

Immigrants and Minorities, Politics and Policy

David L. Leal

Nestor P. Rodríguez *Editors*

Migration in an Era of Restriction and Recession

Sending and Receiving Nations in a
Changing Global Environment



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David L. Leal • Nestor P. Rodríguez
Editors

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in a Changing Global Environment

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Chapter 9

Borders Within the Dynamism of Europe: European Migration Regimes Between Exclusion and Inclusion

Georg Vobruba

Abstract The chapter starts with a short theoretical sketch of the theory of the Dynamism of Europe. What follows is a description of the transformation of outsiders into insiders by referring to the last enlargement, namely the Eastern enlargement in 2004 and 2007. The next step consists of the argument that the deepening of integration, and in particular the abandonment of state border controls within the EU (the so-called Schengen area), constitutes a common interest of EU members in controlling the outer borders. Finally, the chapter points out that at present EU's outer border regimes are in a difficult process of change from maximal exclusion to semi-permeability.

Introduction

Investigating migration and migration regimes in the EU means dealing with the central issue of EU politics. In contrast to nation states in general and to the USA in particular, the EU is a political entity in the making. Most appropriately it might be characterized as an institutional setting of its own kind (Lepsius 2006, 111; Zielonka 2001), as something between a federation of states and a federal state. Within the last decades, the EU has undergone rapid institutional and social changes, affecting its inner coherence as well as its outer relations. I subsume these changes under the term of the “Dynamism of Europe” (Vobruba 2003, 2007a), a modest proposal for a theoretical approach that allows us to focus on the logic of expansion of the EU in particular and on the interplay between inclusion and exclusion that goes along with this expansion. Until recently, the European Union developed as an institutional process driven by political elites. This development took place under the legitimacy of the shelter of the “permissive consensus” (Lindberg and Scheingold 1970), for people paid little attention to European integration. But with its increasing

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institutional integration the EU impact on peoples' living conditions also increased and became visible. Generally speaking this is due to the fact that progressing market integration and European institution building causes intensified entanglements of interests and a sense of increasing mutual dependence. It is exactly in this respect that borders, border crossing processes, and especially migration play an extremely important role in EU politics.

The sociology of borders focuses on the relationships and tensions between borders as political institutions and border crossing processes. Within the modern emerging world society, the relationship between migration regimes and migration might be seen as the most prominent case in point. While dealing with migration and migration regimes on the EU level, one always has to bear in mind that due to its dynamism, the EU disposes neither of long-term stable outer borders nor of invariant internal relations. Within the Dynamism of Europe there are three developments that are of particular interest for the readers of a book like this. First, as an immediate result of several rounds of enlargement, outsiders become insiders. Second, there is an intense and complex interplay between the deepening of EU integration and the Europeanization of its outer borders. Third, as formal enlargements of the EU actually come to a historical end, the character of outer EU borders changes.

Thus I shall put my argument forward in four steps. I'll start with a short theoretical sketch of the theory of the Dynamism of Europe. Then I will describe the transformation of outsiders into insiders by referring to the last enlargement, namely the Eastern enlargement in 2004 and 2007. In the next step, I shall argue that further integration constitutes a common interest of EU members in controlling the outer borders. And finally I'll point out that at present—after the enlargement—EU's outer border regimes are about to change from maximal exclusion to semi-permeability.

The Expanding EU

The theory of the Dynamism of Europe (Vobruba [2007b](#)) offers an explanation of the expansion of the EU basically by referring to the relationship between the affluent core of the EU and its periphery. This relationship between core and periphery is defined by specific entanglements of interests on both sides. The argument starts with the diagnosis that there is a remarkable difference in economic prosperity and political stability between the EU and its periphery. The affluent core perceives its periphery as source of problems like environmental pollution, crime, smuggling, and, of course, migration caused by poverty and/or political unrest. The neighbour countries are interested in joining the affluent core and participating in its well-being. Thus the political actors and the populations within the core member states perceive several border crossing processes stemming from the EU's periphery as a threat.

The first and immediate response to perceived threatening border crossing processes is to call for exclusion, hence for the closure of borders. But it is a basic insight of a political sociology of borders (Vobruba 1994; Rodríguez 1997; Cornelius and Tsuda 2004; Eigmüller and Vobruba 2006) that state borders cannot be made sustainably impermeable. At least in the modern, virtually global society, most kinds of social processes do not respect borders. In some cases, for instance border crossing environmental pollution, impermeability cannot be achieved for simple technical reasons, in some cases the costs of exclusion, be they financial or political, are too high, and finally in some cases the interests of the affluent core members are ambiguous, thus impeding unequivocal politics of exclusion. Some member states, for example, favour rigorous border controls, while others bear in mind the need of their economies for migrants such as illegal workers (Cornelius 2004, 393; Eigmüller 2006). Some member states have to take xenophobia at home more into consideration, while some pay less consideration to this factor. A recent example (in the year 2011) of a domestic push for restrictive border politics is provided by Denmark. Its temporary reintroduction of controls at the Danish-German border was nothing but a concession to the right wing “Danish People’s Party”. In the view of most EU members this was an obvious abuse of the Schengen-based rule that member states are entitled to temporarily suspend the right to free border crossing only if a person represents “a threat to public policy or public security or to national security” (Article 96, Schengen treaty).

All these various causes impede the unequivocal politics of exclusion. Thus, it is not the issue of perfect impermeability but the tensions between border closure and border crossings what make borders, and in particular EU borders, a fascinating subject for sociological research.

Even though exclusion always remains a political option for protecting the interests of the core countries of Europe, exclusion politics of the EU are supplemented by politics of calculated inclusion. All programmes and attempts of the European Commission to combat unregulated migration demonstrate that exclusion always remains a political option for protecting the interests of the core countries of Europe in maintaining their prosperity and stability. Already in its Strategy Paper “European neighbourhood” the Commission stresses “the Union’s interest in concluding readmission agreements with the partner countries” (Commission 2004, 17). But notwithstanding this, exclusion politics of the EU have to be—and in fact are—supplemented by politics of calculated inclusion.

The formula “politics of calculated inclusion” refers to the logic of self-interested aid (Vobruba 1996): I help you because otherwise your problems will affect me. Problems for the core-EU which originate from the EU’s periphery and which cannot be stopped at the border cannot be handled but by managing them at the place of their origin. In other words: Most border crossing problems become a subject of self-interested aid. As the Commission of the EU attests: “Enlargement is one of the EU’s most powerful policy tools ... it serves the EU’s strategic interests in stability, security, and conflict prevention” (Commission 2008, 1). This is the constellation that causes a particular dynamism between the EU’s affluent core and its periphery.

The Southern enlargement of the EU in 1981 (Greece) and in 1986 (Portugal and Spain) and in particular the Eastern enlargement in 2004 (Hungary, the Czech Republic, Slovak Republic, Slovenia, Poland, Estonia, Latvia, Lithuania, plus Cyprus and Malta) and 2007 (Bulgaria and Romania) are manifestations of this logic of calculated inclusion based on self-interested aid. Both rounds of enlargement were implemented in order to make political transitions to democracy irreversible and to trigger economic modernization simultaneously. Advancing political stability and economic prosperity at the EU's periphery led to the inclusion of those regions where problems originated, hence to new EU members.

Liberalization by Enlargement

With respect to migration, every round of enlargement basically implies the inclusion of the population of the new members within the European realm of free movement. Thus, every enlargement of the European Union transforms outsiders into insiders, hence reducing illegal migration simply by legalizing it. As a consequence a first and somehow surprising result of our analysis of the EU's border regime is that every round of EU enlargement widens the space of free movement, hence drastically liberalizing migration opportunities for the citizens of the new EU member states.

While stressing this rather optimistic result, of course two caveats must be made. First, one has to bear in mind that by becoming a new member of the EU border controls don't vanish automatically. For this an additional step is required, namely to join the Schengen agreement. The Schengen agreement (from the year 1999) on the one hand states free movement of people in and out of participating member states, hence (with some exceptions) in practice abandoning state borders within the EU; but on the other hand it demands high standards of control of the outer EU borders. Thus, as the logic of enlargement implies that all new members (with one exception: the Czech Republic, which from the start of its membership was surrounded by other EU members) dispose of outer EU borders, new EU members first have to prove their competence for control before becoming a part of the European realm of free movement.

Second, one has to take into account that free movement does not automatically mean the right to work abroad. In both the Southern and the Eastern enlargement rounds restrictive regulations for labour migration were temporarily installed. But again, this fact does not affect the general diagnosis, because these regulations only postpone the emergence of a wider realm of free movement for labour force. In the recent case of the Eastern enlargement, in 2004 and 2007 the 2 plus 3 plus 2 rule was installed (Nissen 2009): It entitled the old (and affluent) member states for the two first years after the 2004 enlargement to keep existing bilateral agreements concerning the mobility of workers. Then, after an evaluation by the Commission, the old member states had to report formally, keeping this rule or adopting a policy of workers' full free movement. After 3 more years, restrictions

were planned basically to be over. In order to postpone free movement for another 2 years, severe disturbances of the national labour market as a justification were necessary. But most old members opened their labour markets at the latest after 5 years. Only Germany and Austria made full use of these possibilities to postpone free movement of workers from new EU members. On May 1, 2011, eventually people from the ten accession countries (2004) became entitled to look for a work all over the EU.

Thus, all in all, though people face a “retarded Europeanization” (Nissen 2009) of the labour market, free movement of persons and labour force within the whole EU is nevertheless about to be realized. As a consequence, illegal workers were transformed into legal workers. As the rich EU members’ industrial law now applies for former illegal workers the Eastern enlargement of the EU has the effect of a huge political programme of regulating labour conditions, hence increasing its price. Another consequence of the wider realm of free movement and the widening of the circle of insiders is that it simultaneously leads to new obstacles at the outer borders, hence to new outsiders. How do these dialectics of internal openness and external closure work?

Changes of the Outer Border and Its Permeability

During the last decades, the EU not only has experienced remarkable enlargements, but it has also deepened its integration. With respect to migration issues, the most important push towards deeper integration was the Schengen treaty, which I already mentioned. By joining the Schengen treaty EU members (and some additional European states like Switzerland) no longer carry out their internal border controls. One usually speaks of a “Schengen territory” where one of the four fundamental rights, namely the free movement of persons, became a reality. The reverse side of this coin is that it leads to a common interest in securing the outer borders of the EU. Why? Before Schengen for instance “entering Spain” meant being in Spain; after Schengen, “entering Spain” means virtually entering the whole EU. The new constellation that the Schengen treaty has caused has three main consequences.

First, intensified politics of exclusion at the EU level emerged. Closure and control of its outer borders became a dominant issue of EU politics. Borders of EU member states which are also the EU’s outer borders attract the interest and the political awareness of the whole EU. As a practical consequence, common EU borders and migration control turned into a political issue at the EU level and triggered off the slow Europeanization of border politics, in particular by founding the EU agency FRONTEX in 2004. FRONTEX is an EU institution. Its foundation was strongly supported by the core EU members, in particular by France and Germany, and it operates under supervision of the Commission. Its main task is to offer information, to provide further training and to coordinate border missions of national border patrols. Thus FRONTEX basically is a pure administrative machinery and relies on the member states’ executive capacities and their equipment. But since its

foundation it expanded dramatically in terms of budget, staff and activities (“joint operations”), hence more and more getting a genuine executive role (Pollak and Slominski 2009). As a consequence of such institutional innovation, at least as far as Europe is concerned, sociological research on migration and migration regimes on the nation state level (for instance, Brochmann and Hammar 1999) becomes more and more outdated—another case of the vanishing “methodological nationalism”.

Second, there were and are interest conflicts between member states with outer borders and the (affluent) core of the EU. These conflicts center around two main subjects: (1) The EU as a whole advocates strict border closure, whilst border politics of some “front member states” result in tolerating a certain degree of illegal migration—mainly in order to support those parts of their economies, which depend on cheap labour force (Cornelius 2004, 393; Eigmüller 2006). (2) There are permanent conflicts over the burden sharing of migration between the first EU member points of entry (in particular Italy, Greece and Spain, for immigrants from Africa) and the other member states.

And third, the politics of calculated inclusion that dominated the affluent core of the EU were prolonged. The EU signed several bilateral arrangements with its Southern and Eastern neighbours concerning cooperative migration control, repatriation of refugees and installation of reception camps in North Africa. The EU’s migration policy aimed at building a “Fortress Europe” and at intensifying cooperation with the neighbours in order to defend it against migration from the East and the South.

All in all, the enlargements of the EU and the deepening of its integration led to free movement within the EU and rigid sealing off from countries outside the EU. Hence, this causes a wider circle of insiders and strictly excluded outsiders.

Enlargement Policy Transforms to Neighbourhood Policy

But there are signs that this constellation is about to change. Even prior to the implementation of the Eastern enlargement the opinion gained ground that—as the former president of the EU Commission, Romano Prodi, stressed—“we cannot go on enlarging for ever” (Prodi 2002, 2).

The general conviction was and is that any further enlargement is threatening to go at the expense of the integration. Elsewhere I explained that Eastern enlargement has caused an enlargement crisis of the EU (Vobruba 2003; and the ensuing debate: Bach 2003, 2006; Rhodes 2003; Szalai 2003). Prodi (2002, 2) stated in this respect again: “We can not water down the European political project and turn the European Union into just a free trade area on a continental scale”. This interpretation of an increasing contradiction between enlargement and deepening of the European integration led to a new political concept for managing the EU’s periphery, namely the European Neighbourhood Policy (ENP).

The difference between politics of enlargement and the ENP is best understood by conceptualizing both as different offers within a relationship of political exchange

between the EU and its periphery. In doing so, a remarkable asymmetry appears. In both cases, enlargements and ENP, the EU expects almost the same sort of cooperation of its periphery: the willingness to bear the cost of transition to democracies and capitalist market societies, cooperation with respect to the management of border crossing problems, and in particular to migration. “The European Neighbourhood Policy’s vision involves a ring of friends, sharing the EU’s fundamental values and objectives, drawn into an increasingly close relationship, going beyond co-operation to involve a significant measure of economic and political integration” (Commission 2004, 5).

Thus within the frame of the ENP the EU makes proposals for cooperation with respect to several political issues. “Economic and social development policy” generally aims at promoting economic prosperity and political stability in the periphery of the European Union, hence reducing migratory pressure towards the EU. The issue “energy supply” concentrates in particular on joint investments in pipelines in order to secure the EU’s gas and oil supply from the Caspian region. “Environment” is a subject of neighbourhood policy simply because “environmental pollution does not respect borders” (Commission 2004, 18).

Concerning the issue “justice and home affairs” the programmatic ENP paper in particular stresses “the Union’s interest in concluding readmission agreements with the partner countries” (Commission 2004, 17). Readmission agreements entitle the EU to send illegal migrants back to those neighbour states where they entered the EU, obligating the neighbour states to take these people back and to send them further to their places of origin—if they are able to find out where the migrants originated. This is the reason why migrants tend to throw away their passports and why these readmission agreements are said to cause chains of deportation. Basically the ENP is driven by the same logic of self-interested aid as in the case of the Eastern enlargement.

Compared to enlargements, the EU’s offer concerning the ENP is much more modest. The promise of full membership in the future is replaced by a perspective of a “special relationship”. In EU terms a “special relationship” means bilateral agreements with different contents, ranging from free trade agreements to near-membership (Commission 2004) as the strategic paper points out. All in all, with the switch from enlargement to ENP the EU tries to realize expansion without enlargement (Vobruha 2007b). In order to enhance cooperation within the frame of the ENP, the EU’s offer to its neighbour states contains financial and organizational help as well as free trade agreements, but no participation in EU institutions. But the most important difference is that in contrast to enlargements, special ENP arrangements offer no long-term perspective, no point of reference for future expectations that could compensate for present hardship caused by the transition. Thus, as it has been stressed repeatedly, with the switch from enlargement to ENP politics, an important source of legitimation was lost. As Commission President Prodi noted again, “The goal of accession is certainly the most powerful stimulus for reform we can think of. But why should a less ambitious goal not have some effect?” (Prodi 2002, 3). Consequently, instead of legitimizing present hardship (costs of modernization) by future gains (full EU membership), governments in the EU’s neighbour

states must be keen to achieve positive results that they can present as immediate advantages to their populations.

One of—if not *the*—EU’s main expectations concerning the neighbour states’ cooperation points at controlling migration. In 2007 the Commission published a special paper on “Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union” (Commission 2007). On the one hand it aims at a certain liberalization of personal movement, promoting the “developmental impact of migration” (Commission 2007, 6) in particular by enabling circular migration. On the other hand the EU insists on “the fight against illegal migration and trafficking ... [through] readmission agreements” (Commission 2007, 6) and it presses for chains of deportation: “Attention should be given to the conclusion of readmission agreements. A readmission agreement has already been initiated with Ukraine and negotiations have been completed with Moldova. ... Initiating negotiations with the other countries should also be considered in the future. For those that have such agreements with the EU, the focus should then be on their capacity to implement those agreements, as well as encouragement to reach similar agreements with their own Eastern and South-Eastern neighbours” (Commission 2007, 9).

Thus, with the switch from enlargement politics to the ENP the basic feature of the EU’s migration politics has changed again: from enlargement politics which entailed internal free movement and maximum external closure to the ENP, where permeability of borders becomes a subject for negotiations. By “the establishment of common visa application centres—like the one opened in Moldova with the cooperation of Austria, Hungary, Latvia and Slovenia” (Commission 2007, 15) a particular selectivity of the permeability of border emerges, which is likely to lead to a new transnational pattern of inequality. This change from maximum restriction to selective permeability implies that different groups of people in the neighbour countries are treated differently (Mau 2010).

Summary and Discussion

In the course of its integration and enlargement the European Union shows a characteristic change of its migration politics. I tried to point out that one might distinguish the following two stages of border politics.

First, there were several rounds of enlargement of the EU. At least in the long run, becoming a new member of the EU means free movement of persons and in particular free access to the common European labour market. These enlargement politics install a clear distinction: On the one hand, they imply a dramatic push of liberalization for people from new EU members. On the other hand, the EU tries to close its outer borders, thus creating a sharp distinction between insiders and outsiders. Since then, the death of African migrants in the Mediterranean Sea is an almost daily phenomenon, fully reported in European newspapers (Cadenbach 2009) and somehow similar to the situation at the Mexico-US border. And second, with the

transition from enlargements to the ENP, the permeability of the EU's outer border becomes an object for bartering between the EU and its neighbours, which results in different kinds of bilateral visa agreements.

Thus, all in all, in the course of the Dynamism of Europe major changes are visible: (1) There is a progressive Europeanization of borders, which goes at the expense of the national sovereignty of the EU member states, and (2) the permeability of the EU's outer borders becomes a subject of negotiations between the EU and its neighbours.

If we take the sentence seriously that borders never can be closed permanently, and thus migration to a certain degree takes place anyway, we are in fact facing a transition from implicit selectivity due to imperfect politics of exclusion to selective inclusion by negotiations.

References

- Bach, Maurizio. 2003. The Europeanization of cleavages and the emergence of a European social space. *Journal of European Social Policy* 13: 50–54.
- . 2006. The enlargement crisis of the European Union: From political integration to social disintegration? In *Europe in motion. Social dynamics and political institutions in an enlarging Europe*, ed. Maurizio Bach et al., 11–28. Berlin: Sigma.
- Brochmann, Grete, and Tomas Hammar (eds.). 1999. *Mechanisms of immigration control: A comparative analysis of European regulation policies*. Oxford, New York: Berg.
- Cadenbach, Christoph. 2009. Flucht vor dem Nichts [Escaping the nothing]. *Süddeutsche Zeitung Magazin* 16.10.2006. S. 24–30.
- Commission of the European Communities. 2004. European neighbourhood policy. Strategy paper. Communication from the Commission. COM (2004) 373 final.
- . 2007. Applying the global approach to migration to the eastern and south-eastern regions neighbouring the European Union. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions. COM (2007) 247 final.
- . 2008. Enlargement strategy and main challenges 2008–2009. Communication from the Commission to the Council and the European Parliament. COM (2008) 674 final.
- Cornelius, Wayne A. 2004. Spain: The uneasy transition from labor exporters to labor importers. In *Controlling migration. A global perspective*, ed. Wayne Cornelius et al., 387–429. Stanford: Stanford University Press.
- Cornelius, Wayne A., and Takeyuki Tsuda. 2004. Controlling migration: The limits of government intervention. In *Controlling migration. A global perspective*, ed. Wayne Cornelius et al., 3–48. Stanford: Stanford University Press.
- Eigmüller, Monika. 2006. *Grenzsicherungspolitik. Funktion und Wirkung der europäischen Außengrenze* [Border-securing policy. Aims and effects of the European outer border]. Wiesbaden: VS Verlag für Sozialwissenschaften.
- Eigmüller, Monika, and Georg Vobruba (eds.). 2006. *Grenzsoziologie. Die politische Strukturierung des Raumes* [Sociology of borders. The political structuring of space]. Wiesbaden: VS Verlag für Sozialwissenschaften.
- Lepsius, M. Rainer. 2006. Identitätsstiftung durch eine europäische Verfassung [Serving identity by a European constitution]. In *Die Europäische Gesellschaft*, ed. Robert Hettlage and Hans-Peter Müller, 109–127. Konstanz: UVK.

- Lindberg, Leon N., and Stuard A. Scheingold. 1970. *Europe's would-be polity. Patterns of change in the European Community*. Englewood Cliff, NJ: Prentice-Hall.
- Mau, Steffen. 2010. Mobility citizenship, inequality, and the liberal state. *International Political Sociology* 4: 339–361.
- Nissen, Sylke. 2009. Arbeitnehmerfreizügigkeit. Gebremste Europäisierung des Arbeitsmarkts [Free movement of workers. Retarded Europeanization of the labour market]. In *Die Ökonomie der Gesellschaft*, ed. Sylke Nissen and Georg Vobruba, 173–204. Wiesbaden: VS Verlag für Sozialwissenschaften.
- Pollak, Johannes, and Peter Slominski. 2009. Experimentalist but not accountable? The role of Frontex in managing the EU's external borders. *West European Politics* 32: 904–924.
- Prodi, Romano. 2002. A wider Europe—a proximity policy as the key to stability. Speech by Romano Prodi, President of the European Commission at the conference “Peace, security and stability. International dialogue and the role of the EU.” Brussels, December 5–6.
- Rhodes, Martin. 2003. The enlargement crisis of the European Union. *Journal of European Social Policy* 13: 54–57.
- Rodríguez, Néstor. 1997. The social construction of the U.S.-Mexico border. In *Immigrants out! The new nativism and the anti-immigrant impulse in the United States*, ed. Juan Perea, 223–243. New York, London: New York University Press.
- Szalai, Julia. 2003. Whose claim and whose risk? *Journal of European Social Policy* 13: 58–60.
- Vobruba, Georg. 1994. The limits of borders. In *Social policy beyond borders*, ed. Abram de Swaan, 7–13. Amsterdam: Amsterdam University Press.
- _____. 1996. Self-interested aid: Belated modernization and interwoven interests between east and west. *Crime, Law and Social Change* 25: 83–93.
- _____. 2003. The enlargement crisis of the European Union. *Journal of European Social Policy* 13: 35–49.
- _____. 2007a. *Die Dynamik Europas* [The dynamism of Europe], 2nd ed. Wiesbaden: VS.
- _____. 2007b. Expansion without enlargement. Europe's dynamism and the EU's neighbourhood policy. In *The Europe beyond Europe*, ed. Manfred Sapper et al., 103–129. Berlin: Berliner Wissenschaftsverlag.
- Zielonka, Jan. 2001. How the new enlarged borders will reshape the European Union. *Journal of Common Market Studies* 39: 507–536.