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**Nederland en vluchtelingen: de politiek-bestuurlijke geschiedenis van de strijd tussen controle en humaniteit tijdens vluchtelingencrises tussen 1913 en 2017**

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## English summary of the dissertation

Migration is inextricably linked with world history. The increase of globalisation might be regarded as the end of interstate borders yet reality is that technological, digital and physical borders are increasing or returning. This makes it increasingly difficult to cross international borders. In spite of this, voluntary and forced migration occurs with refugees being part of the category of forced migrants. Forced migration contains a psychological element since it is caused by fear (Gordenker, 1987). Refugees find themselves in a crisis situation and need to act accordingly. In order to find protection, they need to leave their community and country, cross borders and relocate to a foreign country and community. They ask for asylum which is dominated by legal elements, but social and political elements are important as well (Joppke, 2007; Baldi and Wallace Goodman, 2015). The plight of the refugees is the result of decisions made by politicians, the authorities of a country which makes “the creation of refugees political”. (Gordenker, 1987).

### *Dutch politics and Dutch refugee crises periods*

When policies are researched the political background is important. The state can be seen as a black box whose content is difficult to fathom. However, if in this case the way black box is formed – i.e., Dutch coalition cabinets – it makes it easier to look inside and see which considerations may have been or will be used to make and execute policies. The Dutch political system is a multi-party system with proportional representation (Koole, 1995; Andeweg en Irwin, 2002). The political arena has a multitude of political parties where no single party will have an absolute majority, and cabinets will always be coalition cabinets where often more than two parties are represented. Three major political streams dominate Dutch politics Liberalism, Confessionalism<sup>188</sup> and Socialism. (Van Doorn, 1996). Alternation of representation of these streams in a cabinet might cause variations in Dutch refugee policies and as a result change the content of the institution.

The subject of this is dissertation in Dutch refugee policies between 1848 and 2017. The first legislation regulating Dutch refugee policies was introduced in 1849. This study focusses in particular on six periods in the twentieth and twenty-first centuries in which refugee crises occurred in the Netherlands. These refugee crisis periods have been identified based on criteria such as time lapse, numbers of refugees, external cause of the refugee crises, handling of the refugee crises and consequences for legislation. Additional sources included international research of migration and refugee policies by other researchers. The complexity of a refugee crisis with (potential) changes in policies and or legislation will also be considered. The first crisis occurred during the first five months of the Great War in 1914 when one million Belgian refugees fled the German occupation of Belgium. The second crisis was the period between 1933-1940 when the fascist policies of the Nazi Regime in Germany made people seek refuge in many European countries. The third period 1945-1979 was the post-war period during which three crises occurred. All three originated in Eastern Europe: Czechoslovakia 1948, Hungary 1956 and Czechoslovakia 1968. These crises were instigated by the Soviet-Union. The fourth crisis occurred in the 1980s when numbers of incoming refugees in The Netherlands rose

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<sup>188</sup> Confessionalism denotes parties with a religious character. Until 1980 three parties dominated this stream: the Roman-Catholic KVP; the Protestant CHU and the Protestant ARP Cf.: Lijphart, 1968; Koole, 1995; De Beus et al., 1996. The parties merged in 1980 into CDA, which is Christian Democratic.

considerably which confronted the Dutch government with a crisis for which it was not prepared. The fifth crisis occurred in the 1990s when Yugoslavia disintegrated after the death of Tito and a civil war caused many refugees to seek protection in Europe. The sixth and final crisis occurred in the second decade of the twenty-first century when between 2014 and 2016 the war in Syria caused people to flee the country and seek protection in Europe.

Refugee crises 1913 – 2017 in The Netherlands									
1913	Periodisation of Dutch Refugee crises							2017	
	1914	1930 -1940	1945 - 1979			1980-1990	1990-2000		2000-2016
			1948	1956	1968				
Table 1									

### *Research question.*

This study into Dutch refugee policies is, contrary to many other studies, primarily based on parliamentary debates as they can be found in parliamentary minutes and other government documents. Parliamentary documents have been available at [www.overheid.nl](http://www.overheid.nl). National and international reports on the subject as well as national and local archives and websites among them those of the European Union have also been used. Sources used are fixed, exact and not the result of the current research. Additional results of other research have also been used. Theories on decision-making, policy development, use of symbols as well as theories on crises have been used. The current research -a timeseries- is possible since sources for the entire period are available.

Research of Dutch refugee policies concentrate often on either legal, sociological, economic or political issues. This study presents a multidisciplinary overview of Dutch refugee policies aimed at finding general principles of these policies to achieve a well-informed understanding. Which considerations were the base of these policies and how were these framed? Is the character of the policies always the same, independent of (a) the parties represented in coalitions cabinets and (b) the (economic) situation of the periods during a refugee crisis and or the international situation? This research concerns refugee policies as an institution and its development over time in a timeseries. These questions result in the following research question

*How did Dutch refugee policies develop during a period in which consecutive coalition cabinets were responsible for these policies during refugee crises between 1913 en 2017 and what were the considerations that can explain this development?*

### *Refugees, refugee crises policies over time*

Refugees are forced migrants since they have been, or fear to be, persecuted by the authorities or other forces in their country of citizenship. This may e.g. be due to political affiliation, religion or belonging to a social group. A refugee asks to be admitted to another country and (re-)build a life. Proudfoot states “a refugee is distinguished from the ordinary alien or migrant

in that he has left his former territory because of political events there, not because of economic conditions or because of the economic attractions of another territory” (Proudfoot, 1957: 23). This definition excludes economic circumstances. If these alone apply, the person leaving the country is a migrant and does not fall under the terms of the Geneva Convention. However, the economic cause of refugee crises has been discussed since the 1980s (Hein, 1993). Current asylum legislation and policies exclude people who have left exclusively because of economic/financial reasons. Hence this study does not include this category of migrants. The authorities of the receiving nation state will use criteria to decide if they will allow the refugee to enter its territory and community. The refugee must meet the criteria of the formal definition of a refugee. These are set by national legislation as well as the 1951 Geneva Convention, the 1967 New York Protocol and other human rights treaties provided the state has through ratification committed itself to the application of these treaties. Refugees will seek a place in the community which has explicit and/or implicit norms and values (Van Gunsteren, 1998). They are a framework for language, culture, religion and political mores, translated into legislation and policies. Once admitted and given a residence permit, refugees have access to all amenities and rights available to the members of the community including the right to vote for representative bodies.

A (refugee-)crisis is a ‘focussing event’ which is a threat to the basic structure and norms and values of a system or policy sector (‘t Hart, 1993, Birkland, 1998; Russett et al, 2000; Alink et al., 2001). Crises are a ‘condensation symbol’ where tension and danger come together (Edelman, 1964) and sentiments crystallise (Lasswell, 1952), debates become fierce and concentrate on an important topic reaching the political agenda and political actors have to act fast as a consequence (Birkland, 1998; Rosenthal et al., 2001-II). “Crises [...] are historical points of reference, distinguishing between past and present” (Farazmand, 2001: 3). Dealing with a crisis is no simple matter and has risks for the handlers of the crisis: the political elite of a country. The outcome of the crisis can determine if the legitimacy they and their policies have will continue or will be lost. The bigger loss - if their policies are inadequate - will be the loss of the well-being of the state and its community and society which they have been unable to protect. This in turn would cause a secondary crisis. A refugee crisis is seen as a difficult hard to control emergency (Rittel en Webber, 1973; Head, 2008; Raadschelders, Larrison, en Thapar, 2019). It is the convergence of a political and humanitarian crisis (Bos, 2003). Refugee crises are complex and caused by the failure and the weakening or even the collapse of social and political structures often of the local state (Marfleet, 2006). Managing them requires humanitarian, conflict related (trans-)national and complex coordination (Bos, 2003). The choice between (a degree of) humanitarian action and the social-political stability of the receiving state is part of the process (Weiner, 1992; Bos, 2003; Roxström en Gibney, 2003). An asylum request also forces a national government to consider international consequences of its reaction. Refugee policies of neighbouring countries will be considered as well as the relation with a sending country since refugee policies might interfere with the receiving country’s national interests.

Since 1849, with the introduction of the first Dutch immigration legislation, Dutch refugee policies are seen as an institution and are defined by a degree of continuity in behaviour and thinking resulting in a repetitive behavioural pattern that is externally visible and recognised over time (Van der Meer, 2021). These policies have been a prominent institution

on the Dutch political agenda. The development of Dutch refugee policies is not autonomous but the result of decisions by members of the Dutch Parliament and coalition cabinets and the execution of these policies by government institutions. Historical institutional research helps to understand how and why current administrative structures and processes have developed and formed over time (Raadschelders, 1994; Van der Meer, 2021). The current research seeks to disclose and analyse the considerations used while making refugee policies, the effects they have on the political arena as a whole and on policies before, during, between and after the refugee crises. Was the content of the institution always the same or was it amended and what was the effect of the refugee crises on existing policies.

*The research: Decision-making during timeseries, pathdependency and historic institutionalism*

A period of more than one-hundred-sixty years saw four new Dutch immigration laws: 1849, 1968, 1994 and 2000. This legislation was subjected to interpretation and politicisation. One of the issues is whether legislation introduced in one period is also adequate in a later period under unforeseen circumstances. Another issue is that changes in the political arena may also influence the execution of the legislation. Parliamentary minutes are a source which will disclose which considerations have been used by coalition cabinets as well as MP's debating legislation and policies. This research uses a multifaceted retrospective longitudinal method. This means that policies in one policy-sector are monitored during a long period resulting in a historical comparative research project. At the same time focus is on more than one aspect of the policies. During this timeseries multiple similar cases -the crises- are used to follow, analyse and understand policies. In this case it concerns Dutch refugee policies which is researched over time as an institution resulting in historical-institutional research. Since there is a well-defined start and ending of the variable -refugee policies as an institution- the extent of the period under scrutiny is clear. The start of policy making and execution means choices have been or will be made between several policy-options. When due to discarding initial options a narrowing of policy options occurs, this may result in a self-enforcing and strengthening process due to increasing results which can cause repetitive execution of the same policies (Sydow et al., 2012).

During and after a crisis decision-making by political actors as well as the ensuing procedures are important and crisis policies must be prepared and executed under pressure and can be influenced by earlier policies (Jones, 1994, Raadschelders, 1998; Albright, 2006) while changes during the crisis should also be expected and considered. This may result in bounded rationality (Simon, 1946; Lindblom, 1959; North, 1990) with suboptimal policies as a result (Jones, 1994; Russett, 2000). Immigration policy will be influenced by its history and culture of control (Brochmann, 1999) which refers to pathdependency and institutionalised policies. This pathdependency occurs due to a continuous development in the same direction based on the initial policy. Pathdependency -locking in of policy development- execution and policy direction can cause the limiting of choices within these policies (Krasner, 1984, 1988; North, 1990; Sydow et al, 2012) and cause institutional rigidity (Raadschelders, 1998). However, this does not mean that existing arrangements are frozen solid, do not develop or cannot be subjected to adaptations or critical junctures. Changes can happen, but are bounded and often incremental (Pierson, 2000-1; Peters et al., 2005), constitute an interrupted equilibrium (Krasner, 1988;

Baumgartner and Jones, 1993), and can result in a constant development at macrolevel (Pierson, 2000-I and II) of the institution. If positive feedback -increasing returns- occurs, mechanisms will reproduce certain patterns over time (Mahoney, 2000; Pierson, 2000) which makes institutional analysis appropriate (Raadschelders, 1998). Limited changes are possible but will not affect the stability of the system at macro level. When researching institutions in general as well as during the current study the following questions are relevant. When did the particular policy start, how did it develop and what caused adaptations if they occurred at all (Pierson, 2000-1)? Two characteristics are important: periods of relative but not total openness followed by periods of relative but not total stability. Three phases in its development are the initial critical event where a certain direction for policies is chosen followed by a reproductive period where feedback confirms the policy -increasing results- and the end of the trajectory where critical junctures cause a new long-lasting equilibrium. (Pierson, 2000-1). New Institutionalism has three approaches: historical institutionalism, rational choice institutionalism and sociological institutionalism (Hall and Taylor, 1996). Historical institutionalism facilitates the understanding of the development of institutions and has its source in a sociological approach based on a common perception facilitating the interpretation of a situation (Thelen, 1999; Van der Meer, 2021). While sociological and historical institutionalism have common elements, it is historical institutionalism that links the development of institutions with path-dependency and attention for the influence of ideas on policies (Hall en Taylor, 1996). This research has a number of variables. Many of these would be a problem if an issue is researched with regard to path-dependency. However, research during timeseries makes it possible to use multiple variables (Pierson, 2000-2). The independent variable (actor) is the coalition cabinet that proposes legislation and policies. The dependent variable is the refugee policy (Peters, Pierre en King, 2005). An important variable is the international influence on policies especially since 1945. These can be bilateral but are mainly international treaties since they limit national policy preferences and can overrule these and as such are the intervening variable.

### *Changes and adaptations in an institution*

Causes for institutional adaptations are reactions to the social, economic, cultural and political environment (Thelen and Steinmo, 1992; Raadschelders, 2020). Incremental as well as sudden changes -critical junctures- may occur (Van der Meer, 2012). When an institution undergoes changes the equilibrium it is in is punctuated, but equilibrium can be restored to the old or a new equilibrium (Krasner, 1988). Mahoney and Thelen (2010) present a model with four changes which can help to understand institutional changes:

1. *Displacement* where existing rules are replaced by new rules.
2. *Layering* through amending, revising or adding rules to existing rules.
3. *Drift* when existing rules are changed due to changes in the policy environment and, finally,
4. *Conversion* when existing rules remain the same, but have a different effect due changed interpretation based on strategic reasons.

If the policy -the institution- remains the same overall, the changes are limited to a lower non-macro level (Pierson, 1993; Kay, 2005; North, 2007) which justifies the term bounded change or bounded adaptation (Pierson, 2000-1, 2000-2).

Adaptation/changes in institutions				
	Displacement	Layering	Drift	Conversion
Removal of existing rules	Yes	No	No	No
Neglect of existing rules	-	No	Yes	No
Changes application of existing rules	-	No	Yes	Yes
Introduction of new rules	Yes	Yes	No	No
<i>Table 12</i>		<i>Source: Mahoney en Thelen, 2010: 15-17</i>		

A crisis as well as socio-economic circumstances may serve as a window of opportunity to change policies (Wilsford, 1994). While a change in a coalition cabinet may also cause changes in policies the Dutch consensus policy between political parties may limit these changes. This can cause a consistent development of the policies at macro level. Three elements are important: the structure and functioning of the system and the actors involved in the system (Van Braam (1986) cited by Raadschelders, 1994). Politicisation, interpretation and framing are present in any policy sector (Lasswell et al., 1952; Bennett, 2001; Entman, 2007). To research the role and extent of framing in policy development and -execution theories related to communication, public administration, sociology and political science have been used to analyse and understand the way Dutch coalition cabinets and government institutions have shaped refugee policies. Research of European refugee policies concentrate on the development of the Common European Asylum System (CEAS)

#### *Crises researched*

Each refugee crisis caused Dutch coalition governments to react to the influx of refugees. Specific circumstances unique to each refugee crisis combined with the state of affairs in the Netherlands be it politics or other influenced the policy reaction by the coalition cabinets. Sometimes the effect was temporary but the effect on Dutch refugee policies was often lasting. Immigrants entering the country were a fact of life and managing them required rules and regulations. Between 1849 and 1914 these were committed to paper, yet the execution of these rules was primarily a matter of local authorities. Since mid-1914 this attitude changed. Policies were centralised and new rules included structures which were aimed at dealing with these crises in an expedient way and with, as will become apparent, the aim of preventing or minimising damage to the perceived interests of the Dutch nation state and its citizens.

The first crisis period researched is the 1914 refugee crisis at the beginning of the Great War. The Netherlands, although neutral bore the full (economic) brunt of the war. The German invasion of Belgium caused one million Belgians to seek refuge in the Netherlands. They arrived in August–October 1914 and depended on aid provided by the private sector and the authorities. While refugee policies were not adequately centralised until 1914, the 1914 crisis caused the central government supported by Parliament to take control. New policies were introduced, and extra budgets were made available within a matter of days. Military authorities stated that the presence of the refugees would endanger the defence of the country. The Dutch government negotiated with the German occupiers of Belgium to send Belgian refugees back to Belgium. Dutch authorities put pressure on the refugees and ninety percent of the Belgian refugees had returned to Belgium by the end of 1914. After the 1914 crisis, stricter legislation was introduced in the final year of the war. The 1914 crisis is generally seen as a demarcation point. The Great War was a watershed moment for refugee policies and refugee crises (Arendt,

1976; Gordenker, 1987; Hammar et al, 1997; Caestecker, 1998; Lucassen, 1998; Minderhoud, 1998; Torpey, 2000; Harzig and Hoerder, 2009).

The second crisis period is the crisis of 1933-1940, which was caused by the German Nazi regime. This concerns a type of refugee crisis differing from the 1914 crisis since, what we would now call human rights, were being violated while there was no war. Those fleeing Germany were predominantly Jewish. Others belonged to a particular social group or were part of the political opposition in Nazi-Germany. The Dutch authorities did not want refugees to settle although they were well aware of the situation in Nazi Germany, but tried to send them to other countries. This policy was unsuccessful. Jewish refugees were ultimately housed in the central refugee camp Westerbork in the north-east of the country away from civilisation. The Dutch government forced the Jewish community in the country to finance the facility. In general Dutch authorities did not welcome the refugees regardless of their background and even cooperated with the German police in order to send refugees back to Germany. Dutch cabinets reacted with special policies and legislation which e.g. prohibited refugees to start a company or following an education. The borders for refugees from Germany were closed in 1938 (Cohen, 1955; Moore, 1980; Loescher, 1993; Houwaart, 2000).

The third crisis period is the post-war period between 1945 and 1980. It encompasses the 1948 crisis in Czechoslovakia, the 1956 crisis in Hungary, and the Prague Spring crisis of 1968. The common denominator is that all these crises originated in Eastern Europe and had a clear link with Cold War during the ideological battle after the Second World War between the capitalist and communist blocks. The 1948 crisis in democratic Czechoslovakia was caused by a Communist Coup which meant the forced inclusion of the country into the communist bloc in Eastern Europe. It resulted in people fleeing to the free western part of Europe. The 1956 crisis was the first crisis in which the 1951 Geneva Refugee Convention played a role at a time when the Netherlands was still rebuilding after the Second World War and had to deal with the consequences of decolonisation. The Soviet Union invaded Hungary, thus forcefully restoring the inclusion of Hungary in the Soviet bloc. The United Nations High Commissioner for Refugees (UNHCR) requested states, including The Netherlands, to help the Hungarian refugees. The Prague Spring crisis of 1968 was the result of the Putsch of February 25, 1968, which terminated the existence of the independent democratic state of Czechoslovakia. It was the first crisis after the new Dutch Immigration legislation of 1965 had been approved by Parliament. When this law was debated in Parliament sentiments regarding aid to refugees were more positive due to the experiences of politicians during the Second World War. The new law was the long-awaited response by the coalition cabinet to parliamentary criticism of the existing unstructured body of immigration legislation which had been built up since the mid nineteenth century. At the end of the 1970s numbers of individual asylum requests rose.

The 1980s is the fourth refugee crisis and constitutes a new era in the framing of refugee policies. It began with a prolonged five-year crisis which had announced itself since the late 1970s during which numbers of individual asylum claims rose considerably and continuously from 1.330 to 5.644 per annum between 1979 and 1986. It took the Dutch authorities five years to formulate a response to the increasing numbers. The Tamil crisis of 1985 constituted the epitome of politicisation of the issue. Since the late 1970s an increasing number of individual asylum-seekers originating from non-European countries introduced a new cultural and religious element in Dutch asylum policies. Total numbers rose to 13.500 at the end of the



1980s. The response by the Dutch government as far as new legislation was flawed and transferred to the following decade. Huysmans argues that Dutch politicians increasingly referred to what they defined as the negative effects of refugees on public order and domestic integration (Huysmans, 2000).

The fifth crisis period, the 1990s, started with the crisis in former Yugoslavia after the death of Tito and the fall of the Iron Curtain. It caused hundreds of thousands to seek refuge in Europe. The Netherlands took in several tens of thousands (Loescher, 1993; Ahmed, 1997; Selm, 1998). This crisis showed images similar to those seen after the Second World War when the stories about the Nazi concentration camps in Germany changed from harrowing stories to horrific truth. This played an important role in the reaction of the general public to the influx of refugees from the Balkans. The refugee crisis period of the 1980s influenced the new 1994 Immigration Act which turned out to be inadequate to deal with the refugee crisis in the 1990s. The failure of integration policies amplified the need to adjust legislation and caused the Dutch government to introduce new and stricter immigration and refugee legislation. In 2000 a new Immigration Act (VW 2000) was introduced. It aimed at streamlining procedures. Parliamentary debates about the failure of immigration and integration policies in the Netherlands ultimately resulted in a parliamentary inquiry in 2002 by a Parliamentary Commission. Its report would influence immigration policies well into the second decade of the twenty first century.

The sixth and final crisis period is 2000-2017. The legislation of 2000 seemed to have the effect it aimed at when the numbers of refugees declined from 43.560 in 2000 to 9780 in 2004. At the same time debates in society and Parliament increased and became fiercer (Joppke, 2004; Lucassen en Lucassen, 2015). The Dutch political elite wanted a more restrictive immigration policy including more regulated integration policies. All this contributed to a change in the political landscape when a number of right-wing populist parties entered the political arena. The war in Syria with its violations of human rights caused many Syrians to seek refuge in Europe in 2011. Since 2013 the number of refugees in the Netherlands rose to 24.535, doubled in 2014 and increased further to 58.880 in 2015. The effect of VW-2000 seemed to be annulled. A new and sixth refugee crisis had started and would last well into 2016.

### *Refugee policies 1789-1914*

During the debates in 1849 referral was made to the tradition of Dutch hospitality. However, immigrants were also seen as a danger to the country (Van Dijk, 1997). The content of the parliamentary debates indicates that the Dutch political elite was not waiting for an influx of immigrants. This prelude to the refugee policy crises researched shows how a negative political, financial- and social-economic frame was formed in the nineteenth century and supplied the base for the institution. The same goes for the explicit erosion of hospitality that was also reflected by the legislation. It establishes Dutch immigration policies as an institution which would be developed by Dutch coalition cabinets since then.

### *The Dutch political landscape*

The table below shows the regular alternation of the influence of the three political streams. Each crisis period apart from the 1914 crisis saw at least two of the three political streams represented in a cabinet.

<b>Overview of coalitions during crises 1913 – 2017</b>			
<i>Period</i>	<i>Crisis</i>	<i>Character of coalitions: representation of the 3 political streams (alternating except in 1914)</i>	<i>Parties during the crises</i>
1913 - 1918	1914	Liberal (extra-parliamentary) (R)	Liberal: no party
1933 - 1940	1933- 1940	Confessionalist (R), Liberal (R), Socialist (L)	ARP, CHU, RKSP, VDB, Vrijheidsbond
1945 - 1948	1945- 1948	Socialist (L), Confessionalist (R)	SDAP/PvdA, RKSP/KVP, CHU
1948 - 1967	1956	Socialist (L), Confessionalist (R), Liberal (R)(conservative)	PvdA, KVP, ARP,CHU
1967 - 1977	1968	Confessionalist (R), Liberal (R)	KVP, ARP, VVD
1977 - 1989	1980s	Confessionalist (R), Liberal (R + L)	CDA,VVD, PvdA, D66
1989 - 2002	1990- 2000	Confessionalist (R), Socialist (L), Liberal (R + L)	CDA, PvdA, VVD, D66
2002 - 2017	2014- 2016	Confessionalist (R), Liberal (R + L) Socialist (L) and PVV (R)(tolerating support)	VVD, PvdA
<i>Table: 33</i>		<i>Source: www. parlement.com</i>	

The positioning of the parties on a left-right scale given by Trappenburg-Mudde (1998) is shown in the table as (R) for centre-right and (L) for center-left. This means that with the exception of the Liberal cabinet in 1914 that was supported by non-liberal MP's, coalition cabinets has both centre-right as well as centre-left influence on refugee policies. The Confessionals, Socialist and Liberals have always positioned themselves in the political middle. Coalition cabinets invariably presented the same objections against the admission and recognition of refugees. Political changes after 2000 have in itself not caused any fundamental changes. The votes needed at elections were still found in the political middle of the electorate. The influence of the main political streams has been constant. As a result changes in refugee policies -the institution- remained minimal, incremental and were within the scope of the institution which means it did not change fundamentally.

#### *Population density and numbers of refugees between 1913 en 2017*

During the period that has been researched the Dutch population grew steadily from more than six million in 1814 to almost seventeen million in 2017. Coalition cabinets saw the population density as a constant and major problem. The percentage of refugees of the total population varies in the entire period between 0.007% en 15,6% of the total population where the last mentioned percentage is related to the lowest population density. This means that this could not be used with the same fervour during the entire period. It is a purely politically motivated consideration of the cabinets even when it is supported by a parliamentary majority. It is used as a constant threat frame (Clinton, 1994; Brochmann, 1999). The population density was invariably used irrespective of the actual rate which turned it into a constant fictitious consideration far removed from reality. In this case pathdependency is very obvious and points at a use purely for effect. It is maintained as part of a tradition without any institutional effect although it has become part and parcel of refugee policies during every crisis.

<b>Population of The Netherlands 1914 – 2016 compared to refugee numbers</b>			
<i>Period</i>	<i>Population (x 1.000)</i>	<i>Refugees (x 1.000)</i>	<i>% refugees : population</i>
1914 – 1918	6.200 – 6.618	1.000*	15.6
1933 – 1940	8.183 – 8.834	22 – 25*	0.27
1945 – 1955	9.220 – 10.680	25.5	0.25
1956	10.821	4	0.036
1957 – 1967	10.957 – 12.535	4.8	0.4
1968	12.661	0.9	0.007
1969 – 1979	12.798 – 13.985	4.6	0.34
1980 – 1989	14.091 – 14.805	54.2	0.37
1990 – 2000	14.893 – 15.864	365.5	2.37
2000 – 2013	15.864 – 16.780	246.1	1.6
2014 – 2016	16.902 – 16.979	120.5	0.71
* Nrs. 1914 and 1933-1940 are estimates. Nrs. after WO-II are partly estimates. Where two nrs. are mentioned the % is an average. Sources: Hoeksma, 1982; Bronkhorst, 1990; Ten Doesschate, 1993; Van Esterik, 1998; Berghuis, 1999 and CBS.			
<i>Table 34</i>			

### *International relations and neutrality*

The necessity to maintain good relations with other countries demanded that The Netherlands would tread carefully on the international stage when refugee policies were concerned. As a consequence, refugees were sometimes labelled as Displaced Persons (DP's). Temporary Protection (TP) connected with the status of DP is part of internal direct-explicit immigration policies (Brochmann, 1999). A co-determining idea behind the application of TP is that refugees should be spread over multiple countries. It serves as a redistribution mechanism: burden-sharing. By not giving a residence permit The Netherlands also prevented that the sending country would be seen as violating human rights. In this way damage to bilateral relations was prevented (Loescher en Monahan, 1990). Since the establishment of the institution the international influence has been a constant factor.

### *Dutch refugee policies: framing of the policies during the periods researched*

Authorities try to influence the way the public -the electorate- interprets the refugee crisis by placing it in a framework (Entman, 2007). Until WW-II international humanitarian international conventions and treaties did not exist so the Dutch government could independently determine refugee policies which changed after WW-II. During each refugee crisis aid was given to refugees, but the extent reflects the hesitation of the Dutch cabinets about admitting refugees. The dilemma between humanitarian policies and rationality is obvious. Liberal and restrictive factors (Leenders, 1993) are present during all crises. Is restrictive policy a neutral technical term denoting that criteria are used or does it mean that policies are explicitly meant to keep refugees out? The Security-Stability frame and the International Political-Economy frame (Weiner, 1992) refer to ethnicity, unemployment and housing which are frames used by the Dutch authorities during all crises periods and linked to finances. Constant referencing to the Dutch national interest by the Dutch cabinets confirms both frames given by Weiner (1992). Referral to traditional Dutch hospitality started in 1919 and has been used during all crises.

The overview in table 36 shows which elements were used while framing the refugee policies. The political frames of stability and security are present during all crisis periods and constitute the base framing of the refugee policies. During 1914-1918 repatriation was added and during 1980-1990, 1990-2000 and 2000-2017 burden-sharing was added. Social-economic framing contained the labour market and social benefits which is present during all periods and is supplemented by housing as off 1918-1940. Law & Order always contain crime and security as a constant factor, while between 1914-1918 and 1918-1940 camps are added and as off 1945 culture has become a constant factor. Chaos, which was used in 1914-1918, became a constant part of the framing after 1990. The 1849 Immigration law was amended three times: 1965, 1994 en 2000. Starting in 1920 additional legislation followed and since 1930 legislation not explicitly aimed at refugees followed and effected all immigrants. It took one-hundred-sixteen years until the hodgepodge legislation was reorganised by the introduction of a new Immigration law in 1965. This conforms with the parliamentary immigration strategies provided by Van Dijk (1997). Especially strategies 1, 2, 4, 5 and 7 forming an umbrella frame are relevant here. Labels 2 (negative other-presentation), 4 (clear sympathy), 5 (justice) en 7 (justification/power of facts) have a link with the measures that had been taken.

PERIODS	Summary of research findings into Dutch refugee policies										
	Cabinets	Cause		Chang Law	Legal	Framing			TABLE 35		
		War	Human Rights			Political	Soc.-Econ	Law + Order	TP / DP	Org. Change	Remarks
1849-1914	Cons./Progr. Lib. dominant some Confes.	–	+	+		Stability Security	Labour Welfare	Crime Security			Failed central management by The Hague
1914-1918	Liberal	+	+	+		Stability Security Repatriation	Labour Housing Welfare	Camps Crime Chaos Security	TP	Private Public	Influence of Germany Max. ref. nr.: 1.000.000
1918-1940	Conf. dominant Liberal + Social.	– ('18-'39) + ('39-'40)	+	+		Stability Security	Labour Housing Welfare	Camps Crime Security		Private	Influence of Germany Max. ref. nr.: 25,000
1945-1980	Conf. constant, Soc./Lib. Alternating	–	+	+	Treaties	Stability Security	Labour Housing Welfare	Culture Crime Security	DP	Private	Max. ref. nr.: 40,000
1980-1990	Conf.-Lib., Socialist minor	±	+	-	Treaties Internat. court	Stability Security Burden sharing	Labour Housing Welfare	Camps Culture Crime Security		Public ROA	European influence Max.ref.nr.: 54.000 Failure of integration
1990-2000	Conf.-Soc. minor Lib.-Soc. Dominant	+	+	+	Treaties Internat. court	Stability Security Burden sharing	Labour Housing Welfare	Camps Culture Crime Chaos Security	TP DP	Public COA IND	European influence Failure of integration Max. ref.: 365.000
2000-2017	Conf.-Lib. Cons.. Socialist Popul.(tolerate)	+	+	+	Treaties Internat. court	Stability Security Burden sharing	Labour Housing Welfare	Camps Culture Crime Chaos Security			European influence Failure of integration Max. ref.: 120.542
Conf. = confessionalist; Cons.: conservative; Dom. = Dominant; Lib.: liberal; Popul. : populist ; Progr.: progressive ; Soc.: socialist						+ = - : factor was present or not		± : factor was partly present		Org. Change: actor is dominant. Two actors = 50/50. Public actors always final say.	
Legislative change: Immigration legislation has been: a) changed; b) added to; c) overhauled / a new act has been introduced											

### *Development of the institution during the period researched*

Based on Thelen en Steinmo (1992), Raadschelders (2020) and the model of institutional adaptations (Mahoney en Thelen, 2010) an overview of the development of the institution can be presented. Socio-economic changes of the political context as well as exogenous changes caused by the actors involved in the policies are important. (Thelen en Steinmo, 1992). (Raadschelders, 2020: 48). Table 37 shows the adaptations caused within the frame of the institution in number per period based on Mahoney and Thelen (2010). First *displacement* when existing rules are replaced by new rules. This can be sudden or the outcome of a longer process. Second *layering* when new rules are added or introduced next to existing rules. This is not the introduction of a new institution, but an amending, revision or addition to existing rules. However, this can have far reaching consequences for the execution of the original rules. Third *drift* where the effect of existing rules changes due to changes in the policy environment. If actors do not react to these changes it can affect existing rules. Fourth *conversion* where existing rules formally remain the same, but change due to strategic reason and are interpreted in a different way with a different effect. This is caused by actors exploiting the ambiguity of the rules.

Total overview of the frequency of adaptations in the institution per period				
Period	<i>Displacement</i>	<i>Layering</i>	<i>Drift</i>	<i>Conversion</i>
1914	0	1	2	0
1918-1940	0	9	3	0
1945-1980	3	11	4	0
1980-1990	2	7	4	0
1990-2000	4	15	7	1
2000-2016	1	9	3	0
<b>Total</b>	10	52	23	1

Table 36 Based on: Mahoney and Thelen, 2010: 15-17

*Conversion* only occurs once. *Displacement* occurs 10 times. *Drift* 23 times and *Layering* 52 times. *Displacement* occurs in the third, fourth, fifth and sixth period with the highest in the fifth period. When it occurs, it is in periods where a new Immigration Law is introduced. The spike in the fifth period is caused by the introduction of the 1994 legislation which is a failure and the following preparation of an improved new law which is introduced during the same period. *Layering* mainly occurs during periods that are characterised by a very complex non coherent system of rules that followed an outdated version of the 1849 legislation (11 times) and the 1994 law (15 times). *Layering* is caused by an attempt to get rid of flaws in legislation, when cabinets refuse to come with entirely new legislation asked for by Parliament. *Drift* is a rather constant phenomenon, but is more frequent in the fifth period. This is caused by the 1994 legislation which did not meet the new increased influx of refugees. *Conversion* is rare except in the fifth period when existing procedures of appeal were reformed. The general image is that when new legislation was introduced and new ideas about policies and legislation came about existing legislation was amended causing a more extensive and complicated legislative system. Historic-institutional research provided an overview of Dutch refugee policies before, during, in between and after refugee crises between 1913-2017. This aids the analysis and understanding of these policies. The character of these policies -the institution- that was established between 1849 and mid 1914 was confirmed by the Dutch cabinet in 1914 at the

beginning of the Great War and when after WW-I additional restrictive legislation was introduced. Policy affirming processes -increasing results- started and established these processes in a certain direction. This means that adaptations of the policy direction were bounded and an equilibrium was established repeatedly. The ultimate conclusion is that the conditional hospitality of The Netherlands as it had been defined in 1848 en 1849 has been maintained which is supported by the definition of path-dependency given by Pierson (2000-1). Dutch immigration and refugee policies have always developed in the same non-neutral restrictive direction with the same framing as was established in 1849. The ratio between refugee numbers and the population density as a ground for restrictive policies is an opportunistic reason. Other reasons than hospitality invariably caused more restrictive policies and would often coincide with an accumulation of new additional legislation including non-immigration laws ultimately resulting in a new (amended) Immigration law. All this was dominated by Dutch interests no matter how this was defined by consecutive coalition cabinets. The introduction and ratification of international treaties and the ensuing influence of international courts after 1945, the rise of populist (anti-)immigrant parties since 2000 and the contamination by these (Van Spanje, 2010-1 en 2; Alonso en Fonseca, 2011) of the immigration debate has resulted in a pessimistic turn in the Dutch immigration debate (Lucassen en Lucassen 2015). These two developments can be regarded as a critical juncture in the policy path. Despite this, Dutch refugee policies as an institution have always developed in a direction which can be defined as restrictive in the non-neutral sense of the word. Path-dependency has played a decisive role and steered policies within one path while until 2017 while the three main Dutch political streams have played a decisive and dominating role thus deciding the content of the institution.