkel and Altmaier diverged from the position of their party CDU. This becomes also visible by looking at the reconstruction of this decision-making process in the Bundestag above: If the voting on this topic would have taken place in the Bundestag and not in the cabinet, the decision outcome would be much closer to the policy position of CDU/CSU, also because of their high voting power in the Bundestag. Much is here also depending on the coalition between the SPD and CDU/CSU, especially regarding issue 1, as the policy position of the SPD was 1 and the position of the CDU/CSU, 0.

On the one side, it could have been possible that the SPD would change their policy position in accord with the one of the CDU/CSU, just in order not to disturb the coalition peace. But on the other side, it could also happen, that the CDU/CSU would change their policy position towards the one of their coalition party, as they might also recognize that this special situation would be a humanitarian emergency situation and opting for the SQ could led to pictures of suffering refugees in the media and the CDU/CSU could have been made responsible.

This behavior can also be regarded as “interest alignment”, what is essential in order to come to a collective decision outcome (Stokman, 2013). We can also recognize such an interest alignment in the cabinet, as Sigmar Gabriel, Vice-Chancellor, and Frank-Walter Steinmeier, Minister of Foreign Affairs, seem quite undecisive and have just agreed with Merkel’s policy position. This behavior can also be regarded as an interest alignment to the interests of Chancellor Merkel.

Regarding issue 3, CDU/CSU and SPD agree in their policy positions and no interest alignment was needed, as in their party programs both mention that an EU-wide solution for allocating refugees is needed and further German contingents for refugees would not be a sustainable solution. Contrasting, in issue 4 it is highly possible that the SPD aligned to the interests of CDU/CSU, at least in some points: The package of measures included the classification of Albania, Kosovo and Montenegro as safe states, where people are mainly fleeing because of the bad economic situation in their home countries. In their party program, CDU/CSU declare themselves against economic migration (CDU/CSU, 2013).

Contrasting, the SPD rather emphasizes to support municipalities, so that they can also cope with economic migrants (SPD, 2013). Therefore, it can be expected that also here it came, at least, with regard to a few issues in the package of measures, to an interest alignment between the two coalition parties.

To conclude this section, it is visible that the preferences of the decision-makers can explain the decision for an open-door policy to a certain extent. The fact that Merkel and Altmaier diverge from their party's policy position is crucial here, as if they would have stick to their party position, SQ would remain. Secondly, one can see an alignment of interests between the two coalition parties, what also influences the decision outcome, as one of the parties must change their policy position towards the one of the coalition party in a voting.

4.3.2. Decision-making institutions

The second Hypothesis predicted that the decision-making institutions in Germany can explain the respective decision outcomes.

The Bundestag is the parliament of Germany and serves as the legislative branch. It is elected every four years by the citizens of Germany. If no party achieves the absolute majority in the elections, a coalition needs to be formed (Strasser and Sobolewski, 2019, p.27). In 2015 the coalition consisted out of the competing parties CDU/CSU and the SPD. In the Bundestag decisions are made based on simple majority voting among the members. Contrasting the cabinet, here the actors differ in their voting power.

Coalition-formation in the Bundestag influences the decision-making process as the policy positions of the two coalition parties are conflicting with regard to some issues. Policy conflicts also arise around refugee policies, what becomes for example visible by taking a look at their party programs for the period from 2013 to 2017: CDU/CSU seems more restrictive in their refugee policy position and rejects economic migration within Europe (CDU/CSU, 2013). In contrast, the SPD focuses in their program on supporting municipalities to cope with economic migrants from Eastern Europe (SPD, 2013). In order not to disturb the coalition peace, one of the coalition parties must modify their policy position and it comes to a political exchange. Certainly, this can have crucial influence on the decision outcome and much depends here on internal coalition negotiations.

The German Federal Government, the cabinet, serves as the executive branch. According to section 62 in the German constitution ("Grundgesetz"), The German Federal Government consists out of the Chancellor and the Federal Ministers. It is guided by three different principles: the "Kanzlerprinzip" (Chancellor principle), the "Kollegialprinzip" (Collegial principle) and the "Ressortprinzip" (Department principle) (Die Bundeskanzlerin, 2020). According to the "Kanzlerprinzip", the Chancellor possess so called "Richtlinienkompetenz" (guideline-setting competence) (Die Bundeskanzlerin, 2020). This means that the Chancellor has the possibility to guide the cabinet in a specific policy direction and the Chancellor also carries the responsibility for this direction.

As per the “Kollegialprinzip”, the Chancellor together with the ministers decided together which issues are of general importance and need to be addressed. Furthermore, it says, that if there are any disagreements between the ministers, the Chancellor is the first to mediate the differences in opinion. So, if no decision outcome can be made, based on unanimity, decision is made through majority voting, whereas each actor, also the Chancellor, has the same voting power.

The “Ressortprinzip” says, that each Minister leads its own department and has its own responsibility on the department’s area of work. Although the Chancellor is not allowed to intervene in these issues, the Ministers must take decisions within the political scope predefined by the Chancellor (Die Bundeskanzlerin, 2020). Regarding Issue 1 and 2 not all ministers have been part of the decision-making process, only those, which were relevant for this realm including Horst Seehofer, as the Minister-President of Bavaria. He was part of the decision-making process, although he is not part of the cabinet, but as Bavaria was the federal state where the refugees are going to cross the German border, he was also involved.

Comparing the model outcomes from the Median-Voter Model and the Compromise Model (Mean-Voter), we can see that the Median-Voter predicts the actual decision outcome in most issues better than the Mean-Voter (Compromise). The Median-Voter Model represents the decision outcome under simple majority voting, what is also the general voting rule in the cabinet and in the Bundestag.

With respect to the decision-making institutions in the cabinet, one can notice, that the “Richtlinienkompetenz” of Chancellor Merkel can be regarded as decisive in terms of the cabinet’s decision outcomes. That is, for the reason, that Merkel proposed to open the borders for refugees and so she directed her colleagues in the cabinet towards her policy position. If another actor, whose policy position would be SQ, have had possessed “Richtlinienkompetenz”, the actor would probably direct the group towards his policy position. Therefore the “Richtlinienkompetenz” of Merkel, can be regarded as an important explaining factor of the decisions leading to an open-door policy.

Also the decision rule plays a role when it comes to the role of decision-making institutions, as the decisions in the Bundestag have been made under majority voting and by applying the compromise model, as above, the decision outcome would have been different.

To conclude, the decision for an open-door policy gets also influenced by decision-making institutions. Especially the “Richtlinienkompetenz” that is granted to Angela Merkel, makes it possible for her to guide the cabinet in a specific direction, such as for example in the direction to open the borders for refugees. But the decision rule also matters for the outcome, as it can be seen in the reconstruction of the decision-making processes under majority and compromise rule. The coalition formation in the Bundestag is also one factor that influences decision outcomes, as the competing coalition parties need to make a compromise on respective issues and one of the coalition parties most probably must modify their initial policy position.

4.3.3. Public opinion

H3 predicted that the (general) public opinion of German citizens influenced the preferences of the decision-makers and can so explain the decision outcome. This section will compare opinion polls from 2015, with the respective decisions that have been made and to what extent it is possible to identify a relationship between changing public opinion and changing decision-maker's preferences.

Germany is generally well known for its "Willkommenskultur" (Welcoming Culture), as it has always been a nation of immigration. (Kösemann, 2017). Therefore, the public has generally been quite open towards taking refugees. In 2015, the salience, the German public attaches to refugee related issues can be regarded as high, as there have been a number of demonstrations for and against refugees throughout the whole year.

In April 2015, where Issue 3 was on the agenda in German Bundestag, 50% of the surveyed German citizens endorse it if Germany would take more refugees (infratest dimap, 2015). End of April, the Grand Coalition has voted against two proposals of Bündnis 90/Die Grünen and Die Linke, proposing to take more refugees from Iraq and Syria. Therefore, it can be concluded that this decision was not influenced by the current public opinion. But how has public opinion on refugees evolved during the summer? And did the policy actors change their preferences in accord to changing public opinion? In July 2015, refugee-welcoming public opinion increased, compared to April 2015: 57% of all polled citizens are in favor of taking more refugees (infratest dimap, 2015). In August, the public demand for taking refugees further increased: 59% polled for taking further refugees (infratest dimap, 2015). The salience of the citizens on refugees is really high in August, because it also comes to many violent demonstrations (Middelhoff, 2015). Burstein (2013) predicted that government responsiveness is high, when the salience the public attaches to the issue is high. And so, Merkel opened the borders for refugees, as the citizens demanded in polls. In September the public opinion has changed after Merkel and her cabinet have agreed on opening the borders for all refugees. Before the decision 38% of the public have been afraid of refugees and at the end of September, 51% polled to be afraid of refugees (infratest dimap, 2015). At this point, the public opinion turned rather against refugees, instead of refugee-welcoming, how it can be observed in the months before. A larger part of German citizens welcomes the restrictive measures proposed by the Grand Coalition (71%- 80%). As public opinion is rather going less refugee-friendly after the opening of the borders for refugees, the government responded with more restrictive asylum policies. Here one can identify, that policy responses goes with public opinion.

It can be expected that Merkel did not attach a high salience to the issue until the end of summer 2015, due the fact that she has never visited a refugee camp until this time, although in a survey, 81% of German respondents had the opinion that Merkel should visit a refugee camp. In July 2015 Merkel attended an event in a German school where she said to a young, in Germany living, Palestinian girl "If we now say that you can come all over from Africa, then we cannot manage this", what is completely

contrasting to her “We can do this!” a few weeks later (Alexander, 2017, p.31). She got harshly criticized by the German public for this statement.

As listed it above, it can be seen that there is a certain relationship between public opinion and the policy positions, but it cannot be considered as the main explanatory factor that led to the policy positions of the actors and so also to the decision outcomes. What is crucial here, is that Merkel could have been driven by public opinion, as she faced pressures from the media and the public to do something in regard to the looming refugee crisis. Merkel’s salience increased on the issues, increased with the public salience, and therefore, her policy position to open the borders for refugees was to a certain extent also driven by the pressures she faced by the public. Before the decisions in September 2015, Merkel always pleaded for a EU-wide solution, what rather represents her party position (CDU/CSU, 2013). Therefore, it can be concluded that public opinion lead to a shift in the positions of Angela Merkel, from her party position to her “own” position. The same can be also concluded for Peter Altmaier.

5. Conclusion

The present study sought to explain the decision of Germany to opt for an open-border policy as response to the EU refugee crisis in 2015 on the basis of three variables: the preferences of the decision-makers, the decision-making institutions and public opinion.

Regarding the theoretical and practical assumptions in the previous chapters, this section seeks to give an answer to the research question under referring to the strengths and weaknesses of this research. It will be clarified whether the predictions derived from the theoretical framework have held true. In addition to that, this chapter will point out whether generalizations that can be made, out of this study, and finally recommendations for future research will be provided.

5.1. General Conclusions

The predictions derived from the theoretical framework can answer the Research question to a large extent. After reconstructing the decision-making process and analyzing the preferences of the decision-makers it come out, that preferences of some specific decision-makers have been crucial for deriving at the decision outcomes.

The preferences of Chancellor, Angela Merkel, and, Head of the Chancellery, Peter Altmaier are diverging from the policy position of their party CDU/CSU. If they would have had their policy position in accord with their party’s preference the decision outcome would have looked different, what becomes visible in Table 3. Especially their policy positions on Issue 1 have been decisive for the outcome, the open-door policy. If the preferences of Merkel and Altmaier would have been here in accordance with their party’s preference, the policy responses to the crisis would have gone another direction and

Germany would have probably not ended up with being the country that hosts the most refugees in the EU.

The analysis has further shown, that beside the preferences of the decision-makers also formal institutional rules in the Bundestag and in the cabinet matter. Especially the “Richtlinienkompetenz” of Angela Merkel in the cabinet and the coalition formation in the Bundestag are decisively influencing decision outcomes.

As a third factor that can explain the decision outcomes, we analyzed the relationship between public opinion and the policy positions of the actors, in order to find out whether they have been influenced by the opinion of the public on the refugee issue. The findings from the analysis can identify a relation between public opinion and the policy position, especially of Angela Merkel, as if she faced pressures by the public, her salience on the refugee issue started to rise and she brought the issue then on the cabinet’s agenda. This shows, that especially in crisis situations, Merkel gets influenced by public opinion. There is also a relationship between the public opinion and the decisions after the 4th of September, as the public turned slightly more hostile towards refugees and refugee policies got more restrictive.

This thesis also point out how it makes a difference whether decisions are made in the Bundestag or in the cabinet, on the grounds that politicians in the cabinet do not always have their policy preference in accord with the one of their party in the Bundestag. This can have crucial implications, how we can see with the policy response to the refugee crisis. Bundestag decisions have been more restrictive towards refugee policies than decisions taken in the cabinet, at least with regard to the four issues that have been analyzed in the course of this research.

Looking back to Congleton’s (2005) assumption that rational-decision making in crisis situations is hardly possible, it can be concluded that Merkel acted in such a way rational that she acted in accord with her preferences and beliefs, as she diverges from the position of her party. But on the other side, Merkel and her colleagues faced huge uncertainties about the aftermath of their decisions, and it could not have been foreseen, that the central decision on the 4th of September 2015 will cause such a massive wave of refugees coming to Germany. Therefore, the rationality of those decisions could be again questioned.

5.2. Limitations and Recommendations for Future Research

We have a certain degree of validity of our Decision-Making Analysis because the results from our analysis largely fit the actual outcomes. But one must take into account, that all values for the policy position and the salience are only estimates. Although these estimates made on the basis of a variety of sources, such as newspaper articles, a factual book, party programs, public official statements and two interviews with key informants, these values are in the end still based on my own perception after

examining the respective sources. Interviews give more certainty in estimating the policy position and salience, but unfortunately only two persons were willing to give an interview, therefore this has further shortcomings for the validity of the values used in the Analysis.

The outcomes of the decision-making analysis should be therefore regarded with caution. Especially the outcome of the Decision-Making Analysis for Issue 1 and Issue 2 in the Bundestag should be handled cautious, for the reason, that this is only a reconstruction and we have no actual outcome with which we could compare the results to gain any degree of validity here. Unfortunately, no estimates could have been made for the cabinet actors and Issue 3 and 4, as the estimates here would be way to uncertain, due to a lack of information.

Regarding the influence of public opinion, it is unclear, especially for the decisions after the 4th of September 2015, whether public opinion goes with the policy change or vice versa policy change goes with public opinion.

This thesis can be in such a way generalized, that it can help understanding also other decision outcomes in the Bundestag and in the cabinet in Germany, not only in crisis situations.

The three variables analyzed can only partly explain decisions for an open-door policy in Germany in 2015. It can be expected that there are more factors that have influenced the decision-making process. Therefore, we suggest extending the research on further factors that could potentially also explain the preferences of the decision-makers. This could be for example, mass media, as the variable public opinion already shows a relationship to the policy positions of the actors, and media offers ways where public opinion can be expressed. But, also psychological factors of the decision-making actors could play a role here, regarding for example the extent to which they perceive media and public pressures.

Considering those limitations, this research can be still regarded as a valid and useful contribution to the field of decision-making in crisis situations.

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7. Appendices

List of documents for the Analysis

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und der Fraktion DIE LINKE. Humanitäre Hilfe und Flüchtlingsschutz für Jesiden, Kurden und andere Schutzbedürftige im Norden des Irak und Syriens.

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Interview questions

Original questions:

Entscheidungen während der Flüchtlingskrise:

- 1) Welche Entscheidungen rund um die Flüchtlingspolitik im Jahre 2015 waren für Sie am meisten ausschlaggebend, speziell ab Sommer 2015?
- 2) Wie evaluieren Sie die Entscheidung von Angela Merkel am 4. September 2015 die Grenzen für Flüchtlinge zu öffnen, sowie die Entscheidung kurze Zeit später am 13. September 2015 Grenzkontrollen einzuführen?
- 3) Hätte man damals bei beiden Entscheidungen im Bundestag darüber abgestimmt, wäre mit ähnlichen Entscheidungen zu rechnen?

Einfluss Ihrer Partei bei der Entscheidungsfindung

- 1) Was waren Ihre Präferenzen bei dieser Entscheidungsfindung?
- 2) Inwiefern haben Sie und Ihre Partei Einfluss auf die Entscheidung gehabt?

Einfluss von nicht-politischen Akteuren

- 1) Inwiefern hatten NGOs Einfluss auf die Entscheidungen?

English translation of the questions (The interviews have been conducted in German):

Decisions during the refugee crisis:

- 1) Which decisions around the refugee policies in 2015 have been the most crucial ones, especially from summer 2015 onwards?
- 2) How do you evaluate the decision of Angela Merkel on the 4th of September 2015 to open the borders for refugees, such as the decision to introduce border controls on the 13th of September 2015?
- 3) If there would have been a voting in the Bundestag on both issues, would the decision outcome be the same?

Influence of your party on the decision-making process

- 1) What have been your and your party's preferences in the decision-making process?
- 2) To what extent, do you and your party had influence on the decision-outcome?

Influence of non-political actors

- 1) To what extent NGOs had influence on the decisions?