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Risk Politicization Strategies in EU Migration and Asylum Policies

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This article addresses the growing articulation between migration and security in the European Union. Risk politicization strategies are developed as a way of questioning the consequences of framing migration as a security problem. My general research questions are: i) is migration being securitized at EU level? ii) what kind of securitization process is unfolding in the realm of EU migration policies?

My purpose is to combine a sociological-institutional approach to EU migration policies with cultural symbolical theories of risk in an attempt to understand the interplay between institutional contexts and security framing in Europe. My research hypothesis is that, concerning EU migration policies, the intergovernmental nature of its policy-making process is promoting a fettered environment for policy-making, which combined with asymmetrical transactions, favours a hierarchical rationality. As a risk culture, the hierarchical rationality triggers a particular sensitivity regarding border maintenance which means that it articulates between otherness and danger.

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Introduction

The title of the article *Risk Politicization Strategies in EU Migration and Asylum Policies*, comprises its three main elements: the concepts of risk, security and European Union (EU) policies in the wide field of migration and asylum.

Policy-making in the European Union is often dependent on the balance between member states' preferences and the Union's interests represented by the non-intergovernmental European institutions. Thus, I can claim that European policy-making confronts individuation with social incorporation. Sociological-institutional approaches to europeanization, study socialisation and appropriateness mechanisms in European institutions. As such, these perspectives analyse the tensions between individuation and social incorporation. Those approaches drew my attention to the "grid-group" cultural theory as a viable way to understand and explain the political behaviour of European actors. I argue that the policy dynamics of EU migration policies is carving a hierarchical risk culture whose risk politicization strategies reify migrants as a risk group.

I will adopt a constructivist perspective on security. This option will allow me to deconstruct the articulation between migration and identity and to study the implications of claims concerned with societal insecurity. As discussed throughout the article, migration is an example of an area that can be constructed as an existential threat to the symbolic and functional survival of a society. Revealing the close link between migration and the politics of security highlights the fact that identity is a particularly suited element to be tackled by the every day practices of risk control.

Targeted governance and risk profiling are addressed as two of the most important risk politicization strategies. Targeted governance and risk profiling assume a specific importance since they highlight two main components of the politics of security, namely processes of objectivation (identity cards, passports, bureaucratic categories) and subjectivation (individual or group alternative identifications) aimed at delimiting the groups to be "secured".[1]

The article is structured into three sections. It starts to look at how migration can be understood as a political arena. Focusing on the security-migration nexus the article discusses discursive and non discursive securitizing strategies in order to illustrate

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1   CASE Collective, "Critical Approaches to Security in Europe. A Network Manifesto", Security Dialogue, vol. 37, no. 4, 2006, p. 470.

how migratory movements are increasingly being represented as potential threats to societal stability. The second section explores cultural-symbolical theories of risk. The article interrogates the features of hierarchical risk cultures and in what ways the nature of institutional environments, based on diverse cultural bias, produce different political outcomes. In a third section, EU migration and asylum policies are represented as products of an institutionalized threat environment. The article discusses the institutional, political and strategic dimensions of securitizing migration in the EU, highlighting in what ways risk management strategies in this area are not based on exceptional politics but on daily practices of risk control. It is argued that the nature of the policy-making process in the migration arena is promoting a fettered and intergovernmental environment for policy-making and is favouring a hierarchical rationality responsible for triggering a particular sensitivity regarding border maintenance. The rationale for the control of the Mediterranean border of the EU is particularly emphasized. The article concludes by highlighting how security policies are deeply articulated with security knowledge and in what ways that knowledge constitutes the main resource for securitizing migration in the European Union.

Migration as a political arena

In Europe, as in other world regions, authors working in the area of security studies have been acknowledging an increase in the employment of the rhetoric of security concerning societal and internal affairs.[2] Such an increase is linked with the widening of the security agenda occurred throughout the 1990s which, in turn, resulted in the establishment of a "security continuum"[3] whereby issues traditionally characterised as pertaining to an internal security domain, are included in the international / transnational security agenda. Migration is an example of such issues.

Stephen Castles and Mark J. Miller define the twentieth century as the "age of migration".[4] Two world wars, civil wars, ethnic conflicts, environmental disasters and political oppression transformed the twentieth century in a century of massive population movements.

Throughout most of the twentieth century, migration was taken as "the mediating factor for the production and development of capitalism".[5] However, since the 1990s, migratory movements come to be perceived as threats. In Western Europe, restrictive migration policies are a phenomenon of the early 1970s. However, only after the end of the "cold war" was migration included in the international / transnational security agenda. Gündüz states,

2   Jef Huysmans, "Language and the Mobilisation of Security Expectations. The Normative Dilemma of Speaking and Writing Security", Paper for the ECPR Joint Sessions, Workshop Redefining Security, Manheim, 1999; Jef Huysmans, The Politics of Insecurity: Security, Migration and Asylum, London and New York, Routledge, 2006; Didier Bigo "When two become one. Internal and External Securitisations in Europe", Michael C Williams, Morten Kelstrup, (eds.), International Relations Theory and the Politics of European Integration. Power, Security and Community, London and New York, Routledge, 2000, pp. 171-204; Elspeth Guild, "Introduction", Elspeth Guild, Florian Geyer, (eds.), Security vs Justice, Aldershot, Ashgate, 2008, pp. 1-19.

3   Didier Bigo, "When two become one. Internal and External Securitisations in Europe", p. 35.

4   Stephen Castles and Mark Miller, The Age of Migration. International Population Movements in the Modern World, 2nd edition, New York, The Guilford Press, 1998.

5   Maggie Ibrahim,"The Securitization of Migration: A Racial Discourse", International Migration, vol. 43, no. 5, 2005, p. 187.

"[w]hereas migration had for long been seen as a topic of economic policy and, therefore, as a part of *economization*, with the end of the Cold War, it became framed as a security problem construed around the fright of difference". [6]

Aradau discusses the security-migration nexus emphasizing the restructuring of the role of the state in the post "cold war" context. She argues that,

"[d]eprived of its Cold War exterior enemy, the bureaucratically fragmented state needs to find another 'enemy' in order to fulfill its essential role of protector of society. The enemy outside becomes the enemy within, disrupter of order and harmony".[7]

International organizations have been particularly important in reifying migration as a security question. The United Nations Development Program (UNDP) considered, in its 1994 Report on Human Development, migration as a potential factor of insecurity.[8] In June 2008, in the context of the reformulation of the European Security Strategy, the EU High Representative for CFSP, Javier Solana, called upon the need to establish new priorities concerning potential threat factors for European security. Among such new priorities, migration is highlighted. Javier Solana declares:

"[t]he ESS (European Security Strategy) was based on an analysis of the major global challenges as they stood in 2003. But today some of them are more relevant than others of five years ago and we also have new ones. Climate change and its effects on international security, and energy security were not contemplated in the strategy. The same applies to migration, illegal migration in particular, and information security. We have to take account of these developments".[9]

Migratory movements are increasingly being represented as potential threats to a particular kind of stability: societal stability. On behalf of national unity, aliens and migrants are considered as disruptive of cultural cohesion and public order and, frequently, as "(...) fraudulent profiteers capitalizing on the wealth created by the established (...)"[10].The characterization of migration as a danger to collective identity leads, in the perspective of Maggie Ibrahim, to the affirmation of a new kind of racism constructed, not on the basis of biological superiority, but on the belief that cultural diversity can be a synonym for social anomy.[11] Cultural difference is used as an argument for migrants' exclusion and for their categorization as a threat.[12] Huysmans

6   Zuhal Gündüz, "From 'Necessary' to 'Dangerous' and Back Again. The Economization, Securitization and Europe-anization of Migration", Turkish Review of Balkan Studies, annual, no. 12, 2007, p. 75.

7   Claudia Aradau, "Beyond Good and Evil: Ethics and Securitization/Desecuritization Techniques", Rubikon: International Forum of Electronic Publications, 2001, http://venus.ci.uw.edu.pl/~rubikon/forum/claudia2.htm, accessed on 20 December, 2008.
(Accessed 20 December, 2008), p. 2.

8   United Nations Development Programme, Report on Human Development: New Dimensions on Human Security, New York, Oxford University Press, 1994

9   Communication of the EU High Representative for CFSP, Javier Solana before the European Parliament, June 2008.

10   Jef Huysmans, The Politics of Insecurity: Security, Migration and Asylum ,p. 2.

11   Maggie Ibrahim, "The Securitization of Migration: A Racial Discourse", International Migration, vol. 43, no. 5, 2005, p. 187

12   Ibid.

argues that the security / migration nexus, sustains a radical political strategy aimed at excluding particular categories of people by reifying them as danger.[13] The politics of exclusion concerning migrants is framed by particular discursive and non discursive security practices which are the object of increasing theorization.

Literature concerned with the deepening of the concept of security upholds that security and criminological discourses should not be considered as a neutral language that describes an extra-discursive world. In fact, representing migration in terms of security or crime contributes to the constitution of the policy area as a security arena Huysmans argues,

> "[s]ecurity questions such as the internal security continuum result from a work of mobilisation in which practices work upon each other and thus create an effect which we call a security problem. This effect is a structural effect which is beyond the intentions and control of the individual's practices of definition. Immigration as a security problem is thus not a natural given. It does not just pop up as a new threat manifesting itself and triggering a security policy trying to curtail the danger. Turning immigration issues into a security question for a society involves a mobilisation of particular institutions such as the police, a particular kind of knowledge - security knowledge - and specific expectations concerning the social exchanges between various groups in society. It is an intersubjective rather than subjective understanding of security. The central level is not the individual's mind or history but the interaction between different actions articulating a security knowledge and mobilising security expectations in a already institutionalised context".[14]

A key concept is that of securitization. Following Buzan *et al.* securitization represents a "(...) move that takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or as above politics".[15] The articulation of "security" entails the claim that an issue is held to pose an existential threat to a valued referent object and that it is legitimate to move the issue beyond the established rules of "normal" politics to deal with it through exceptional, i.e. security methods. This sets the actor in a very strong position to deal with an issue in a manner represented as appropriate to the level of the threat. [16]

As a political strategy, securitization is particularly conditioned in relation to the ability of framing security in such a way as to establish the conditions of possibility for certain actions. This means that, contrary to what Buzan *et al.,*'s definition suggests, it is not necessary to use a language of exception in order to perform a securitizing move. In fact, by inserting an issue in the existing security frameworks an inherent securitizing

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13   Jef Huysmans, "Defining social constructivism in security studies. The normative dilemma of writing security", Alternatives, no. 27, 2002, pp. 41-62.

14   Jef Huysmans, "Language and the Mobilisation of Security Expectations. The Normative Dilemma of Speaking and Writing Security", Paper for the ECPR Joint Sessions, Workshop Redefining Security, Manheim, 1999, p. 2.

15   Barry Buzan, Ole Waever, Jaap de Wilde, Security: A New Framework For Analysis, Boulder, Lynne Rienner Publishers, 1998, p. 23.

16   Holger Stritzel, "Towards a theory of securitization: Copenhagen and beyond", European Journal of International Relations, vol. 13, no. 3, 2007, p. 359.

process unfolds, for the representational ambit of discussion and policy-making becomes pre-determined.

Unpacking processes of securitization requires a dual principle. First, that the language of security has a performative function. Second, that such a performative function is embedded in a framework of meaning that turns security intelligible in a wider context of political action.[17] As Doty rightly points, taking seriously the performative character of international practices requires that one starts with the premise that representation is a significant and inherent aspect of International Relations, both as a practice of political actors and as an academic discipline. For instance, the agency-structure debate is void without the study of representational practices. The most important question, in this context, is how representation effects are produced which involves a critical study of the diversified practices that construct meaning, normalizes some modes of being and marginalizes others. [18]

How can we relate securitization and migration?

Securitizing migration is part of representing migration as a meta-issue. Meta-issues are at the heart of symbolic politics, particularly, meta-politics. Given that diverse phenomena are associated with the physical mobility of individuals, migration is easily politicized as an overarching issue. In fact, international migrations can be easily articulated with a set of other issues, namely military, social, economic, political and cultural phenomena. Meta-politics relates real world issues with fears around international mobility, disturbing the unsure balance between the material and symbolic content of politics by articulating substantive issues such as unemployment and security with symbols which represent threats without a necessary real world factual support.[19]

The constitution of migration as a policy area is dependent upon institutional and discursive practices. The importance of security utterances is vital to define the specificities of a policy area in terms of the articulation between themes, theories and practices. Discursive formations create, therefore, conditions of possibility for the emergence of security practices and technologies and, in particular, for the development of securitization moves. As previously referred, while being a process, securitization is always context dependant, for it mobilizes values particular to specific communities. We can, accordingly, understand securitization as the product of the institutionalization of threat environments.[20] These environments define threats and risks and sort out instruments to manage them.

The cultural symbolic approach to risk

The "grid-group" cultural theory was developed mainly through the work of anthropologists Mary Douglas and Michael Thompson and political scientists Richard

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17   Jef Huysmans, The Politics of Insecurity: Security, Migration and Asylum p. 25.

18   Roxanne Lynn Doty, "Aporia, A Critical Exploration of the Agent-Structure Problematique in International Relations Theory", European Journal of International Relations, vol. 3, no. 3, 1997, pp. 365-392.

19   Thomas Faist, Dual Citizenship as Overlapping Membership, Willy Brandt Series of Working Papers in International Migration and Ethnic Relations 3/01, Malmö, School of International Migration and Ethnic Relations, 2001.

20   Jef Huysmans, "Language and the Mobilisation of Security Expectations. The Normative Dilemma of Speaking and Writing Security", Paper for the ECPR Joint Sessions, Workshop Redefining Security, Manheim, 1999, p. 19.

Ellis and Aaron Wildavsky. It has been applied to several fields in the social sciences, from public policy to cultural identity studies. The theory claims that social contexts can be framed by two dimensions: "grid" (individuation/regulation) and "group" (social incorporation/membership). From this dimensions four dynamically related cultural types emerged: hierarchy, fatalism, egalitarianism and individualism derived from corresponding cultural biases. Each cultural bias corresponds to a specific kind of threat environment.[21]

A cultural bias is fundamentally a heuristic construction of claims and counter claims, sustained by individuals' active engagements who, thereby, invoke particular ideas of the self and of society. It is worth quoting Douglas:

> "[e]ach culture produces, in the process of negotiating claims, its own compatible theory of the world and the self. It also calls forth the desires from the persons at the same time that it defines good and wrong behaviour. 'Society prepares the crime' as Quatelet said, and at the same time it defines the persons, as Durkheim said".[22]

The hierarchic bias is characterised by high levels of both "grid" and "group", which means high regulation combined with a high sense of belonging. Hierarchical cultures select mainly social risks, namely risks that threaten to disturb the social order and the viability of a particular community itself. They tend to blame foreigners, outsiders and criminals, labelling these groups as unworthy of trust and as potential menaces, as potential "tainted" individuals, that jeopardise the "purity" of the local community. As a risk culture the hierarchical type is depicted as being based in government and administration, institutional formality and compartmentalization, as well as by being reductionist in reasoning method and therefore specially concerned with measuring issues. Risks are treated as objective realities, since objectivity is considered essential for the justification of political action. This quest for objectivity leads this risk culture into taking a longer view on phenomena, which, in turn, allows for a degree of depoliticization of events liable to be considered risks, and the selection of technical vocabulary "(...) that can be formalized without being politicized"[23]. Risk cultures are distinguished by how they allocate blame, by the opportunity cost of such allocation and the interest and values that accountability processes are meant to protect.

In *Cultural Theory* and *Culture Matters*, Aaron Wildavsky, Richard Ellis and Michael Thompson, reformulated the cultural typology, adding new analytical elements to it, namely the nature of the transactions between social agents, as well as the type of competition occurring among them. Regarding the "grid" dimension, the authors point that low "grid" corresponds to a social setting of symmetrical transactions, and high "grid" to asymmetrical transactions (weak connectedness). Regarding

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21   Mary Douglas, "The Depoliticization of Risk", Michael Thompson, Richard Ellis, (eds.), Culture Matters. Essays in Honor of Aaron Wildavsky, Boulder, Westview Press, 1997, Michael Thompson, Richard Ellis, "Introduction", Michael Thompson, Ruchard Ellis, (eds.), Culture Matters. Essays in Honor of Aaron Wildavsky, Boulder, Westview Press, 1997, pp. 1-21. Michael Thompson, Richard Ellis Aaron Wildavsky, 1990, Cultural Theory, Boulder, Westview Press, 1990.

22   Mary Douglas, Thought Styles, London, Sage Publications, 1996a, p. 24.

23   Mary Douglas, "The Depoliticization of Risk", Michael Thompson, Richard Ellis, (eds.), Culture Matters. Essays in Honor of Aaron Wildavsky, Boulder, Westview Press, 1997, p. 130.

the "group" dimension, low "group" matches a social setting of unfettered (open) competition, and high "group" to an environment of fettered competition. Following Ellis, Thompson and Wildavsky's reformulation of the cultural typology, hierarchical solidarity is a product of asymmetrical transactions (weak connectedness) and fettered competition (environments where competition among social actors suffers different sorts of constraints).[24] The importance of hierarchical rationality resides in the way it demonstrates the profoundly fragmented nature of EU migration policy as well as the importance of bottom-up causality in explaining migration outcomes. Member-states priorities in the migration domain are diverse which accounts for the weak connectedness between their policies. The way member-states react and adjust to EU policies is also as varied as their responsibility for the security of the Schengen border. The fragmented nature of states´ interests and threat perceptions also results in the pervasiveness of different kind of constraints that characterize the interaction between member-states and European institutions in the migration realm.

Migration and Asylum policies in the European Union

Migration political outputs are often described as the result of closed policy-making environments. European migration and asylum policies seem to be the result of a fettered and asymmetrical environment. In reality, diversified factors such as intergovernmental procedures, political sensitivity and the disparate interests of the actors involved, have transformed the EU migration and asylum policies into a highly contested political terrain. Policy-making is not only contested but also adhocratic.[25] In this context, member-states' reluctance to fully communitarize the policy realm of migration and asylum, and their preference for the externalization of policies that try to deal with migration issues within originating countries is paradigmatic.

Issues related to internal security have always been, in a symbolic way, the reflex of nation-state discourses and practices. Hence, the move towards European high group rationalities is difficult. It defies the socialisation processes in Europe and renders the europeanization of national policies more complex.

A collective normative identity is essential for policy-making. However, for such collective identity to arise, the "group" (as defined by the "grid-group" theory) needs a high degree of membership. Concerning EU migration and asylum policies, "group" rationality is being constructed by Justice and Home Affairs (JHA) officials working on an intergovernmental basis and pursuing national priorities. The predominance of such intergovernmental basis accounts for two fundamental elements of EU migration and asylum policies: the complexities of intra-EU migration and the existence of a dual track approach to migration in the European Union. I will characterize the dual track approach bellow. Intra-EU migration is not the object of this work. However, it should be noted that migration flows among EU member-states are a highly contentious issue. In fact, the management of migration flows among EU member-states is determined

by discernible idiosyncratic strategies. The nature and effects of those strategies are more salient in the case of EU member-states that maintain reservations regarding the Schengen cooperation, namely Denmark, the United Kingdom and Ireland.

The enhancement of intergovernmental high "group" rationalities may provide one possible explanation for the fettered and asymmetrical institutional environment of EU migration policies. Such a fettered and asymmetrical environment seems to be the product of the establishment of a security continuum, whereby issues traditionally characterised as pertaining to an internal security domain are included in the international/ transnational security agenda. Migration is an example of such issues.

As a result, this field might be considered as an interesting locus as it enables the analysis of the dynamic evolution of the europeanization of political action at a micro level. The interplay between cultural contexts and policy-making processes may be a viable analytical field to identify the frame and limitations of socialization mechanisms in Europe.

The institutional dimension of securitizing migration in the EU

The analytical advantage of the articulation between a sociological-institutional approach to EU migration and asylum policies and cultural-symbolical theories of risk, is that it allows the discussion of how the development of institutionalised threat environments, at EU level, is a process that combines the use of criteria in order to organize reality, with the development of mechanisms that allow for the establishment of aesthetic distinctions between social facts and social groups based on Douglas' notion of "forensic needs"[26]. Concerning the domain of EU migration and asylum policies, the organisation of reality and the definitions, distinctions and categorizations of social facts and social groups are at the core of the strategies that politicise migration and asylum as a risk to the security of the Union. The social meanings that are crystallized by such strategies can be discussed Mary Douglas' concept of hierarchical risk cultures.

My research hypothesis is that, concerning EU migration and asylum policies, the intergovernmental nature of its policy-making process is promoting a fettered environment for policy-making, which combined with asymmetrical transactions, favours a hierarchical rationality. My goal is to establish a link between the characteristics of the referred policy-making environment and the features of the institutionalized threat environment that is being carved in the migration and asylum arena at EU level. Therefore, I have to start by arguing on how it can be considered that the EU migration and asylum policy arena constitute a fettered and asymmetrical policy environment.

According to the "grid-group" cultural theory, hhierarchies institute closed policy-making environments, defining limits on competition among policy-makers and, by instituting strict forms of behavior appropriate to those of differing rank and station (accountability), define status differences among participants in the policy-making process (asymmetrical transactions). In my perspective, the EU migration and asylum policy arena embodies these characteristics.

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26   Mary Douglas, Risk and Blame. Essays in Cultural Theory, London and New York, Routledge, 1994.

Concerning the fettered character of the policy-making environment, there are two fundamental elements.

First, the historical evolution of the constitution of a political-sociological domain in the EU migration and asylum arena demonstrates member-states' reluctance concerning the communitarization of this policy area. It is clear that the creation of a common migration and asylum policy for the European Union has been, and continues to be, a slow and long process. As referred, it is noteworthy that, in the context of the Amsterdam Treaty, member-states decided to establish a transition period to delay the communitarization of migration related issues. Moreover, the Title V dispositions of the Treaty on the Functioning of the European Union (TFEU) make it difficult to evaluate the limits of the legal bases defined by the Treaty. In fact, the Title V of the TFEU, comprises general and open-ended articles that guarantee the flexibility, namely concerning the legal obligations deriving from the Treaty's provisions. For instance, the penultimate paragraph of article 79º of the TFEU allows member-states to preserve or set up national provisions concerning immigration, namely in what concerns integration policies. The public policy and public security clauses that are transversal to several migration related legislative measures also guarantee member-states' control over policy implementation.

The second factor concerns the extent of member-states control over policy initiatives. Due to the late association of the European Commission and of the European Parliament, the institutional structures directly representative of member-states interests kept a tight control over the policy-making process. Not only has the European Council a particularly important role in the definition of the major policy guidelines concerning the European "Area of Freedom, Security and Justice", but also other less visible structures like the Council Secretariat hold a fundamental predominance in the drafting and negotiation of policy measures. The "leverage" intergovernmental structures have in the policy-making process follows from the influence member-states conceded to high level strictly intergovernmental groups such as the TREVI Group or the Ad-Hoc Working Group on Immigration. The fettered character of these groups should be understood in the light of the traditional insulated nature of internal security policy issues. Their work allowed for the carving of an intergovernmental network of policy experts that fuelled its knowledge into intergovernmental structures.

As for the asymmetrical nature of the policy-making environment, that reflects the strict character of the status and policy-making responsibilities between decision-making actors, another two elements are of particular significance.

The first element concerns the reciprocal control of policy-makers' role in the remit of Title V of TFEU. Not only are institutional skirmishes frequent among intergovernmental and supranational institutions, but also the Court of Justice has its role severely limited regarding the legal control of legislative measures which further empower member-states status within the policy-making and policy implementation processes.

The second element relates to the particular characteristics of the association of the European Commission and of the European Parliament (EP) to the policy-making framework. Once more, not only such an association took place after a transitory

period, but also the establishment of that period served a specific purpose: it allowed member-states to define the general policy framework of legislation in migration related areas, thus limiting the possibilities for the future discussion of major policy initiatives that could reflect the traditional more "liberal" approach of the European Commission and of the EP.

As a risk culture the hierarchical type is depicted as holding some particular organizational characteristics.The first characteristic concerns the strict allocation of functions between policy-making actors, ensured by a rule following behavior and by the fact that all claims are considered under the condition of being produced under bureaucratic processes. Institutional accountability, in the EU migration and asylum policy arena empowers member-states mainly through the institution of safeguard clauses that protect member-states' interests.

Secondly, the hierarchic culture displays a practical propensity to try to foreclose politics favoring the transformation of policy issues into administrative questions. In the realm of Title V of the TFEU, the technological character of a considerable number of legislative measures, particularly in the area of border control, can be interpreted as technical policy solutions that "mask" the deep political nature of decisions whose main goal is to set a balance between the dimensions of freedom and security.

The third organizational feature of hierarchical cultures is the fact that solidarity among members within the culture is achieved through mutual constraints, as well as checks and balances among internal forces and, in particular, by the avoidance of eventual disruptive processes of deep change that may be the result of a choice among fundamental goals. It is visible in the study of Title V of the TFEU, that the allocation of competences strikes a difficult balance between the need to preserve member-states interests, in an area represented as particularly sensitive to domestic political decision, and the need to increase the policy dynamics of European action. Moreover, it is also clear that the establishment of such a balance is achieved through the approval of long-term and general legislative measures, such as milestones ("Tampere Milestones") and programmes ("The Hague Programme") whose measurable influence may seem quite abstract and vague but whose importance lays on the setting of schedules for the approval of decisions in areas considered as policy priorities.

In accordance with this third feature, the fourth characteristic of the hierarchical organizational culture is exactly the abstract and modest nature of the goals pursued as well as the incremental and piecemeal mode of their definition and achievement. If we observe the character of the policy documents that the EU has come to agree upon since 1992, it becomes clear that those policies have generally followed a minimalist approach. In practice, this means that few, if any, changes have been necessary concerning member-states' domestic migration related regulations in order to give effect to EU law in the area. In addition, this minimalist approach also means that a EU law may allow some member-states policies to become more restrictive, even though EU legislation only intends to set a minimum permitted level of asylum or migration practice.

The adhocratic style of decision-making and the vulnerability to unexpected conditions characterize the fifth attribute of hierarchic organizational cultures. Concerning the EU

migration and asylum policies, this attribute is especially important. In fact, the fettered environment that can be observed in the case of policy-making under Title V of the TFEU demonstrates that policy measures follow a piecemeal (non-comprehensive), adhocratic logic and are particularly exposed to the triggering effects of contingent security crisis. At the political level, security crises tend to foster the symbolic dimension of existing rules, standard operating measures and structures of meaning. A specific factor that enhances the adhocratic nature of policy-making, reflecting the triggering repercussions of security crises in the migration and asylum field, is the selective definition of tight deadlines for policy-making. These tight deadlines tend to promote rule abiding. Above all, decision-making under time pressure enhances the tendency to overstretch security measures. Accordingly, the inherent effects of a particular security crisis have allowed the JHA Council to order its subordinate organs to accelerate the process for achieving early agreements on some important legislative files

Finally, hierarchic organizational cultures develop a particular sensitivity towards border maintenance, the protection of group values and the politics of exclusion, which means that this type of culture easily renders migration problematic from a security perspective.

Hierarchical cultures focus on social risks, namely the ones that threaten to disturb the social order and the viability of a particular community in itself. They tend to blame foreigners by criminalizing migratory movements and classifying migratory groups as undeserving of trust and as potential threats to the integrity of the political community. This final characteristic is fundamental in the light of the lines of inquiry pursued in our work. Directly questioned by this last organizational feature, is how the hierarchical culture politicises migration as a risk. In other words, which risk politicization strategies are characteristic of the hierarchical risk culture?

In the realm of EU migration and asylum policies, the "danger" of migration is politicized through risk management strategies whose main feature is the fact that they are not based on a politics and on a language of exception. Risk management strategies represent threats through an impersonal correlation of factors liable to produce risk based on the establishment of a "friend/enemy" continuum. Such a form of threat representation is based on "normal" measures such as surveillance and pre-emptive risk profiling that contribute to the social control of a population, through the targeted governance of their composition. The goal is to perform the management of risks against the background of uncertainty and contingency, preventing them from reaching the eventual nature of existential threats.

Measures such as surveillance, pre-emptive risk profiling and targeted governance are at the core of the policy framework of EU action in the area of migration and asylum.

The political dimension of securitizing migration in the EU

The article 7 of the Schengen Agreement signed in 1985, undertaken outside the Community realm, states the following:

"[t]he Parties shall endeavor to approximate their visa policies as soon as possible in order to avoid the adverse consequences in the field of immigration and security that may result from easing checks at the common borders. They shall take, if possible by 1 January 1986, the necessary steps in order to apply their procedures for the issue of visas and admission to their territories, taking into account the need to ensure the protection of the entire territory of the five States against illegal immigration and activities which could jeopardize security"[27].

This article embodies the spill-over rationale that presided to the strengthening of external border control policies: the easing of checks at common borders resulted in the functional need to reinforce the protection of the territory of the five signatory states against international threats, namely irregular migration. When, in 1986, the Single European Act defined the internal market as "(…) an area without internal frontiers in which the free movement of goods, persons, services and capital is insured in accordance with the provisions of this Treaty"[28], an articulation was established with the logic of the Schengen Agreement. In this context, calls for the deepening of integration and the abolition of internal border controls caused a debate on the inevitability of the concession of powers to the Community to act on issues like crime and migration. Those issues where considered as fundamental for an area without internal frontiers and, consequently, compensatory measures were deemed imperative.[29]

The introduction of the third pillar, Justice and Home Affairs, in the Maastricht Treaty and the latter incorporation of the Shengen agreements in the *acquis communitaire* in Amsterdam meant the formalization of the spill-over effect from the socio-economic project of the internal market to an internal security project:

"[t]o make the issue of border control a security question (…) the internal market had to be connected to an internal security *problématique*. A particular key element in this process was the identification of a particular side-effect of the creation of the internal market. One expected that the market would not only improve free-movement of law abiding agents, but would also facilitate illegal and criminal activities by terrorists, international criminal organizations and immigrants".[30]

Moreover, the domination of agenda-setting in the migration and asylum arena by interior ministry officials resulted in the securitization of European migration debate. The language of security and control was empowered whereas the language of rights and freedoms was restrained. As Hix argues,

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27 Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders, 1985. Collected from the Schengen acquis as referred to in Article 1(2) of Council Decision 1999/435/EC of 20 May 1999, OJ L 176, 10.7.1999, p. 1, article 7.

28 Single European Act of 1986, Official Journal L 169 of 29 June 1987, article 13.

29 Valsamis Mitlsilegas, "Border Security in the EU", Anneliese Baldaccini, Elspeth Guild, Helen Toner, (eds.), Whose Freedom, Security and Justice. EU immigration and Asylum Law and Policy, Oxford, Hart Publishing, 2007, p. 360.

30 Jef Huysmans, The Politics of Insecurity: Security, Migration and Asylum, London and New York, Routledge, 2006, p. 360.

"[w]hereas freedom of movement implies a reduction of the state's role in regulating the movement of persons, 'controlled migration' implies a legitimate role for the state and state officials in monitoring the movement of persons and prevent activities that threaten state security".[31]

In "The Hague Programme on Strengthening Justice, Freedom and Security" of 2004, the European Council underpinned the necessity to maximize the effectiveness and interoperability of the EU information system in tackling irregular migration and improving border control[32]. In its "Communication on the implementation of The Hague Programme", issued in 2005, the Commission defined the ten priorities of the European Union for the next five years in the field of the "European Area of Freedom, Security and Justice". In the Communication, the Commission linked the establishment of an area of free circulation of persons with the need to develop an integrated control of the access to the territory of the EU, namely through the use of biometric technology[33]. Both "The Hague Programme" and the Communication from the Commission embody the institutionalization of an internal security project based on the spill-over effect. The point six of the Commission's Communication on "The Hague Programme" states that

> "[a]n area where the free movement of persons is fully ensured demands further efforts leading to integrated control of the access to the territory of the Union, based on an integrated management of external borders, a common visa policy and with the support of new technologies, including the use of biometric identifiers".[34]

One of the most important components of "The Hague Programme" is the balance it tries to establish between freedom and security. In fact, "The Hague Programme" understands the concept of freedom as a fundamental right and relates it to the freedom of movement and residence of citizens of the Union in the European area. As a result, freedom is reduced to equal treatment between EU citizens within the European Union area. In "The Hague Programme", freedom is primarily seen as freedom of circulation and establishment inside a territorial area. Such a restrictive interpretation may account for the fact that most of the text of "The Hague Programmme" concerns limits to freedom, namely policing, controlling and punishing mechanisms that can be implemented at a distance. As Bigo points, regarding the concept of freedom present in "The Hague Programme":

> "[t]he proper notion of an active defence of freedom is distorted into a war for a kind of freedom – war against threat and fear where freedom is seen as a right to be protected by the state(s) and not a capacity to act. This rendering

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31 Simon Hix. The Political System of the European Union, 2nd edition, Basingstoke, Palgrave Macmillan, 2005, p. 368.

32 Council of the European Union, "The Hague Programme: strengthening freedom, security and justice in the European Union", 16054/04, Brussels, 13 December 2004, point 1.7.2.

33 Cf. Communication from the Commission to the Council and the European Parliament, "The Hague Programme: Ten priorities for the next five years The Partnership for European renewal in the field of Freedom, Security and Justice", COM, 2005, 184 final.

34 Ibid., point 6.

of freedom may contradict freedom. Each form of freedom is then defined by its limits and its antagonism with other freedoms and other freedom of others. Liberty as a unified and generic concept has no place".[35]

The definition of freedom through the establishment of its limits is particularly visible in the way "The Hague Programme" refers to the balance between security and privacy concerning the exchange of information between member-states. "The Hague Programme "introduced the principle of availability as the main rule for the sharing of information between law enforcement and judicial authorities in the EU member-states.[36] In its point 7, the Communication from the Commission states that

> "[e]ffective maintenance of law and order and the investigation of cross-border criminality in an area of free movement cannot be allowed to be impeded by cumbersome procedures for the exchange of information (…). In this area, the right balance between privacy and security should be found in sharing information among law enforcement and judicial authorities"[37].

The highlighting of the importance of the sharing of information shows how European institutions link border and migration control to the safeguarding of European internal security. The gathering and sharing of information is achieved through the establishment of databases at EU level covering different purposes. Data protection and privacy are downgraded on behalf of the collective right to security.

It is important to note that "The Hague Programme" is paradigmatic of the effects that the communitarisation and centralization of the Schengen *acquis* have represented to the quantitative and qualitative nature of border control policies in Europe. Such transformation resulted in "(…) a shift of terminology from 'border control' to 'border security'".[38] This shift is influenced by the international political context post 9/11, that has been characterized by calls to maximum surveillance, namely through the use of biometric technology, and by the reification of the articulation between crime, migration and the movement of people. In "The Hague Programme", it can be read:

> "[t]he management of migration flows, including the fight against illegal immigration should be strengthened by establishing a continuum of security measures that effectively links visa application procedures and entry and exit procedures at external border crossings. Such measures are also of importance for the prevention and control of crime, in particular terrorism. In order to achieve this, a coherent approach and harmonized solutions in the EU on biometric identifiers and data are necessary". [39]

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35   Didier Bigo, "Liberty, whose Liberty? The Hague Programme and the Conception of Freedom", Thierry Balzacq, Sergio Carrera, (eds.), Security vs Freedom. A Challenge for Europe's Future, Aldershot, Ashgate, 2006, pp. 36.

36   Evelien Brouwer, "Effective Remedies in EU migration law", Anneliese Baldaccini, Elspeth Guild, Helen Toner, (eds.), Whose Freedom, Security and Justice. EU immigration and Asylum Law and Policy, Oxford, Hart Publishing, 2007, pp. 57-85.

37   Communication from the Commission to the Council and the European Parliament, "The Hague Programme: Ten priorities for the next five years The Partnership for European renewal in the field of Freedom, Security and Justice", COM, 2005, 184 final, point 7.

38   Valsamis Mitlsilegas, "Border Security in the EU", pp. 359.

39   Council of the European Union, "The Hague Programme: strengthening freedom, security and justice in the European Union", 16054/04, Brussels, 13 December 2004, point 1.7.2.

These new measures of border surveillance target third country nationals, in particular, since they are left without or with few rights when confronted with extra controls and possible wrongful identification. [40]

The shift from "border control" to "border security" and "border management" in the EU was stimulated by a debate, initiated at the Laeken European Council of December 2001, on "integrated border management". The concept of "integrated border management" was developed in the 2002 Commission Communication to the Council and European Parliament "Towards Integrated Management of the External Borders of the Member States of the European Union".[41] In the Communication, the Commission stressed the need to implement a coherent set of legislative, operational and financial measures capable of ensuring an integrated system to efficiently manage the external border of the EU, concerning namely the control of people at the border.[42] Accordingly, "The Hague Programme", although recognizing control and surveillance of external borders as a member-states' prerogative paved the way for the development of a European External Borders Agency (Frontex). The agency, that became fully operational in 2005, has its own staff, is not dependant on liaison officers detached from member-states and holds operational capability and mandate. One of the main competences of the Agency is to provide organizational and operational assistance to member-states in case of need and at their request, which includes the support and the deployment of its experts. However, the European External Borders Agency legal framework is very unclear concerning accountability questions and in the future its mandate will have to be revised**.**

Another important competence is the development and application of a common integrated risk analysis system. In addition to Frontex, a "Community Code on the rules governing the movement of people across borders" (Schengen Borders Code)[43] was established. The Code clarifies, codifies and develops, through a single instrument, the whole Community *acquis* concerning internal and external borders, thus replacing part of the Schengen Convention and other pieces of the Schengen *acquis.*

Integrated border management strengthens the selective nature of border control in Europe. In fact, border security is being increasingly developed through a rationale of risk profiling and targeted governance. Borders became a considerable obstacle to the groups of people not welcomed inside the territory. On the other hand, "(…) technology-based and coherently structured controls will present no obstacles to licit travelers – they are likely to even speed-up clearance procedures".[44] Following Laura Corrado, the notion of "border management" instead of "border control" implies a conceptual shift from a security related approach to a more global one centered "(…)

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40   Valsamis Mitsilegas, "Border Security in the EU", in Anneliese Baldaccini, Elspeth Guild, Helen Toner, (eds.), Whose Freedom, Security and Justice. EU immigration and Asylum Law and Policy, Oxford, Hart Publishing, 2007.

41   CF. Communication from the Commission to the Council and European Parliament "Towards Integrated Management of the External Borders of the Member-States of the European Union", COM, 2002/1233 final.

42   Laura Corrado, "Negotiating the EU External Border", Thierry Balzacq, Sergio Carrera, (eds.), Security vs Freedom. A Challenge for Europe's Future, Aldershot, Ashgate, 2006, pp. 184, 185.

43   Regulation 62/2006/EC of the European Parliament and of the Council of 15 March 2006, establishing a Community Code on the rules governing the movement of persons across borders, OJ L 105, 13/04/2006, pp. 1-32.

44   Peter Hobbing, "Securitizing migration, (in)securitizing migrants. The EU's Commission new Border Package", paper delivered at Workshop Migration, Justice in Canada and the EU, September 24, 2008, p. 180.

not only on the prevention of illegal immigration and of security threats but also on a smooth border crossing for *bona fide* travelers".[45]

Risk profiling and targeted governance in the field of European border management, can be understood in terms of the development of biopolitical technologies. In fact, integrated border management in Europe is articulated with the emergence of a supranational biometric control regime. Eurodac is a case in point.[46]

The Eurodac Regulations, adopted by the Council in 2000 and 2002[47], constitute the legal basis for the establishment of an automated European dactylographic system in the European Union, enabling the instant and exact comparison of distinct biometric features for law enforcement purposes. The impact of such mechanisms on the relationship between the EU and third country nationals (TCNs) is compelling. The goal of the Regulations is to establish a system for comparing the fingerprints of asylum seekers and irregular migrants in order to determine whether an asylum applicant or a foreign national irregularly present in the territory of a member-state has previously claimed asylum in another member-state or whether an asylum applicant has entered unlawfully in the territory of the Union. Eurodac is, therefore, associated with the application of the European legislation regarding asylum procedures. Asylum-seekers are a group of people particularly targeted by the EU supranational biometric control regime. Following Elspeth Guild, the application of Eurodac Regulations impacts on asylum-claimers concerning their identification and their ability to become a subject in law within the jurisdiction of EU member-states. In opposition to what is established in the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol, under EU law the figure of the asylum-seeker as a rights holder is closely associated with his or her status (regular or irregular) on the territory of the state of refuge. As Guild argues,

> "[t]he existence in law of the asylum-seeker as a person seeking a right to reside, access to the labour market or benefits remains allocated to a Member State on the basis of rules which are determined by the EU itself but without regard to the preferences or whishes of the asylum seeker".[48]

According to the biopolitical rationale, under EU law the body of the asylum-seeker is reduced to the distinguishable evidence of his or her existence.

The strategic dimension of securitizing migration in the EU

Inadmissible, deportable, undesirable, dangerous, terrorist, all of these categories exist on a continuum that marks the politics of migration. The act of border crossing

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45   Laura Corrado, "Negotiating the EU External Border", p. 184.

46   Jonathan Aus, Eurodac: a Solution Looking for a Problem", European Integration Online Papers, vol. 10, no. 6, 2006.

47   Council Regulation 2725/2000 /EC of 11 December 2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention, OJ L 316, 15/12 /2000, p. 1 -10; Council Regulation 407/2002/EC of 28 February 2002 laying down certain rules to implement regulation 2725/2000 /EC concerning the establishment of "Eurodac" for the comparison of fingerprints for the effective application of the Dublin Convention, OJ L 62, 573/2002, p. 1-5.

48   Elspeth Guild, "The Bitter Fruits of a Common Asylum Policy", Thierry Balzacq, Sergio Carrera, (eds.), Security vs Freedom. A Challenge for Europe's Future, Aldershot, Ashgate, 2006, p. 75.

frequently reveals the production of distinct racial ontologies of migrant communities located within nation-states. As Bhandar notes, the experience of border crossing is an ontological one "whereby both the technologies used in border security and the mode of securitization are understood to have a profound effect on the immigrant and migrant communities within nation-states".[49] In Europe, as well as other securitized regions, the articulation among racial profiling strategies and the lurking politics of nationalizing identity as a response to the post 9/11 context has exposed the nature of the racial ontological formation of border crossing.

In fact, the post 9/11 context, growing securitization has produced distinct imaginary geographies on the war against terrorism.[50] Among these imaginary geographies, the borders surrounding the western world and Europe in particular, have acquired the character of dangerous places. Narratives on "leaky" and "suspect" borders gave an unparalleled impulse to European cooperation in the sensitive realm of migration. Formal and informal practices of border control have been instituted in order to regulate the mobility of nationals and non-nationals in distinct ways. The highly categorized control of mobility in Europe is framed by its politics of identity within which tensions about the illiberal practices of liberal states have emerged. Both at national and EU level, decision-makers uphold competing claims about legitimacy and authority that directly focus attentions on "the people", the core community on behalf of whom security actions, that seldom curtail freedom, are.[51] The contested politics of migration in Europe occurs within a wider debate about the identity of EU member-states and of the political community they have created. As Guild, Carrera, Groenendjik refer:

> "[t]he central debate about what identity is and to whom it belongs, and the much larger contest about legitimacy and authority in the EU, has engulfed the world of migration. Suddenly it is the image of the immigrant that acts as a magnet for the understanding of what community is and who is entitled to belong to it. In seeking to find their own image, the EU and its member states have turned to look at the 'other' that they are not, in so doing hoping to find clarity about 'who they are'" .[52]

Due to a dual track approach persistent in EU migration policy[53] and to the use of the principle of subsidiarity-related arguments, member-states have only agreed to harmonize matters related to migration *strictu sensu*, namely issues associated with entry for short term purposes, visa policy, some specific aspects of return policy and circulation questions stemming from the abolition of internal border controls. The

49   Davina Bhandar, "Resistance, Detainment, Asylum. The onto-Political Limits of Border Crossing in North-America", Deborah Cowen, Emily Gilbert, (eds.), War, Citizenship, Territory, London, Routledge, 2008, p. 281.

50   Angharad Stephens, "Beyond the imaginary geographies of the War on Terror?", Paper presented at the annual meeting of the ISA's 50th Annual Convention Exploring the Past, Anticipating the Future, New York, Marriot Marquis, USA, 2009, http://www.allacademic.com/meta/p312923_index.html.
(Accessed 1 July, 2010), no pagination.

51   Elspeth Guild, Sergio Carrera, Kees Groenendjik, "Understanding the Contest of Community: illiberal practices in the EU", Elspeth Guild, Sergio Carrera, Kees Groenendjik, (eds.), Illiberal Liberal States, Immigration, Citizenship and Integration in the EU, Aldershot, Ashgate, 2009, p. 1.

52   Elspeth Guild, Sergio Carrera, Kees Groenendjik, "Understanding the Contest of Community: illiberal practices in the EU", p. 1.

53   Georgia Papagianni, Institutional and Policy Dynamics of EU Migration Law, Boston and Leiden, Martinus Nijhoff Publishers, 2006.

regulation of classical migration issues, such as the rights of third country nationals to enter for long-term purposes and to reside in a member-state, integration policy, employment, social rights and the articulation between migration and development policy remain under states' competence. The result is the pervasive importance of bottom-up causality in explaining EU migration policy and the persistent will of states to guarantee sovereignty over the constituency of their communities.

From an ontological point of view the securitization of border control highlights in what ways the border can be represented as a dangerous place. The elements that cross the border have the potential to weaken the authority of the border and to contaminate the inside. Within this narrative, the border is identified as the limit between the inside and the outside, safety and danger. It should be noted that, as a site of control, borders play a performative role that goes beyond discourse: the danger represented by the outside, and that the border is supposed to contain, is constructed as a reality that turns the inside coherent to those who live in it. This happens because the distinction between the inside and the outside, that the border embodies, is dependent on cultural codes that allocate blame. As Bhandar notes, border technologies allow the state to authenticate the ontological status of an individual who is subjected to modes of categorization like terrorist, inadmissible or deportable.[54] The performative role of borders and the articulation between representations of danger and allocations of accountability can be studied through Mary Douglas's cultural symbolic approach to risk.

Mary Douglas' cultural symbolic approach to risk posits that in a community there are diverse attitudes to authority and fairness directly linked to disparate ideas of justice and allocations of blame. Those divergences have an impact upon the social organization of a community, namely at the level of the political choices concerning public policies. Such choices mirror a normative debate framed by a culture of opposition for "(...) blaming the adversary is how the culture defines its own logical structure".[55] When depicting risk cultures, Mary Douglas states that blaming precedes and determines risk perception, for each social group starts by selecting whom it wants to consider accountable for risk allocation and, dependent on such judgment, it then chooses which kind of risk it wants to focus on. Thus, forensic needs - decisions on "who to blame" and "who to trust" - become the fundamental questions in terms of cultural types and their respective risk allocation and politicization strategies. Mary Douglas also argued that not only blame but also cognition is a focus for politicization. Claims on the politicization of cognition are vital in order to understand the discursive nature of border construction in Europe.

Klaus Eder argues that the social construction of borders in Europe is the combined result of a historical course in which the construction of its inner and outer boundaries interact. European borders are grounded on narrative resonance, which means that they are constructed and diffused bearing in mind the need to guarantee social plausibility and narrative sense. Eder claims that borders have a dual nature: they are,

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54 Davina Bhandar, "Resistance, Detainment, Asylum. The onto-Political Limits of Border Crossing in North-America", 2008, p. 281.

55 Mary Douglas, Thought Styles, p. 174.

simultaneously, "hard" and "soft" facts. Border technologies and modes of border containment reveal the "hard" side of boundary building. The cultural boundaries that are established between groups of people and that are dependent on discourses and images people have of their world constitute "soft borders". Such discourses and images are fundamental in what concerns European boundary building. As Eder writes:

> "[d]efining who the Europeans are and who are not indicates a soft social fact. The difference between both is that the former, the hard borders, are institutionalized borders, written down in legal texts. The soft borders of Europe are encoded in other types of texts indicating a pre-institutional social reality, the reality of images of what Europe is and who are Europeans and who are not… soft borders are part of the 'hardness' of borders in the sense that the symbolic power inherent in soft borders helps to 'naturalize' hard borders, to produce the effect of taking borders for granted… This meaning production becomes more important, the more the institutional borders of Europe are not finalized and open to political struggles. In such cases, meaning production is more than a naturalization of existing hard borders; it is part of the political struggles over possible hard borders, thus providing a particular mechanism in the construction of hard borders. Defining an imaginary Europe impinges heavily upon the legal construction of the borders of Europe. Thus, Europe can be taken as a case of how border discourses on imaginary boundaries (i.e. soft facts) can play a causal role in the making of institutional (hard) Europe which we call the European Union."[56]

The main question of creating a European identity is the construction of narratives able to substitute the abstract, theoretical and elite based claims of a European cultural identity. In order to establish a European boundary building process with narrative sense, Europe had to search for narratives able to give a collective binding meaning to its borders. One of the strategies employed was the recreation of Europe as an identitarian space created around the separation between southern and northern Europe. The millenary division between the cultivated peoples of the south Europe and the "barbarians" from the north was reshaped through the European integration process. The distinction is now based on economic performance and it clearly favors northern Europe. For instance, in the context of Europeanization literature, several authors identify the so-called "Mediterranean Syndrome" approach. The approach departs from the meager compliance record with EU environmental legislation of southern member states (Portugal, Italy, Spain and Greece). Proponents of the "Mediterranean Syndrome" approach point to a number of endemic deficiencies intrinsic in the socio-political and administrative structures of southern member states that are thought to account for their profound incapacity to adapt to the internal logic and the specific criteria of European policies, namely a weak "civic culture" that does not support the emergence of co-operative and compliant behavior and administrative structures and traditions such as fragmentation and ineffective coordination, lack of

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56   Klaus Eder, "Europe's borders: the narrative construction of borders of Europe", European Journal of Social Theory, vol. 9, No. 2, 2006, pp. 256.

technical expertise, weak implementation capacities and ineffective monitoring and enforcement policy instruments as well as widespread incapacity to adjust to the internal logic and the specific requirements of European policies.[57] The "Mediterranean Syndrome" approach demonstrates in what ways to define Europe by the north is to define it by its welfare and by its social and economic mission.

What is important in terms of our discussion on narrative boundary building is that the north-south divide has created the image of an open and fragile southern border in the context of which the defence of Europe remains contested. In particular the south-eastern border has been constructed as the defence against the Muslim world. The allocation of accountability is fundamental in this respect: southern member-states are held accountable for the defence of a portion of European borders continuously depicted as vulnerable. It should not be forgotten that the southern enlargement of the European Economic Community, that occurred on the 1980s and that involved Spain, Portugal and Greece, represented what Liliana Suarez-Navaz designates as the "rebordering of the Mediterranean".[58] This process of rebordering was conditional upon the close up of the southern border that was achieved, for instance, through the Spanish 1985 new alien law. In consequence, the European north-south divide was redrawn in order to include new southern countries that had to demonstrate to be "trustable" regarding border control. Such redrawing became symbolized in the belief that the Pyrenees had moved south. The need to protect the new European imagined community was achieved through the cultural and political closing of the southern border that, for instance, motivated a racial discourse against the presence of African workers in southern Europe. The cultural closing of the southern border involved the exclusion of the peoples of the southern rim of the Mediterranean Sea. As Eder argues:

> "[t]he South ends in a frontier which begins with the Southern rim of the Mediterranean Sea. Arabic North Africa could have been considered 'European' when opposed to 'Black Africa'. It could claim a long common tradition of being part of the Roman Empire, over centuries of an intellectual common ground of the Christian-Islamic culture up to the colonization of North Africa by the French (and less by the Spaniards). Yet this Southern rim is fixed with the consequence that Southern Italy (Sicily, Apulia) together with Greece, play the role of the ambiguous yet unchangeable border towards a non-European South. Even this obvious border of Europe needed a political act of closing it off culturally: the decline of the demand for EU membership by Morocco".[59]

The debate over Turkey's accession to the European Union resumes the belief that the European south and south-eastern borders represent defence poles against Europe's threatening "other" since they embody the difference between Christendom and Islam. The cultural divide has a life of its own and is reproduced through "hard"

57   Tanja Börzel, Environmental leaders and Laggards in Europe. Why there is not a 'southern problem', Aldershot, Ashgate, 2003.

58   Liliana Suarez-Navaz, Rebordering the Mediterranean: Boundaries and Citizenship in Southern Europe, Berghahn Books, 2004.

59   Klaus Eder, "Europe's borders: the narrative construction of borders of Europe", p. 283.

and "soft" practices of border control. The narrative construction of the southern European border follows, therefore, a logic that is based on narrative fidelity rather than on cognitive arguments.

Narrative boundary building in southern Europe is achieved through the institutionalization of "hard" and "soft" borders. The question of European borders obliges us, in fact, to change the mental map through which we usually think about borders. We traditionally think about European borders by establishing an immediate association with the borders of EU member states. The traditional tale about the border of the EU is that the EU border is like a line that encircles almost all EU member-states. The reality is very different from this traditional narrative. The border control system instituted in the EU leads to a situation whereby the borders are not necessarily connected to national borders, since border controls are often delocalised in relation to the location of real borders. European border controls, in fact, follow, track and target people's movements through risk profiling mechanisms.

The EU visa regime is paradigmatic in this respect. The result of the sum of EU legislation in the realm of visa policy is the institution of essentially three categories of TCNs: i. TCNs who do not need a visa to enter in the Schengen territory; ii. TCNs that need a visa to enter the Schengen territory and iii. TCNs, or specific categories of TCNs (namely Palestinians, stateless persons and refugees), that are subject to prior consultation among member states.[60] The requirement for prior consultation among member states means that regarding certain TCNs, EU member-states do not trust each other enough in order to dismiss reciprocal consultation prior to the issue of the visa. This lack of trust among member-states mirrors the degree of danger that is associated to specific TCNs. We should bear in mind that the list of countries whose nationals are subject to prior consultation among member states for the issuing of a visa is an absolute product of bottom-up causality.

What that this means for the European border? The European border is located in different locations according to the visa regime instituted for each country. So, we have different and gradual zones of exclusion that target migration flows that are considered eventual overstayers or that are connected with countries or cultural groups regarding whom the terrorism risk is considered high. It is a logic of sovereignty associated with two other logics: a pastoral logic of individualization, whereby the individual must confess a priori his travel reasons and surmount the initial suspicion and a statistical logic through which risk groups are identified and individuals classified according to these groups. In practice, any visa candidate may be judged as potentially dangerous even in the absence of any individual criminal record. The goal is not to block everyone but only certain population groups. This border regime does not mirror a Huntingtonian view on the class of civilizations. In fact, 90 % of all visa requests are granted. The border risk profiling mechanisms target the remaining 10%. Such mechanisms of border target governance follow political and cultural criteria, namely

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60   Didier Bigo, Elspeth Guild, Jef Huysmans, Francesco Ragazzi, Liberty & Security. Multi-media Teaching and Train-
      ing Module, Challenge, 2009, http://libertysecuritymodule.org/module.
      (Accessed 20 June, 2010). No pagination.

the fear of terrorism and the fear of the widespread diffusion of poverty in the territory that receives immigration flows. Some categories of TCNs are constructed as risks while others are deconstructed as risks, namely through visa facilitation agreements. If we look at the Schengen Visa Map (Figure 1) we realize that most TCNs whose visa requests are subject to prior consultation among member states come from countries situated in the Mediterranean rim. The concept of "Fortress Europe" is only accurate if we take into consideration such selective and categorized nature of border profiling controls. In this context, the farther the border is from mainland EU the higher the probability of preventing unwanted categories of TCNs from entering in Europe. In order to fulfill this goal not only the territorial border of the EU has been broaden but also dubious agreements have been reached with some key counties that now border the EU. These new border countries, like Libya, have been compelled to receive EU foreigner camps where several categories of TCNs are held. Figure 2 (Foreigners camps in Europe and in Mediterranean countries) shows the widespread diffusion and diverse nature of these camps in the southern rim of the Mediterranean as well as their expansion into the North African interior. In fact, the overall EU extraterritorial and pre-emptive strategy to reduce migratory "pressure" includes as a fundamental element, the use of political leverage in agreements with migrant's countries of origin and transit in order to make development aid dependant on visa questions, border crossing dependant on guarantees of readmission and trade dependant on effective measures to reduce push factors. Among those agreements, the bilateral cooperation between Italy and Libya and the so-called Mobility Partnerships are particularly important, particularly regarding the allocations of accountability: "who to blame" and "who to trust".

The cooperation between Italy and Libya emerged in a context described as a "migration crisis" in the central Mediterranean area due to a significant rise of irregular boat migration from African countries to the EU. In 2008, more than 30000 sea borne migrants arrived at Lampedusa, an increase of at least 10000 individuals in comparison to previous years. These numbers carry with them the reality of a tremendous humanitarian crisis since it is estimated that thousands of individuals drown each year in Mediterranean shores. The Libyan reluctance in supporting EU efforts in the field of irregular migration, trafficking and readmission agreements revealed the impotence of EU efforts in border control. In 2008, Illka Laitinen – Director of the EU border Agency Frontex – mentioned that without Libyan cooperation EU border control efforts would be ineffective. In result, EU member-states, namely Italy and Malta, engaged in what Lutterbeck calls the "Italian-Maltese blame game" over the respective responsibilities in patrolling the central Mediterranean region and in admitting migrants rescued at sea.[61] This "Italian-Maltese blame game" revived the "burden-sharing" question regarding migration control efforts among European partners, which reveals not only the specific terminology employed to characterize unwanted migration flows but also in what ways the extraterritorialization of migration control is a valuable tool to ease intra EU cooperation. In 2009, Libya accepted to take back undocumented migrants

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61 Derek Lutterbeck, "From Blame Game to Cooperation. Coping with the Migration crisis in the Central Mediterranean", Timon Mürer, (ed.), Dossier Border Politics. Migration in the Mediterranean, 2009, http://www.migration-boell.de/web/migration/46_2180.asp.
(Accessed 20 June, 2009), p. 37.

intercepted at sea. In May 2009 hundreds of undocumented migrants had already been taken back to Libya in Italian ships. For Italy and Malta, cooperation with Libya was seen as a "golden opportunity". However, the human rights dimension of the partnership was clearly overlooked since Libya has not signed the Geneva Refugee Convention and there are widespread reports of abuses on undocumented migrants in the region. It is, nevertheless, considered by member-states as a "trustable" country.

A different approach to migration control is the one represented by the new Mobility Partnerships. Mobility partnerships are intended to provide an overall framework for managing various types of legal movements between the EU and third countries provided that they have effective mechanisms for readmission. This kind of partnerships constitute a political framework, that derives from the 2005 EU Global Approach to Migration, based on reciprocity agreements and encompassing an array of issues that go from development aid to temporary entry visa facilitation, temporary migration schemes and the fight against illegal migration. The rationale for the adoption of mobility partnerships involves two main assumptions: pragmatism and changed power relations. The EU has adopted a more pragmatic approach to migration management due to the recognition that migration flows, namely circular migration are an unpreventable reality and that relations with third countries of origin or transit should be enhanced in order to persuade them to cooperate on migration and border management. Such pragmatic approach has promoted the proactive involvement of several African countries in the reinforced control of EU external borders, which has been conducting to unprecedented links of interdependence between law enforcement agencies in receiving, sending and transit counties. Mediterranean and African countries have, to a certain extent, been empowered by these mobility partnerships. However, such empowerment has conducted the EU to the need to balance the security concerns of some member-states with the increased expectations of some Mediterranean and African third countries. That balance is achieved through the specification by the EU that mobility partnerships are tailor-made and selective since they are addressed only to countries who meet certain criteria, such as cooperation on illegal migration and the existence of effective mechanisms for readmission.[62] This kind of conditionality demonstrates how security concerns trumps over development issues and how risk politicization strategies in the EU are dependent on the institutionalization of threat environments.

Conclusion

Migration and asylum are politicized through strategies that render them problematic from a security perspective. The governance of migration related areas is, consequently, based on such a rationale. The "danger" posed by migration and asylum is characterised as occurring in an uncertain and contingent international environment, framed by the

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62   Jean Pierre Cassarino, "Mobility Partnerships: rationale and implications for African-European relations", Timon Mürer, (ed.), Dossier Border Politics. Migration in the Mediterranean, 2009, http://www.migration-boell.de/web/migration/46_2180.asp.
(Accessed 20 June, 2010), p. 39.

"security continuum" discourse, and where strategies that pre-empt dangers from becoming existential threats are clearly favoured.

The strategy of pre-emptive risk profiling targets migration flows coming mainly from developing countries. The distinction between EU citizen and non-EU citizen is based on a "friend/enemy" continuum that establishes selective differences among categories of foreigners. Therefore, we can observe an impersonal correlation of factors liable to produce risk based on strict border control. Representing migrants as risk factors is an important dimension among the set of strategies through which a politics of (in) security in the European arena is gradually gaining momentum.

In Europe, the politics of (in)security is closely articulated with the establishment of a clear differentiation between the safety of the European territory and the risky nature of the international environment. The external border thus represents both the physical and moral limit of our space of security.

The strengthening of the mechanisms for external border management and control highlight how the politics of (in)security is dependent on the symbolical dialogue between elites and its publics. In this context, to "speak security" and to "work security" became fundamental elements of the politics of (in)security, since securitization processes can be developed through discursive acts or through technocratic modes of policy-making. The fettered and asymmetrical character of EU policy-making in the realm of asylum and migration empowers technocratic rationalities and allows them to develop risk politicization strategies. Those strategies are based on specific claims to security knowledge. The framing of migration as a security question is a product of a specific risk culture that is being developed on a intergovermental and technocratic bases. This technocratic risk culture utilizes its professional legitimacy to claim access to security knowledge and to security policy-making. The empowerment of security professionals, at both domestic and EU levels, has allowed them to reify a "security continuum" narrative based on the externalization of security factors and on a spill-over rationale that constructs European cooperation in the fields of migration, asylum and external border control as a compensatory instrument in the light of the abolition of internal border controls. Risk politicization strategies in the realm of EU migration and asylum policies are, therefore, the products of technocratic arenas for whom security lies at the interstice between the social construction of fear and a sociological institutional mode of claiming, securing and framing security knowledge.

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