

**From Borderline to Borderland:
The Changing Border Regime, Transnational Labor,
and Migration Struggles in Europe¹**

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All along the European border, the year 2006 set new records: In Spain, 6000 refugees drowned in the Atlantic Ocean while trying to reach the Canary Islands, off West Africa.³ Hundreds more suffocated in containers, trucks, and cargo boats in the ports of London, Dublin, and Rotterdam, or froze to death in Eastern Europe. Others, locked up in one of the innumerable internment camps spread all over the heart of Europe and North Africa, desperately decided to end their own lives.⁴ At the same time, Europe reported the lowest rate in years of refugees officially seeking asylum. This last obviously doesn't point to a more peaceful world. What it indicates instead is that in Europe the criteria and procedures for securing legal refugee status have become so restrictive that most migrants no longer bother to apply for it. In 2006, Germany for example counted only

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³ Pro Asyl (2006): *2006: Die höchste Todesrate an den Außengrenzen - kaum noch Asylgesuche*, Press Release, 29.12. 2006, Germany. See: <http://www.proasyl.de>

⁴ For more details on the 2006 death toll, see table and statistics in: LeMonde Diplomatique (2006): *Atlas der Globalisierung. Der Ausbau Europas*, Berlin, p. 60.

20,000 petitions for political asylum, the lowest number since 1977. Taking the member states of the European Union (EU) together, that number rises to 200,000.⁵ However, the real story of the border regime, and its constriction of the category for legal entrance and residence, is in the rising body count.

For many years, critics of the European border regime have been protesting the deadly effects of what is often called “Fortress Europe.” The term “fortress” and the images it conjures up are not inappropriate, if we think of Europe (and North America) in the global context. While free trade policies and neo-liberal “structural adjustment” programs have wreaked havoc on the economies of almost every country in the Global South, and while new imperial wars have destabilized entire world regions, enormous power asymmetries enable Europe and North America to go on protecting themselves from the effects of their economic and foreign policies. High walls are being built around the wealthy cores of the Global North to keep out the millions of people who are forced to leave their home countries in order to survive (Davis 2004).⁶

But is the fortress metaphor really adequate to describe the recent changes in European border and immigration policies?⁷ Are we really dealing here with impenetrable walls? The title of the panel on migration at the international seminar “Cambio del Siglo” in Mexico City points to a different perspective. “Porosidad de las fronteras” suggests that contemporary borders are “porous” and “permeable” rather than

⁵Ibid.

⁶ The origins of the term “Fortress Europe” lie in German fascism. Facing their defeat by the Red Army in 1942, Nazi propaganda called for the defense of “Fortress Europe” against the “Russian hoards from Asia.”

⁷ “Fortress Europe” works quite well, however, as a term to describe the mental disposition of those Europeans who want to defend their material privileges against the Global South.

fortress-like. The case of Europe confirms this counter-notion of porosity: millions of people actually manage to cross the borders of the EU. Despite the security fences, motion detectors, camera surveillance, and drastically increased border patrols allegedly intended to exclude them, an estimated 5 to 6.5 million undocumented migrants currently live and work in Europe (Düvell 2002: 166). Entire sectors of the European economy – such as agriculture, construction, the domestic service industry, and sex work – likely would collapse without access to cheap and unregulated migrant labor.

However, both the notion of porous or permeable borders and the metaphor of “Fortress Europe” share a number of analytical weaknesses. Neither really grasps the character of the new European border regime. Both still conceive of the border as a linear and territorial demarcation; that is, as a *borderline* between two or more political entities that may or may not be successfully enforced. While this may have been adequate to describe the border configuration of Europe up until the early 1990s (and especially the so-called iron curtain of the Cold War years), the European border regime recently has undergone dramatic transformations. New institutions, actors, rules, and techniques have emerged on this political field. As a result, the European Union has become a *borderland*. Europe also imposes its new immigration and border regime on other countries and regions on a global scale; therefore we can even speak of a new “border imperialism.” We therefore need to rethink our theoretical tools to analyze borders and states. Based on how the new border regime is actually operating, we need to develop new concepts and categories to guide our field-research and to draw conclusions about what these changes mean for political struggles “on the ground’.”

European Borderland as Border Regime

The centerpiece of the new European border regime is the Schengen Agreement, first signed by Belgium, Germany, Luxembourg, and the Netherlands in 1985. This agreement allows for the elimination of border patrols between participating countries. At the same time, it creates a common, external Schengen-border by defining, implementing, monitoring, and enforcing benchmarks for border patrols, visa procedures, cross-border police cooperation, and information sharing among all signatory states.⁸ Today, the Schengen Agreement has been signed by 30 countries, including all the EU member-states and three non-EU states (Iceland, Norway, and Switzerland). With the Treaty of Amsterdam from 1999, it was integrated into the legal architecture of the European Union, and has also become part of the so-called *acquis communautaire*, which means that future candidates for EU membership will have to meet the Schengen criteria and adopt European immigration, visa, and border policies (Hess/Vassilis 2003). This is not necessarily in the interest of new member states. Turkey, for example, one of the “hot candidates” for future EU membership, has important cross-border relations with its eastern neighbors, including regional trade, tourism, and small-scale economic activity. However, before it can become a full member of the EU, Turkey will have to tighten its borders to Armenia, Georgia, Iran, Iraq, and Syria, and must allow EU-member states access to restricted information and border control operations.⁹

⁸ In 2005, the EU agency Frontex, based in Warsaw, was created as a specialized and independent body tasked to coordinate the operational cooperation between Schengen member states in the field of border security. See: <http://www.frontex.europa.eu/>

⁹ One of the groups likely to suffer most from a European border between Turkey and its eastern neighbors is the Kurds, who traditionally live in this border region and have been targeted by brutal state repression for many years.

But the European standards for border enforcement are not only imposed on Schengen members and future EU candidates. By means of supranational European programs and bilateral agreements, EU-member states – notably Germany, Italy, and Spain – routinely “export” European border standards to states outside the EU, and create a belt of buffer-states around the European Union. The standards are written into European financial, technical, and administrative aid, and are an explicit component of the law enforcement training and assistance EU states offer within “humanitarian” or “technical” aid packages. A prime example is the European Border Assistance Mission to Moldova and Ukraine (EUBAM). Begun in 2005, this program aims at enforcing the 1,222-kilometer border separating the two countries from the EU. During its first six months, the European Commission allocated four million Euros through the so-called Rapid Reaction Mechanism. The mission consisted of 69 European experts and 40 local staff members, all focused on “modernizing” local border controls. In the second phase, lasting eighteen months, another 16 million Euros were poured in. The European staff assigned to EUBAM now exceeds 100 experts “on site.”¹⁰ Needless to say, it is often the financial aspect that motivates countries like Ukraine and Moldova to give up sovereignty over their borders. Many other states on the European periphery are vulnerable to this kind of interstate bribery.

Exporting “modern” border standards means more than merely up-grading check points at international airports and seaports or reinforcing traditional patrols along territorial borders. The new policies define “border corridors” that encroach dozens of kilometers into national territory and are monitored by numerous state agencies. And as

¹⁰ EUBAM: *European Union Border Assistance Mission to Moldova and Ukraine, Annual Report 2005/2006*, p. 3. Download: <http://www.eubam.org>

many incidents reported in recent years show, state authorities routinely exert pressure on local civil society actors to collaborate in controlling these corridors. In the mid-1990s, for example, taxi drivers in the former East Germany near the border with Poland were requested to ask suspicious looking passengers for their passports and visa documents.¹¹ This kind of blurring of the separations between the civil sphere and that of state law enforcement is an important aspect of the new border regime.

However, the most interesting point – and the most radical change – is that the internal extension of the European border no longer has any limits. All intra-European flows of communication and all routes of regional infrastructure, such as train connections and train stations, major urban metro stations, overland bus stations, interstate highways, and public city plazas, are now defined as strategic knots of transit and therefore subject to intensified border enforcement. All over Europe, when foreign-looking individuals hop on the local subway, take an overland train, or simply “hang out” in public, they increasingly are approached by regular police or special border forces and asked to produce identity papers. In order to legally absorb all these traditionally public spaces into the border regime, national laws had to be changed, and government institutions and law-enforcement agencies had to be reorganized.

In Germany, for example, the government agency responsible for border patrols and immigration check points used to be the Bundesgrenzschutz (Federal Border Protection). As the Schengen Agreement was successively signed by all of Germany's neighboring states, this agency began to appear obsolete. By the mid-1990s, it was becoming clear that the activity of the Bundesgrenzschutz could soon be limited to

¹¹ Forschungsstelle Flucht und Migration (1998): *Flüchtlingsfahndung an der ostdeutschen Grenze*. See: <http://www.asf-er.de/zeichen/98-2-06.shtml>

patrolling Germany's small number of international airports and seaports. Germany simply no longer had any borders with non-Schengen states in need of enforcement. But of course, coercive state apparatuses seldom undergo reduction, however rationally compelling that would be; instead, they get a new mission. As the legal area of operation for the Bundesgrenzschutz largely disappeared through the redefinition of the old borders, the German government created new legal areas of operation by reclassifying train routes and train stations, inter-state highways, and big public city plazas as strategic transit areas – as de facto internal extensions of the border (Hecker 1998).

Additionally, the Bundesgrenzschutz has begun to cooperate with new partners, such as local police and private security contractors, and to support regular police units during special events such as political rallies and soccer games. It also hosts the GSG-9, an elite special-forces unit for so-called counter-terrorism, and is actively involved in German military deployments in foreign countries. These last include both military operations and international missions for border enforcement and police training. Finally, the Bundesgrenzschutz now also collects and analyzes personal data from migrants and European citizens. Despite privacy concerns, programs like the Schengen Information System (SIS) and 'Eurodac' make personal information increasingly accessible to government scrutiny through cross-border data sharing and cooperation among European law enforcement agencies. The institutional – and in fact constitutional – “reform” of the Bundesgrenzschutz culminated in July 2005, when the Federal Secretary of Interior, Otto Schily, renamed it the Bundespolizei (Federal Police Force). Today, the Federal Police Force, easy to spot in their special uniforms and riot

gear, counts 40,000 active members and is a very visible presence in everyday life all over Germany.

Besides such recent legal and structural reforms aimed at defining, policing, and enforcing the Schengen borders *inside* and *outside* the EU, the new European border regime encompasses two more crucial elements: the outsourcing of immigration politics to non-state actors and the active shaping of public discourse about immigration (see Hess/Vassilis 2003). Over the last ten years, a growing number of transnational agencies, think tanks, and non-governmental organizations (NGOs) has entered the political arena of migration politics. Concerned with research and publications, providing political advice and expertise to governments and politicians, and carrying out specific tasks and operations, these organizations have become an integral part of European immigration and border politics. One of the main actors in this arena is the International Organization for Migration (IOM). Founded in 1951, the IOM has undergone numerous institutional and political transformations. Today, the IOM has 120 member states, 300 field locations, 5,400 employees, and a yearly budget of 733 million USD (in 2006).¹² By its own account, the IOM is the “leading international organization for migration management.”¹³ Many governments entrust the IOM with the deportation of undocumented migrants (so-called voluntary returns), and with the management of internment camps in which thousands of refugees are compelled to live.¹⁴ Groups such

¹² See: <http://www.iom.int>

¹³ Quoted in Düvell, translation by H.L. (Düvell 2003).

¹⁴ In Germany and in many other European countries, the majority of refugees who have not yet been granted a secure immigration status live in various kinds of internment camps. This is also true for most migrants who cannot legally be deported because of the Geneva Conventions and the European Convention of Human Rights. Many migrants are compelled to spend several years in this social and juridical limbo, while

as Amnesty International and the international No Border activist network have frequently criticized inhumane conditions in IOM-run camps and the IOM's active role in deporting refugees. But as an intergovernmental organization with no elected officials and thus effectively beyond any democratic control, the IOM is hard to target.¹⁵ Along with other agencies and NGOs, the IOM also plays an important role in shaping the public discourse on international migration in the periphery of the Global North. Especially in EU-border countries that are not yet Schengen members, such as Turkey and Ukraine, these non-state actors function as a kind of "discursive joint" (Hess/Vassilis) that mediates between new governmental migration policies and public opinion. Operating there as the extra-territorial and civil "voice" of the EU, they define migration as a political problem requiring extensive regulation, including measures of restriction and exclusion.

This brings us to the third element of the new European border regime: discourse politics. Politicians, governmental agencies, NGOs, and mainstream media frame current practices of exclusion with a discourse that shapes public opinion about immigration along two thematic lines. On the one hand, migrants are represented as a threat to social order, and immigration as a problem of social integration. Today in Europe, the dominant stereotype of the migrant is the Islamic alien, culturally unassimilated and hostile to democratic values. The newspapers are full of stories

authorities decide their fates. In Germany, under the globally unique 'Residenzpflicht' (literally: duty of residence) for migrants with a precarious immigration status, camp detainees are not allowed to leave the administrative district (county) in which their camp is located. (on the decentral system of interment camps in Germany and their economic function, see Pieper 2004). EU governments recently have discussed the possibility of establishing extra-territorial interment camps in North Africa (Vogelskamp 2005). See also the German 'No-Lager' network at <http://nolager.de>

about “problem neighborhoods” – meaning those with high concentrations of non-EU citizens, such as the Neukölln district of Berlin. Impressionistic journalism, which fails to question the racist stereotypes it reproduces, has succeeded in constructing a European version of the US urban ghetto (Lebuhn 2004). According to this picture, these neighborhoods constitute a crime ridden parallel society, abandoned by the state, and ruled alternately by youth gangs and tribal traditions. The message is clear: Stop further immigration! Racist fear-mongering is reinforced by pseudo-scientific demographic scenarios, according to which the native population is decreasing (“German women are not as fertile as foreign women”), and will soon be numerically overwhelmed by “the others” (Prokla 2007).

On the other hand, migrants – and especially women – are portrayed as victims. In this representation, their role as active protagonists who have made decisions about where they want to live is ignored or discounted. At the center of this image is the organized crime of human trafficking. Presumably, gangs and networks of criminals smuggle young women to Europe against their will, hold them hostage in brothels, and turn them into sex slaves. Again, the media are full of sensational stories that oversimplify and render one-dimensional complex patterns of movement and strategies for survival. The unsubtle message: we need stricter border controls, tighter visa policies, and more police-raids. Meanwhile, individuals and groups that give support or practical assistance to undocumented migrants are tendentially criminalized. According to this discourse, immigration authorities and law enforcement are acting “humanely” on behalf of the migrant-as-victim. (Hess/Vassilis 2003). These two contrasting

¹⁵ In Fall 2003, activists rendered the IOM branch in Berlin visible by decorating it with 160 paint-balls. See: <http://de.indymedia.org/2003/10/64537.shtml> (incl. photos).

representations – migrants as, alternately, both threat and victim – function to manage public opinion and maintain support for the new border regime.

Increasingly, then, the clear national *borderline* is both widened and extended *back* into national territory and projected *out* into the territory of foreign states. In effect, the old lines of national demarcation are being transformed into new and militarized border *zones* and *spaces* that overlay the social space of everyday life: Europe is becoming a *borderland*. This transformation is characterized by the re-categorization of spaces and territories, an expansion and diversification of the modes of border control and enforcement, and a public discourse shaped by distorting representations of migrants (see Euskirchen et al. 2003). But what is the result? Has it produced perfect closure and total control? Have the flows of migration been effectively blocked? Or does the new control regime itself function within a global and systemic regulation of migration flows?

The Political Economy of the European Borderland

The European border regime, as sophisticated as it may be, obviously does not lead to the complete exclusion of undocumented migrants from the EU. Currently, an estimated 5 to 6.5 million “illegalized”¹⁶ migrants live and work in Europe (Düvell 2002: 166). Their exact number is unknown. In their everyday lives, they utilize diverse forms of counter-knowledge, social creativity, self-organization and networks of mutual support. The images of the several hundred African refugees who, using improvised ladders and carpets thrown over barbed-wire, scaled the high security fences of the Spanish exclave

¹⁶ We use the term “illegalized” to underscore the fact that legality and illegality are not biological human attributes. Subjecting individuals to this juridical category and to the loss of rights and mobility that follow from it is always a political act.

Melilla, in northern Morocco, in October 2005, are enduring documents of one spectacular attempt to set foot in the EU.¹⁷ Fortunately, many other migrants are able to gain entry through less desperate measures. Many obtain temporary visas to study in a European university, to visit friends or family, or to work legally as *au pairs* or farm-workers. Once in Europe, many of these decide to overstay their visas. The personal needs and motives, the accidents of good and bad luck, the individual backgrounds and routes of entry are as varied as human beings from all over the world can be. There is no master-narrative of undocumented immigration, no story or trajectory that can be generalized into some invariable composite of migrant character or experience.

However, all undocumented migrants in Europe do have one thing in common. In order to survive, they depend on the informal or unregulated labor market. While European workers and unions struggle to defend the remnants of the dismantled Keynesian welfare state, many migrants have little hope of access to minimum wages and labor regulations. Entire sectors of the European economy rely on their easily exploitable labor-power. Depending on the regional labor markets – highly differentiated within the EU – illegalized migrants work as manual laborers on construction sites, as pickers and processors in agriculture, as domestic service or janitors, as sex workers, as dish washers and prep-cooks in small restaurants, and as street vendors. Employment is an inadequate concept for the work they do in these capacities; performed without any legally enforceable labor contract, this work involves an exceptional degree of exposure to precariousness and coercion.

¹⁷ The incident generated a broad discussion about European border policies concerning North African refugees. See: <http://en.wikipedia.org/wiki/Melilla>

Tobias Pieper points out that the European border regime is characterized by its ability to differentiate and regulate 1) highly qualified workers from the capitalist periphery who are actually recruited or invited to work in Europe; 2) low-skilled guest workers who legally come to Europe, mainly to Germany, on short term visas to live and work under very restricted conditions; 3) an illegalized transnational labor force of workers who lack any formal rights or protections for the negotiation of their living and working conditions; and 4) economically superfluous refugees who increasingly are denied any secure legal status in Europe (Pieper 2004).¹⁸

Of course, the current process of “precarization” of living and working conditions is not limited to illegalized migrants – even if it is clear that this group suffers the most from it. Neo-liberal policies have to be understood as an attack on the working class as a whole. Neo-liberalism creates a “sliding scale” of precarization that affects *all* groups within the working class, but each to a different extent. In France, for example, this process of division and stratification has led to spectacular eruptions of public unrest. It would be a distortion to interpret the 2005 uprisings in the French suburbs as merely a series of race riots by Arab immigrants and undocumented migrants. While a background of racial injustice certainly played an important role there, the 2005 uprisings

¹⁸ A crucial element to exclude refugees from access to a secure asylum-status is the so-called “rule of secure state” or “rule of third state”, codified in the Dublin Convention from 1997. It establishes that refugees have to apply for asylum in that state, through which they first entered the EU. In Germany for example, any refugee who has previously passed on his/her journey through a country that is considered safe, loses automatically his/her right to apply for political asylum in Germany. Instead he/she will be returned instantly to that state. Additionally to the Dublin Convention, which applies to EU member states, bilateral agreements with non-EU states guarantee that refugees can be deported to “secure states” outside Europe. The initial deportation often triggers a chain of deportations, as the European periphery now creates its own “cordon sanitaire” to “hand over” the deported refugees to other “secure states”. In Germany, the “rule of secure rule” was introduced already in 1992, modifying the constitutional right to political asylum.

need to be seen in the larger context of neo-liberal “structural adjustment” processes. In that context, they appear as a form of working class protest against economic deprivation and deepening social inequalities (Wacquant 2007).

Indeed, even a cursory comparison of present working conditions to those of the recent past reveals how far neo-liberal labor market “reforms” have gone in undermining the position of the most vulnerable groups of the working class. In the 1950s, 60s, and early 70s, millions of guest workers immigrated to Europe, mostly to fill places in industrial production. These workers were at the low end of the pay scale, but their living and working conditions were legal, regulated, and relatively secure. In contrast, the millions of illegalized migrants who today are indispensable to EU economies are forced into completely precarious conditions:¹⁹

- With no formal permission to work, undocumented migrants are not protected by existing labor laws and regulations, and as a result must endure forms of exploitation that exceed by far what is assumed to be “normal” capitalist exploitation of the legal labor force.
- Targeted by fierce border and immigration controls increasingly conducted *within* Europe, and not merely along its outer edges, undocumented migrants are forced into permanent hiding and thus prevented from organizing themselves into any kind of collective political defense.

Today, many migrants leave their economically and politically devastated home countries with hopes of finding a better life in Europe. What they discover instead is an

¹⁹ No misunderstandings here: The first and second generations of post-1945 guest workers in Europe faced formidable obstacles to integration in the form of discriminatory state policies and social xenophobia. However, the mechanisms of exclusion that

environment that is legally and economically structured to exclude them from political participation and which frustrates all their attempts to stabilize their life-situations and plan for the future. Many migrants have had to see their lives reduced to extremes of existential insecurity, first in their country of origin and then again at their European destination. The result is a new form of precarious, transnational existence in a “third space,” a continuous movement between two hostile non-homes. In his 2000 book *Magical Urbanism*, Mike Davis describes this predicament as it is lived by Mexican migrants in the United States. He writes of rural villages and ethnic communities whose members live their fractured everyday reality on both sides of the border. Often physically distant from their families and loved ones, they remain intensely connected through email, telephone, skype, and enormous flows of economic remittances (the “migra-dollars”): “The new logic of social reproduction under conditions of rapid and sometimes catastrophic global restructuring compels traditional communities to strategically balance assets and population between two different place-rooted existences.” (Davis 2000: 80) Similar patterns of transnational networking and survival strategies can be observed in Europe, especially in the southeastern and peripheral areas of the EU (Öncü/Karamustafa 1999; Bojadžijev et al. 2005).

The new European migration regime, then, does not represent a complete closure and control of territorial borders. What is new about it is rather the way in which it produces a very flexible and highly disposable transnational labor force. The most vulnerable parts of this labor force are systematically deprived of rights, resources, and the means of secure social reproduction.

rendered – and still render – these guest-worker generations socially and politically marginal are substantially different from those bearing on today's illegalized migrants.

If this describes the political economy of the new border regime in terms of its function and its consequences for some of those most affected, it is less clear how this regime was politically constructed. Recent neo-Marxist debates, such as those around regulation theory (Hirsch 1995; Jessop 2001; Alnasseri et al. 2001) and the state theory of Nicos Poulantzas (Poulantzas 1978; Bretthauer et al. 2006), have shown us the need to understand the state as a “field of conflict.” It is only in and through this field that competing social groups and class fractions are able to constitute themselves as political actors, articulate their interests, and engage in political struggle. “The (capitalist) State should not be regarded as an intrinsic entity: like 'capital', it is rather a relationship of forces, or more precisely the material condensation of such a relationship among classes and class fractions.” (Poulantzas 1978: 128-129)

Applying this approach to the politics of immigration suggests that the new European border regime is the result of numerous conflicting interests, principles, and “imaginaries”, mediated through various political representations and procedures. As there are close links between the rise of neo-liberalism and the formation of the new immigration regime (recall that the Schengen Agreement at its core dates back to 1985), any complete political analysis would also need to analyze these links. Generally, in Europe as elsewhere in the Global North, parliamentary governments have accepted the need to implement neo-liberal policies, purportedly in order to increase the global competitiveness of national economies. If we consider immigration policy as one aspect of the larger field of neo-liberal political action, then we can identify a number of competing actors:

- Politicians, security specialists, and think tanks on the political right, especially nationalists and “law-and-order” social conservatives, who seek closed borders and zero tolerance towards undocumented immigration;
- social-democrats and liberals who accept the need for state action to stem the flows of immigration but who generally are shy of heavy-handed police raids and visibly repressive border operations;
- corporations and small businesses that benefit directly from cheap migrant labor and therefore lobby politicians and bureaucrats to tolerate an undocumented and unregulated work force;
- national trade unions whose members are ambivalent about immigration, sometimes supporting anti-immigration policies to “protect” domestic workers from downward pressures on wages, but (more rarely) sometimes mobilizing to defend migrant rights and to integrate illegalized workers into the regulated legal labor market; and
- human rights NGOs, progressive churches, and grass-roots activists, who tend to support illegalized migrants unconditionally, but are barely visible among the major political actors.

The contemporary form of what Marx famously called the “industrial reserve army” must therefore be grasped as the result of a globalized and conflictual process involving many actors and levels of operation. This result is open to change and must be responsive to shifts and realignments among actors. That said, the main profiteers of the current situation are easy enough to identify. Corporations and businesses that exploit cheap migrant labor, as well as firms that supply needed services - such as international banking, transportation, and telecommunication - to the immigrant community, make good money on the backs of this transnational labor force.

The View from the Grassroots

Over the course of the 1990s and 2000s, border and immigration policies have been targeted by grassroots protests across Europe.²⁰ In addition to important protests by civil rights and immigrants' rights groups, churches, and humanitarian organizations, illegalized migrants find much support from the anti-fascist and so-called autonomist spectrum of the European radical Left. Among the many groups and campaigns active locally and regionally are networks such as Kein Mensch ist illegal (no person is illegal), founded in Germany in 1997;²¹ Papeles para Todos y Todas (papers for all), based in Barcelona, Spain;²² and the refugee forum The Voice.²³ These groups and others like them give practical support to grassroots coalitions and organize demonstrations against the deportation of refugees and against repressive police actions targeting migrants.

An important debate that has evolved within the immigrations rights and No Border movement is that surrounding the issue of the "autonomy of migration." Many scholars and activists have argued that the phenomenon of transnational migration cannot be reduced to an expression of capital's demand for flexible labor. Migration, they argue, should rather be understood as the result of autonomous and conscious decisions by migrants concerning where they want to live (for a critical introduction into this debate, see Benz/Schwenken 2005). Migrants should be recognized as active

²⁰ While campaigns against racism and for immigration rights have a long history, movements that constitute themselves explicitly as movements of 'undocumented migrants' are relatively young. The first one was probably the French 'Sans Papiers' movement that started in the mid-1990s.

²¹ <http://www.kmii-koeln.de>

²² <http://es.geocities.com/papelesparatodosytodas/>

protagonists who are motivated by diverse desires, fears, and needs and who create their own solidarity networks and support structures. At the extreme of this position, one finds the assertion that crossing national borders without legal permission *per se* is always a subversive act that undermines the global capitalist system in its need to regulate and restrict the mobility of the labor force. The latter argument has led to some intense debates over the political dimensions of transnationalism and undocumented migration.

To be sure, the shift from *borderline* to *borderland* has generated substantial obstacles to organized political action by illegalized migrants and migrants with a precarious immigration status. People in such positions can be represented by others protesting on their behalf, but are effectively prevented from speaking for themselves and actively participating in political struggles. Border patrols, the network of detention camps, the whole battery of juridical categories defining legal status, persistent practices of residential segregation, and hostile tendencies in public discourse have all led to the isolation and intimidation of migrants throughout Europe. The concrete result of the new border regime is that migrants are increasingly subjected to spatial exclusion and containment that socially and politically separates them from host populations and tends to cause fragmentation within their own communities. The most important and debilitating effect of the now omnipresent immigration controls may be that the border is being internalized by the migrants themselves. This way, the border regime produces a self-controlling form of subjectivity, a self-internalizing form of 'governance' (Michel Foucault).

²³ <http://www.thevoiceforum.org>

An interview conducted in summer 2006 captures vividly how the border becomes internalized. The respondent, a young man who was recently legalized and now lives in Barcelona, describes his previous experience as an undocumented migrant in Spain :

"Regularizar tu situación (es importante, para que) ya no tengas aquel miedo de salir a la calle. Es importantísimo, porque (entonces) te sientes libre (...).

[A]hora puedo ver una novicia. Yo me acuerdo por ejemplo que muchas veces he tenido ganas de ir a un museo, a un sitio histórico, a un sitio turístico, y siempre te lo impide el hecho de que (...) la policía me pide los papeles y tal.

Entonces evitas siempre los sitios públicos donde hay mucha gente, no?

Siempre vas al margen de la ciudad, siempre evitas cualquier sitio público,

sobre todo si tiene una importancia desde un punto de vista turístico."²⁴

Here, then, is what life in the new borderland looks like “on the ground.” One can imagine how difficult it must be to organize politically under these conditions. Social invisibility and political protest do not go well together. This may be the primary reason why the many grassroots campaigns supporting migrants in Europe remain relatively marginal. Despite the fact that millions of migrants are affected by a repressive regime of control, so far no strong European immigrant rights movement has emerged.²⁵

Grassroots campaigns in Spain and France have won important local victories, however. These indicate that there are at least potentials for a stronger immigration

²⁴ This is a slightly edited version of the original interview-transcription, with no changes made in terms of the content (Lebuhn 2007b).

²⁵ Other important aspects to consider in this context are language barriers among migrants, and the cultural and political heterogeneity of the migrant 'community'.

movement in Europe. If migrants can develop and politicize their existing practical survival networks and link these, through coalitions, to the activist and grassroots groups who support them and want to protest their plight, then there is the potential for strong collective actors to emerge. In the best case, this line of development could lead to the formation of a transnational immigrants rights movement. An interview with a young woman in Barcelona conveys at least a pre-figuration of such a possibility. The woman is speaking about her experience with 'Papeles para Todos y Todas'. Note the tonal change in her narrative, as she moves from first person singular to first person plural:

"Yo entré al movimiento de este 'papeles para todos' por una amiga que me contó sobre el movimiento, que era para la defensa de los derechos del inmigrante. A mí me interesó mucho, porque soy inmigrante, y porque no tenía papeles. Y porque también creo que está bien luchar, o sea no sólo por uno mismo sino por todos, no? Entonces comencé a ir a las asambleas (...). Nosotros trabajábamos con propaganda en estas zonas específicas donde sabíamos que había muchos inmigrantes. Convocabamos a los Pakistaníes y a los Marroquíes, a los Latinos. Y hacíamos (diferentes) asambleas en las comunidades por las diferencias de lenguas. O sea, no podíamos hacer una (sola) asamblea general, porque claro hay muchos Pakistaníes que no entienden Español, hay muchos Marroquíes que no entienden Español. Ó Bengalíes, no? (...) En una semana hacíamos tres asambleas por ejemplo (...)."²⁶

²⁶ This is a slightly edited version of the original interview-transcription, with no changes made in terms of the content (Lebuhn 2007b).

But even immigrant rights campaigns that manage to win political victories remain precarious. In Spain, for example, strong grassroots protests were successful in securing the legalization of undocumented migrants (Lebuhn 2007a). In 2005, the Partido Socialista Obrero Español (PSOE) initiated a procedure allowing for a massive “regularization” of status. Eventually, 700,000 undocumented migrants received legal immigration status. However, more than a million migrants failed in their attempts to navigate the arbitrary requirements, benchmarks, and bureaucratic barriers built into the regularization procedure. It remains to be seen, whether or not the campaigns behind this success can develop into a robust and durable social movement. The obvious danger is that the 700,000 migrant activists who have gained legal status will now withdraw from the collective struggle. The Spanish example suggests that even when they achieve some success, campaigns centered on legal status for migrants remain highly vulnerable to fragmentation and re-stratification in the wake of limited state concessions.

Therefore immigrant rights movements cannot be satisfied with legalization. Proposals that take into account and respond to the global inequalities and power asymmetries behind migration and illegality must be put on the agenda. And every successful campaign for an expansion of legal status should be seen as an opportunity for consolidating the base for continued grassroots struggle. Against those who argue that the mere act of illegal border crossing has a *prima facie* subversive character, we do not see the process of migration in and of itself as a form of resistance. Resistance is constituted only when migrants organize themselves politically and act in concert with

European grassroots groups and trade unions for goals that include but are not limited to the legalization of status.

Works Cited

- Alnasseri, S.; Brand, U.; Sablowski, T.; Winter, J. (2001): *Raum, Regulation und die Periodisierung des Kapitalismus*, in: *Das Argument*, 239, 23-42
- Benz, M.; Schwenken H. (2005): *Jenseits von Autonomie und Kontrolle: Migration als eigensinnige Praxis*, in: *Prokla. Zeitschrift für kritische Sozialwissenschaft*, 140, 363-377
- Bretthauer, L.; Gallas, A.; Kannankulam, J.; Stütze, I. (Eds.) (2006): *Poulantzas lesen. Zur Aktualität marxistischer Staatstheorie*, Hamburg
- Bojadžijev, M; Hess, S.; Karakayalı, S.; Tsianos, V.; Panagiotidis, E. (2005): *Turbulente Ränder. Konturen eines neuen Migrationsregimes im Südosten Europas*, in: *Prokla. Zeitschrift für kritische Sozialwissenschaft*, 140, 345-362
- Davis, M. (2000): *Magical Urbanism: Latinos reinvent the US City*, London, New York
- Davis, M. (2004): *The Next Great Wall*, in: *TomDispatch.com*, 19 January 2004
- Düvell, F. (2002): Die Globalisierung der Migrationskontrolle. Zur Durchsetzung des europäischen und internationalen Migrationsregimes, in: *Materialien (Ed.): Zur neuen Einwanderungspolitik in Europa*, Berlin, 45-167
- Düvell, F. (2003): *Im Fadenkreuz der Kritik. Die IOM - Organisatorin des globalen Menschenhandels*, in: *ak - zeitung für linke debatte und praxis*, 473, 7
- Euskirchen, M.; Lebuhn, H.; Nuss, S.; Schlichte, K. (2003): *Umkämpfte Räume. Politische Konflikte um sozialräumliche Transformationsprozesse*, unveröffentlichtes Arbeitspapier, Berlin
- Hecker, W. (1998): *Auf schleichenden Pfaden zur Bundespolizei. Frankfurter Rundschau* 7. April 1998, 10
- Hess, S.; Vassilis, T. (2003): *Europeanizing transnationalism! Konturen des 'europäischen Grenzregimes'*, in: *Vortrag auf der Konferenz 'Arbeitsmigration. WanderarbeiterInnen auf dem Weltmarkt für Arbeitskraft'*, Trier
- Hirsch, J. (1995): *Der nationale Wettbewerbsstaat: Staat, Demokratie und Politik im globalen Kapitalismus*, Berlin
- Jessop, B. (2001): *Regulation theory and the crisis of capitalism*, Cheltenham
- Lebuhn, A. (2007a): *Espana olé. Die Freude der spanischen Regierung am Legalisierungsverfahren 2005*, in: *ak - zeitung für linke debatte und praxis*, 513, 16
- Lebuhn, A. (2007b): *Migrationspolitische Konflikte in Spanien. Eine empirische Studie zu den Kämpfen um Anerkennung illegalisierter MigrantInnen in Barcelona*, Magisterarbeit am Dept. für Soziologie der Universität Hamburg, unveröffentlichtes Manuskript, Hamburg, forthcoming
- Lebuhn, H. (2004): *In the ghetto...* in: *Linkslog*: <http://www.linkslog.de>, 14.1. 2004
- Öncü, A.; Karamustafa, G. (1999): *Kofferökonomie*, in: Hoffmann, J., Osten, M. v. (Eds.): *Das Phantom sucht seinen Mörder. Ein Reader zur Kulturalisierung der Ökonomie*, Berlin, 203-210

- Pieper, T. (2004): *Das dezentrale Lagersystem für Flüchtlinge - Scharnier zwischen regulären und irregulären Arbeitsmarktsegmenten*, in: Prokla - Zeitschrift für kritische Sozialwissenschaft, 136, 435-453
- Poulantzas, N. (1978): *State, Power, Socialism*, London
- Prokla (2007): *Editorial: Politik mit der Demographie*, in: Prokla - Zeitschrift für kritische Sozialwissenschaft, 146, forthcoming
- Vogelskamp, D. (2005): *Ausge-Lager-t. Exterritoriale Flüchtlingslager der EU*, in: ak - zeitung für linke debatte und praxis, 495, 6
- Wacquant, L. (2007): *The Return of the Repressed. Riots, 'Race' and Dualization in three advanced societies*, in: Wacquant, L. (Ed.): *Urban Outcast: A Comparative Sociology of Marginality*, Cambridge, forthcoming