New Border and Citizenship Politics

Edited by

Helen Schwenken

Sabine Ruß-Sattar

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New Border and Citizenship Politics

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New Border and Citizenship Politics: An Introduction

Helen Schwenken and Sabine Ruß-Sattar

In September 2012, participants in the Refugee Protest March to Berlin walk from Bavaria to Berlin to protest against the conditions under which asylum seekers are housed in Germany. At the moment of crossing the internal border between the states of Bavaria and Thuringia, they publicly tear apart the official documents they carry. Why did they do so? By entering another state they violate a regulation called *Residenzpflicht*, which forbids all asylum seekers to leave the state in which their asylum claim has been filed. The refugees consider this practice a violation of their human and refugee rights. 'We tear apart our documents that contain the labels "*Aufenthaltsgestattung*" [temporary residence title for specific purposes] or "*Duldung*" [exceptional leave to remain] and that come with all the restrictions.' (Refugee Protest March to Berlin, 2012). The refugees explain their intention to send the destroyed documents to the issuing administration, the Federal Office for Migration and Refugees (BAMF) combined with the demand to 'correct the mistakes', as one of the speakers for the protesters explains. They demand that the BAMF issues genuine residence permits, which do not contain any restrictions concerning their residency, keep them living in camps, bar them from taking up legal employment or keep them in dependence on food packages or food stamps. In this act of civil disobedience at an internal border, the refugees symbolically disrupt the restrictive German migration and asylum regime. The action also sheds light on the ambivalence of the concept of citizenship (Schwiertz, forthcoming): The refugees are disenfranchised by carrying the status of 'non-citizens'. At the same time, they claim rights and reject the disenfranchisement in an assertive 'act of citizenship'. An action qualifies as an act of citizenship 'when, regardless of status and substance, subjects constitute themselves as citizens – or, better still, as those to whom the right to have rights is due' (Isin, 2008: 18). This example from a wave of refugee protests in Europe in 2012 and 2013 illustrates at least three dimensions of the constitutive relationship between borders and citizenship: First, 'the external border is diffused throughout internal spaces of the state' as well as 'within the everyday lives of migrants', as Rygiel writes in her contribution.

Second, the restrictive as well as the radical democratic linkages of border and citizenship policies are apparent. It is a matter of societal forces and political climate as to which of the two dominates the political landscape. Third, borders and citizenship work as 'mechanisms of subject formation' (Raissiguier, this volume).

At the very core of politics, power and domination is generated through dialects of inclusion and exclusion, association and dissociation. Though, strikingly, empirical research in the social sciences has rarely linked the two key concepts closely intertwined with these processes: 'citizenship' and 'border'. However, the dynamics of change with regard to the respective political phenomena are apparent if one looks at the contemporary policies of states. These recent forms of border and citizenship politics are characterised by shifting boundaries both to the inside and outside. Many immigration states in the global North, as well as in Australia, attempt to move border zones beyond their own territories to intensify and externalise (the costs of) control. Emigration states though tend to react to the normalised phenomenon of migration by including their emigrants into the nation by creating novel forms of citizenship. However, a comprehensive coverage of the bordering dynamics under way cannot limit itself to a state-centric perspective. The genuine political agency and actions of migrants themselves can bring about change in border as well in citizenship politics (Però and Solomos, 2010: 7; Schwenken, 2006). Migrants are reaching out beyond the frontiers of their legal status for their immediate needs and interests as well as for social and political citizenship (Rygiel, 2011a; see part III of this volume).

Citizenship itself is an extremely complex concept and its meaning can only be approximated in relation to other key concepts of the modern world, such as state, nation or democracy. In a very abstract way it stands for the relation between a person and a political body, and can be defined as a membership conferring rights, but also inferring duties. The quality of this relation can vary in time and space, but also with regard to its supposed normative ideal form (see Kivisto and Faist, 2007). In the political thinking of the late twentieth century, a liberal tradition stresses citizenship as a bundle of rights, whereas a communitarian-republican tradition accentuates the obligation of the individual citizen towards the political community. Finally, in a more radical Rousseauean republican understanding of the concept, it is active political participation which makes a citizen. In the context of migration, the republican frame can be used by migrants to claim access to citizen rights on the basis of their contribution to the whole social body. It goes without saying that the concept bears an emancipatory potential since it implies not only equality before the law but also the right to 'make it' (see Nyers, 2003, 2008; Isin, 2008, 2009). On the other hand, citizenship brings political freedom only to members, or those who are perceived as such, and discriminates and excludes the non-belonging ones (for a recent critical analysis see Reiter, 2013). The same dialectic is at work in the modern

twin-concept 'nation'. Both concepts have to be filled and socially constructed and are based on 'imagined communities' (Anderson, 1991). How these communities are imagined can very well be observed in the making of diasporas, as Mikuszies' contribution shows.

Actually, the same is true for our second key concept 'borders'. The authors of the volume consider borders neither a 'natural' feature of today's globalisation to govern migration, nor as a line drawn by governments to delineate their territory. Therefore, *New Border and Citizenship Politics* approaches the subject of borders as a genuine political and socially constructed phenomenon, focusing on its dynamic, conflictive and productive character. In our view a border is a 'larger socio-legal apparatus' (Griffin, 2011: 17), making the border a social institution and being socially embedded (Weber and Pickering, in this volume). Borders as institutions come with their respective border control technologies, material capabilities (such as visas and passports) and legal as well as normative underpinnings. Conventional narratives on migration, mobilities and borders privilege state actors as those being in power. The contributors to the volume, however, share the approach that those who cross borders, talk about them or who attempt to control them, are actively shaping them. They are shaping borders, but under asymmetrical power relations that also restrict them and impact on their experiences and identities (Guild and Mantu, 2011b: 1). Borders have been universalised only quite recently, especially since the 1880s (McKeown, 2008: 2–6). This often neglected fact leads us to the issue of contestations about borders. International borders are key sites of regulation and struggles about belonging and mobility. Therefore we stress the aspect of politics, or more precisely, of contested politics around borders and citizenship. Politicisation has to be conceived in a dual sense: first, migration is politicised and second, politics, including citizenship politics, are subject to migration-induced reconfigurations, because the diverse movements of people impact on the affected societies (Squire, 2011). Migrants become both subjects and objects of politics.

The volume consequently develops further the state of the art in critical border regime and migration studies (such as: Squire, 2011; De Genova and Peutz, 2010; Guild and Mantu, 2011a; Hess and Kasparek, 2010; Geiger and Pécoud, 2010, 2012, 2013). It brings together and confronts the findings of two social science strands of research – critical migration and citizenship studies – by linking them conceptually. The authors do so by borrowing from studies on scale and the transformation of statehood and sovereignty. In recent years the paradigmatic 'mobility turn' has been influential in various disciplines that deal with migration. We insist though on the analytical category of migration and an empirical and conceptual focus on external and internal borders. The concept of mobility contains 'both the large-scale movements of people, objects, capital and information across the world, as well as the more local processes of daily transportation, movement through

public space and the travel of material things within everyday life.' (Hannam et al., 2006: 1). This includes migrations of all forms. However, we see a danger that considering all forms of spatial movements as 'mobility', shifts the attention away from 'differential mobility', that is, the fact that internal and external state borders are powerful means to channel movements and to create hierarchies of desired and undesired mobilities. Some proponents of the mobility turn are well aware that '[t]here are new places and technologies that enhance the mobility of some peoples and places even as they also heighten the immobility of others, especially as people try to cross borders' (ibid.: 2). The contributions in this volume, for example Klepp's study on the Mediterranean Sea border, analyse some of the oftentimes violent processes at internal and external borders, which do not necessarily result in immobility, but come with high costs for the migrants. Other contributions, such as the one from Ataç, point to one of the results of differentiated mobility, the stratification of rights, which are effects of national migration and citizenship regimes.

We link border and citizenship studies conceptually by understanding them both as forms of 'reaching out' to the inside and to the outside, though with contradictory outcomes. Further, we follow Rygiel in considering citizenship politics as a part of border politics, in particular concerning their securitising and biopolitical dimensions (Rygiel, 2010: 92, Rygiel in this volume). Ataç shows, for example in the case of Austria, how certain conditions to qualify for a secure residence status, or even citizenship, become a powerful tool for governing migrant populations, including terminating their legal presence in case they cannot fulfil the requirements, which are subject to often quite spontaneous change. Border and citizenship politics are thus intertwined.

Three dimensions of new border and citizenship politics

In order to make these contributions to current scholarship, we need to delve into three dimensions: First, who are the relevant actors shaping these processes and what is the relationship between agency and structure in this highly asymmetrical field? Second, we need to better understand the spatial dimensions of the 'reaching outwards and inwards'. Third, what are the decisive mechanisms and technologies of the outreach and when citizenship and border politics interact?

Agency in bordering and citizenship processes

As the opening example of refugee protests illustrates, the first objective of the volume is to discuss the agentive quality of migrants, which has often been underestimated (and sometimes overestimated) in migration studies. We critically build upon the scholarship of the 'autonomy of migration' – a research paradigm that has primarily been developed in Italy, France

and Germany (e.g. Transit Migration, 2007; Mezzadra and Neilson, 2008; Hess and Kasparek, 2010). Political protest as well as migrants' regular and irregular border crossings do affect the very existence of borders; however, these take place under asymmetric power structures that apparently restrain migrants' agency (Benz and Schwenken, 2005). The authors argue from the common ground that borders and citizenship are elements of a juridical arsenal for classifying people in categories such as 'regular/irregular' or 'insider/outsider'. Some migrants experience that established classifications can be subject to – often sudden – change and assign lesser rights to them, as the contributions by Ataç and Rygiel show. Consequently, according to their legal status and public perception, migrants have or lack certain rights. In some cases, as the case study by Klepp on the search and rescue mission for migrant-refugees in the Mediterranean Sea concisely demonstrates, migrants are completely deprived of every right, even including their 'bare life' (Agamben, 1995). Contributions on citizenship and subjectivity in the third part of the volume relate to this question of who can be a rights-bearing and agentive subject. They conclude that 'impossible subjects' (Raissiguier, 2010: 2, 34 and in this volume) in fact do emerge, making the link between status, space and (loss of) subjectivity less rigid than an Agambenian reading (see also Rygiel, 2011a). Within a restrictive legal frame, migrants with an irregular legal status might be able to exercise economic and even political citizenship (see the debates that take place under the headings of 'acts of citizenship' and 'activist citizenship', i.e. Isin, 2009; Nyers, 2006a; Andrijasevic, 2010; chapter 5 in Squire, 2011). The two studies in the volume about undocumented migrants' resistance and movements by Schwenken and Raissiguier make clear that becoming a political agent is possible in spite of the official deprivation of rights which constitutes an integral part of any border regime. However, this agency is fragile, both from a perspective of temporality and the existence of windows of opportunity. Further, it is linked to hierarchical gender and racial orders and the embodiment of agency in certain spaces such as the French Republic and the border zone between France and the UK.

Two sides of the coin: Externalisation and internalisation of borders

A second scholarly debate addresses borders and border regimes and how to conceptually understand recent changes in border regimes. We consider borders not to be so much a means of closing off a territory, but rather a juridical device to stratify mobile populations. Following Michel Foucault's governmentality approach, one could argue that sovereignty is shifting from control over territory to control over people. The debates in interdisciplinary border studies mainly focus on the spatial aspects of borders. Here two moves are key: the internalisation – Rodriguez (in this volume) further distinguishes interiorisation and localisation of borders and their enforcement – and the externalisation of borders. Concerning the governance of external(ised) borders, the technologies between air borders, offshore and onshore borders

differ (Sack, Klepp, Weber and Pickering, all in this volume). The authors make the troubling observation that at these types of borders, the rights of migrants and asylum seekers are at their most precarious and volatile. Border guards often apply dubious techniques of 'intent management' to filter out potentially undesirable or undocumented persons. Further internal borders became – through racial profiling and conditionalities for public services – ever-present for many (underdocumented) migrants or visible minorities. In many countries such 'backdoor border controls' (Varsanyi, 2008) have clearly increased over the past decade. Rodriguez (in this volume) argues that 'what is at stake in these border practices is . . . citizenship, particularly social citizenship'.

Besides these spatial changes, one also needs to take into account the cultural politics of redesigning borders. Every border – thus, including every attribution or deprivation of rights – has to be officially legitimised. The authors of this volume pay particular attention to the discursive and cognitive levels of politics. Accordingly, it imparts a special standing to analysis from a social constructivist perspective. İçduygu and Üstübici conduct an analysis of the construction of the meaning of migration in European Union (EU)–Turkey negotiations about the candidature of Turkey to the EU. In the past, borders have often been understood as a result of power relations and interests. In contrast to this rationalist view, a constructivist perspective enables us to reveal how identities and culturally preformed perceptions act on the formation of political interests and perceptions of power (Onuf, 1989; Hopf, 2002). For instance, Turkey's EU candidacy necessitates difficult changes for Turkey's policies in the field of asylum and immigration. However, up to now, immigration policies have been closely related to the Turkish understanding of Turkish national identity and conception of the state. Redesigning the European and Turkish border would consequently imply finding a new post-nationalist construction of the Turkish state as well as Turkish migration policies (Avci and Kirişci, 2006: 167). In addition to this, on the EU side, irregular migration is constructed as a threat and framed as a security problem (Huysmans, 2006). Consequently, the capacity to control migration by efficient border policies becomes a central power resource which at least equals military capacity in international relations and is also closely related to it as the militarisation of borders and of border control technology shows. Constructivist approaches also provide a venue for analysing how the construction of borders is legitimised in order to fulfil their multifold introverted and extroverted functions. Ruß-Sattar, for example, looks at the discursive patterns of the debate on Turkish EU membership in key EU member states. It is striking how domestic and foreign policy discourses on belonging and exclusion are intertwined in order to justify the borders of Europe.

Obviously, migration touches upon integral functions of sovereignty since the regulation of migration is directly linked to the question of control

in terms of territory and population. However, exercising control does not mean securing a territorial borderline, but constructing and maintaining a complex border regime. Paradoxically, one of the main characteristics of these border regimes precisely consists in suspending the differentiation between 'in' and 'out', and thus contradicting a classical function of borders (McKeown, 2008: 8–10, 16).

Mechanisms in linking border and citizenship politics

The third main contribution this volume makes discusses the mechanisms and technologies through which borders are redesigned, shifted or 'embedded' (Weber and Pickering, in this volume). In this respect, the EU appears as a testing ground for new technologies of control in a multilevel polity. On the one hand, the EU externalises its border control to non-member countries through, for example, 'mobility partnerships' (Kunz et al., 2011), and on the other, the securing of borders takes place within the EU territory itself for instance by defining airports as borders on the inside (see Sack, in this volume). Comparable strategies of internal bordering processes can be observed, for example, in the US, where undocumented migrants are the object of a new range of repressive policies on the local level, as the contributions by Rodriguez and Sidney document. Drawing borderlines and immigration enforcement has been rescaled to the very local level. This trend can be considered as 'domopolitics', a reconfiguration of 'relations between people, state, territory. At its heart is a fateful conjunction of home, land and security. It rationalises a series of security measures in the name of a particular conception of home' (Walters, 2004). The border sneaks into the suburbs as well as the very private sphere. These changes are, as the case of the changing meaning of conditions for acquiring a secure residence status and citizenship in Austria (Ataç in this volume) shows, related to the stratification of rights and inequality (Rygiel, 2010: 12; Morris, 2002; Goldring et al., 2009), but – and here we see an important contribution of the volume – in conjunction with the scholarship in critical border regime studies. The linkage is crucial, because 'politics of citizenship are changing within the context of globalization and securitization' (Rygiel, 2010: 10).

These particular macro contexts also come into play when tracing the linkage of border and citizenship politics in emigration countries and from a transnational perspective of relations that span emigration and immigration societies. Two authors in this volume engage with strategically carried out activities of 'reaching out' by governments of emigration countries towards their (former) citizens. Also, every immigrant with mostly limited citizenship rights is at the same time an emigrant with sometimes limited citizenship rights in the emigration state (Brand, 2006; Fitzgerald, 2009; Coutin, 2007; Smith, 1997; Rodriguez, 2010). Mikuszies and Nowak analyse and discuss in their chapters the reconfiguration of citizenship and diaspora politics beyond borders for two major emigration societies in the

Mediterranean, Morocco and Turkey. In line with Rygiel, they show how these new forms of citizenship are characterised by simultaneous openings and closures, in particular with regards to exclusionary and potentially violent functions of nationalism. These contributions speak to recent studies attempting to systematise emigration states' relationships towards the parts of their populations residing abroad (e.g. see Ragazzi, 2009).

Hot spots and hidden spots

These three broader issues of the volume allow us to discern the broad picture of today's logics and techniques of new borders and citizenship politics. In this complex and interactive process, governments and their agencies, citizens as well as (undocumented) migrants, are changing notions and practices of borders and citizenship. If territorial borders seem to become more porous today, this only masks the political shift from a more territorial form of control to the control of subjects and subjectivities. Borders as a political phenomenon will not disappear; they undergo changes such as the one of externalisation and internationalisation. Analysing these changes from above, within and below allows us to attain a clear view on the transformation of statehood, sovereignty and citizenship in today's politics.

The volume focuses on selected regions and selected 'hot spots' of current border contestations (Rygiel, Schwenken, in this volume), but also less obvious and less visible locales, such as suburbs and cities (Rodriguez, Sidney, in this volume) or bureaucracies (Ataç, in this volume). Most contributions engage with the EU level and/or countries in the EU and its neighbourhood. A specific focus is paid to the Mediterranean and Turkey, given the dynamic developments of the borders in the region, including its sea borders, and the EU's declared strategic interest in that region. The contributions on the US and Australia have been chosen due to the empirically new development in the US where border controls have currently been shifting attention away from an exclusive perspective on the US–Mexican border to erecting internal borders. The Australian case also shows that the move towards the externalisation of border controls and their gradual social embeddedness is not a European specialty, but that Australia has also been a key laboratory for the development of extra-territorial control claims in the whole Asia-Pacific region (see also Wilson and Weber, 2008; Ryan and Mitsilegas, 2010).

The volume fills some of the gaps that exist in the current debates between migration, citizenship and border studies. We contribute to this scholarship by systematically taking into account that bordering processes and migration take place under conditions of asymmetric power relations and bend towards increasing inequality and the creation of exclusionary regimes; therefore we follow a perspective that does not lose sight of the structural conditions of mobility. These conditions create tensions; hence a perspective on politics rather than policies is crucial.

Overview of the chapters

The volume comprises three sections: 'The politics of redesigning borders' (part I), 'The technologies of bordering' (part II) and 'The politics of citizenship as border politics' (part III) with in-depth case studies by anthropologists, sociologists, political scientists and a demographer. Each of the three parts is introduced by the editors.

Part I: The politics of redesigning borders

In 'Constructing voluntarism: technologies of "intent management" in Australian border controls' Leanne Weber and Sharon Pickering take the reader to the 'world leader in border externalisation practices' aimed at preventing asylum seekers' arrival and deporting visa-violating non-citizens. The practices came under public attack and a major reform of Australia's immigration enforcement machinery was set in motion. The authors show that 'structurally embedding' the border has been a key border regime technology with the aim to better control access to work and essential public services. Although this 'surveillance fantasy' is, as yet, imperfectly realised, Weber and Pickering observe how it is geared towards 'voluntary' reporting by migrants. This would constitute a shift from the open deployment of coercive power against unwelcome non-citizens towards a neoliberal responsibilisation agenda in which coercive state practices are disguised beneath a veneer of individual choice. The chapter 'Malta and the rescue of unwanted migrants at sea: The humanitarian law of the sea and the contested redesigning of borders' by Silja Klepp addresses an issue that has recently been discussed quite critically – the securing of the sea borders and the related deaths of shipwrecked migrants. She poses the question why so many migrants have to die despite existing legal and normative provisions to save people in distress at sea. In her ethnography of the sea border she observes how responsibilities, for example for search and rescue operations, are particularly uncertain where a state is engaged in joint operations, operations in the territorial waters of another state or operations on the high seas. In the Mediterranean Sea, the policies of border control and the right of a sovereign state to control its territory clash with the claims of a functioning European refugee protection system and with some aspects of the humanitarian law of the sea. The chapter shows that it is not merely a case of enforcing legal norms created by international law. The process is much more complex: legal gaps are filled by regional actors, through informal or even illegal practices, asserting their own claims at their convenience.

The following two contributions take a different focus on the redesigning of borders, both with a focus on Turkey–EU relations. They illustrate what Vicki Squire (2011) has coined 'politicizing mobility'. Ahmet İçduygu and Ayşen Üstübici analyse in 'Negotiating mobility, debating borders: Migration diplomacy in Turkey–EU relations' from a social constructivist perspective

the role and position of migration and asylum management issues in membership negotiations between the EU and Turkey. As this analysis reveals, the so-called 'Europeanisation' of the Turkish border and migration regime is often misunderstood as being a unidirectional projection of European power. On the contrary, it is a product of political interactions in which migration itself functioned as a resource in the hands of Turkey.

In 'Building borders on a bias: The culturalist perception of Turkish migrants in France and Germany and the debate on Europe's boundaries' Sabine Ruß-Sattar pays attention to the discursive processes of legitimising political orders. The case is instructive as borders are drawn in a post-national type of polity. The author focuses on debates in France and Germany, at the time being key EU players and the most outspoken opponents towards Turkey's accession to the EU. They also represent two historically opposed experiences of state and nation-building and its political logics of inclusion and exclusion. In contrast to Germany that traditionally emphasises cultural frames with regard to citizenship, nation and state-building, France's Republican model should make this highly improbable. However, in both national political arenas immigration and Islam have become highly politicised issues that now bias the perception of the pros and cons of Turkish membership.

Part II: The technologies of bordering

The second part of the volume is opened by Detlef Sack's 'The momentum of contestation – airports as borderlands on the inside'. He analyses the executive practices and the political struggles at one type of an internalised external border, European airports and in particular the case of Frankfurt-Main airport. A range of state and non-state actors are participating and applying varying discursive strategies in the deportation of migrants and resistance against it. Three political discourse coalitions were identified: the first interprets migration within the frame of repressive control and deterrence, the second focuses on the human rights standards for refugees and the norm of international law, and a third one understands the transit zone as a state of exception and perceives the border itself as the problem to be addressed. External borders in the inside of a nation-state are also analysed in the contribution 'Interiorisation and localisation of border control: A US case' by Robyn Magalit Rodriguez. She engages with the phenomenon that municipal governments across the US have increasingly introduced policies aimed at prohibiting the employment and settlement of undocumented migrants, in particular those from Latin America, despite the fact that the federal government is supposed to have sole authority over the admission and expulsion of immigrants. This chapter maps out the newly introduced border technology of 'back door' border policies in the state of New Jersey. Rodriguez argues that these are forms of 'domopolitics' (Walters, 2004). Their origins and motivations can be found not only in post-9/11 securitisation moves, but also in the meaning of suburbanism for American

culture. Rodriguez draws an argumentative line between cultural politics, citizenship and new border and immigration control politics. While Rodriguez engages with anti-immigrant 'domopolitics', Mara Sidney shows that in the same state another set of actors follows a more welcoming approach. In 'Outsiders/insiders: How local immigrant organisations contest the exclusion of undocumented immigrants in the US' she examines how the reconfiguration of border and immigration control in the US affects local advocacy on behalf of immigrants. By applying different argumentative frames – the undocumented migrant as a rights-bearing subject, as a productive worker or as neighbourhood inhabitant – pro-immigrant advocates try to find the most resonating frame within a fragmented policy space. İlker Ataç is interested in the encounter of migrants with the state, precisely with bureaucratic procedures and requirements to remain in the country of their residence. In 'Conditionalities as internal borders: The case of "security of residence" for third-country nationals in Austria' he builds upon literature that considers integration policies as a tool of immigration policy that meanders between restricting and expanding the rights of third-country nationals. He shows that in addition to well-known 'cultural' requirements, such as integration or language tests, the fulfilment of income requirements is an additional powerful mechanism of this form of internal border control, which is part of current migration management.

Part III: Politics of citizenship as border politics

The first chapter in the third part by Kim Rygiel, 'Border control politics as technologies of citizenship in Europe and North America', elaborates the linkages between border and citizenship politics. Her understanding of citizenship radically diverts from classical liberalism. Citizenship is not considered just a modern legal institution, but as 'government' in a Foucauldian sense. It includes practices, discourses, technologies, forms of power and political subjectivities. Rygiel argues that, on the one hand, citizenship is increasingly being used to regulate mobility; on the other hand, 'transgressive forms' of citizenship are developed that go well beyond both the conventional use of the term citizenship as well as the control-oriented type. Also, the following chapter, 'Troubling borders: Sans-papiers in France' by Catherine Raissiguier, gives a powerful example of how migrants can also resist the strengthened border regime by finding and using the fissures in the hegemonic discourse. The chapter engages the surprisingly successful narrative of a 'French exception' in terms of immigration and citizenship and the ways in which the *sans-papiers,* undocumented immigrants, in France help us see contradictions within the narrative. By focusing on the *sans-papiers* movement and the critical arguments *sans-papiers* brought up in immigration discussions in France, the essay aims to challenge French understanding of citizenship, national belonging and equality. In the next chapter, 'From Sangatte to the "Jungle": Europe's contested borderland', Helen Schwenken

also engages with the question in how far borders are challenged by actors that are in a structurally weak position. But here the spatial dimension comes into the game. Mobilisations of undocumented migrants at Eurotunnel in northern France are analysed, and despite the fact that the stay of the migrants in the borderland is only temporary, they managed to establish a decade-long series of protests and mobilisations, in particular due to their use of spatial conditions. However, at the end of the decade the migrants' informal settlements, called 'the jungle', were demolished. This lost battle can be explained by the fact that local and national state authorities them-selves made use of territorial strategies. The chapter thus engages with the literature on the legal and spatial dimension of activist citizenship practices and border-related mobilisations.

Linking border and citizenship politics and considering them arenas of negotiation also calls for a perspective that includes countries of origin. This is taken into account by two chapters in the volume, first by Jörg Nowak and his case study on 'Labour migration, postcolonial nationalism and class politics beyond borders: The case of the Turkish MHP party in Germany'. Turkey offers an example of how political elites reach out across borders to emigrant communities, wishing to tap into their political resources. The article re-evaluates the available research on the MHP's German branch in the light of recent debates about state strategies and the transnational social spaces that involve immigrant associations. It is argued that the activities of the Turkish party MHP in Germany are embedded both in transnational capitalist strategies and the internationalisation of states. The wave of wild-cat strikes in Germany in 1973 is presented as an example of how these transnational political linkages became effective in local workplace con-flicts. In the last chapter of this section, 'Emigration policies and citizenship rhetoric: Morocco and its emigrants in Europe', Esther Mikuszies examines in what way Morocco's complex borderland situation shapes exclusive and inclusive tendencies in citizenship rhetoric. The country's colonial experi-ence makes the border situation complex in terms of historical heritage, unresolved geographic border conflicts and internally constructed bound-aries set by the monarchy. The author first examines how the Moroccan monarchy tried to expand sovereignty towards its large-scale community in Europe over the last 20 years. Second, she takes the interplay between 'con-trolling and courting' as a starting point to expand on official citizenship rhetoric. Here the contradictory nature of enabling and constraining citizens becomes obvious.

Acknowledgements

Part I

Introduction: The Politics of Redesigning Borders

Helen Schwenken and Sabine Ruß-Sattar

In autumn 2013 the European public is mourning for almost 400 people – mainly from Eritrea and Somalia – who died on 3 October 2013 near the coast of the Italian island of Lampedusa when their ship caught fire and sank. Meanwhile, the European border agency Frontex posts a human-touch cover story on a rescue mission in the Mediterranean Sea on its website (Frontex, 2013). One could have the impression that the much criticised agency is in fact a life-rescuing agency. Below the cover story we find pictures of the new European Border Surveillance System (EUROSUR) that has been introduced in December 2013. We see men sitting in front of a row of large monitors with satellite images of Europe and in particular the Mediterranean Sea around the south of Italy. Ship icons on the monitors indicate the location of vessels potentially on mission by people smugglers and with unauthorised passengers on board. EUROSUR is supposed to monitor irregular migration flows and to impede the business of smugglers – and to save people's lives by spotting and rescuing them. The combination of surveillance and rescue is in line with statements issued by politicians such as European Commissioner for Home Affairs Cecilia Malmström, directly after the Lampedusa tragedy: 'We have to become better at identifying and rescuing vessels at risk. We also need to intensify our efforts to fight criminal networks exploiting human despair,' (quoted in Europarlamento 24, 2013). Empirically, one can raise doubts on how serious the link between rescue and securitised border control actually is. Only a few days after the 3 October tragedy, another ship sank close to Lampedusa and dozens of migrants died. Further, Frontex had to admit that it actively pushed back ships with refugees, although this practice had been declared unlawful by the European Court of Justice in 2012 (Monitor, 2013). From a discourse analytical perspective the linkage of security, blaming greedy people smugglers for the migrants' deaths and lifesaving missions by Frontex is characteristic of the current border regime. It allows increasing legitimacy for further Europeanising border controls and the introduction of new technologies. This discursive figure has to be situated in the broader shift from a

security-driven approach to what is called migration management, which is often understood as a middle way between repressive control measures and a more liberal approach (Kalm, 2012; Geiger and Pécoud, 2010). What has to be taken into account, though, is the specific space the current debate refers to – the sea. European external borders and in particular their sea borders have been at the centre of redesigning the borders of the European Union (EU) (as well as Australia, as the contribution by Weber and Pickering in this volume shows). Why is the sea border so central in this regard? Border regime studies note a trend towards an externalisation and blurring of borders (e.g. Boswell, 2003; Transit Migration, 2007; Huysmans, 2000 and 2006). The national border, and in particular the sea border, is no longer a clear line with checkpoints guarded by easily recognisable border patrol staff. At the sea there is often a dispute over which state is responsible for saving shipwrecked migrants (see Klepp in this volume). In such an environment of divided responsibilities there is ample space for experimenting with new forms of border control. The Frontex logo visualises this approach: The logo contains the 12 European stars, a 'protective' blue circle around one of these stars and a green line from the top left to the bottom right. Both the blue circle and the green line are inside as well outside of the assumed territory of the European Union. The logo thus visualises the spatial understanding of the agency, controlling both in- and outside of the EU's territory.

This first part of the volume thus focuses on the contested territorial and political dimensions of attempts to redesign borders, in particular external borders. A variety of actors becomes visible that contribute to these processes – governments, border control units, international organisations, media, migrants and borderzone populations. The authors engage with the troubling finding that the meaning of how migration, security, control etc. are understood by different groups of actors often shifts throughout the political process. These strategic shifts are characteristic of the contested politics of redesigning borders and conditioning mobility. While the contributions by Weber and Pickering and Klepp focus on the control claims at to-be-redesigned borders, İçduygu and Üstübici and Ruß-Sattar engage with the cultural politics at play. Both contributions focus the developments in border politics with regard to the EU as the most striking case of the emerging postnational border constellation (Vobruba, 2010). As these case studies demonstrate, the often-used formula of a closed 'Fortress Europe' is indeed misleading and may be rethought, as Vobruba proposes, as a 'bazaar of mobility and migration' (ibid.). The results of negotiations on migration and border issues may in fact be related to package-deals in other policy fields. Further, the redesigning of borders can be observed not only at the frontlines – some of the scenes where these contested shifts take place are outside public visibility, such as in 'migration diplomacy' (İçduygu and Üstübici, in this volume) – but also at the sea, where from time to time the Pope or TV cameras are present and appeal to the humanistic conscience.

1
Constructing Voluntarism: Technologies of 'intent management' in Australian Border Controls

Leanne Weber and Sharon Pickering

Australia has attracted a dubious international reputation over the last decade for its harsh policies towards asylum seekers and has become a world leader in border externalisation practices aimed at preventing their arrival. At the same time, Australian governments have also historically shown a preparedness to use their internal enforcement powers to expel non-citizens who commit criminal offences or violate their strict visa conditions. These border control practices which operate, respectively, before and after arrival reflect the external and internal manifestations of the Australian border. Although openly coercive practices such as offshore interdiction, detention and deportation are the most visible and visceral aspects of Australian border control, new forms of border governance are emerging that seek to shape individual decision-making to promote 'voluntary' compliance with migration management goals at both onshore and offshore locations. This governmental project is pursued through what Rose (2000: 324) describes as 'technologies for the conduct of conduct'. A key onshore strategy is the construction of a 'structurally embedded' border (Weber, 2013), so that access to work and essential public services is so constrained that unlawful non-citizens are driven to report 'voluntarily' to authorities. With respect to the offshore border, the re-implementation in 2012 of the notorious 'Pacific solution' has been accompanied by propaganda campaigns aimed at discouraging asylum seekers from travelling to Australia by boat, and with strategies of persuasion intended to produce 'voluntary' returns amongst those who are not deterred. These developments in the biopolitics of border control – described in official documents as '*intent management*' – indicate a partial shift from the open deployment of coercive power towards a neoliberal responsibilisation agenda in which state authority operates through a veneer of individual choice. However, in contrast to the responsibilised citizenry proposed by Garland (1997) as reflecting a new technology of crime control, the aim is to create responsibilised *non*-citizens who will align their

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