

# EUrope's Border Dis/Order: The Autoimmunity of a Deadly B/Ordering Regime<sup>1</sup>

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## Abstract

In this chapter, we contend that the EU suffers from a self-harming border disorder. The discriminatory border regime, which we dissect in a *pre-border* visa regime, the *in-situ* land and sea borders, and the *post-border* camps, has led to a recurrent demarcation of increasingly inhumane, unlawful, and deadlier borders, which is strongly at odds with the own humanist values and rule of law that the EU is supposed to uphold. So, the core of the border complexity that we expose lies in this irony: in the attempt to protect, via its border regime, what it considers its essence, the EU has triggered an autoimmune disorder that has turned that same border regime into the Union's most formidable threat.

Keywords: Autoimmunity, B/Ordering, Othering, Border Disorder, Necropolitics

## 1. Introduction

Although estimates differ, there is some agreement regarding that by now, roughly 55,000 human beings have died trying to reach the EU since the early 90's—when Schengen was progressively incorporated into EU law (<https://unitedagainstrefugeedeaths.eu>). This has made the EU's external border into the deadliest on the planet, and by far (van Houtum 2015; van Houtum/Bueno Lacy 2020a, b). The listed number of deaths is even an underestimate, for it is impossible to tell how many more anonymous migrants have drowned in the Mediterranean Sea or succumbed along the perilous North African routes—or further afield. A crucial development that has heightened these fatalities is the EU-wide trend to criminalize humanitarianism. NGOs attempting to save lives at sea have been increasingly harassed and even charged with human smuggling and trafficking; a cynically hypocritical policy that will probably only lead to higher casualties in the Mediterranean—turning it, as the UNHCR has put it, into a 'sea of blood' (Bueno Lacy/van Houtum 2020). At the same time, the violence and death that characterize the experience of undocumented migrants trying to

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1 This chapter is a reworked and updated version of a previously published journal article (van Houtum/Bueno Lacy 2020b).

make their way to the EU has become such a normal part of the current EU border policies that news about their perilous journey or their death hardly make headlines anymore (van Houtum/Boedeltje 2009; Kemp 2017; Laurent/O’Grady 2018; AiK 2018; AP 2018; Lucas et al. 2019; Malik 2019).

This overt callousness poses the conundrum that we analyze in this chapter: how did the EU, which only in 2012 was awarded a Nobel Peace Prize for its six-decade long contribution to the advancement of peace, dignity, freedom, equality, the rule of law and human rights in Europe backslide so precipitously (Plenel 2019)? What happened to the ‘force for good’ that the EU once prided itself on embodying (Pace 2008)? We contend that, far from an unexpected phenomenon, the convergence of violent migration policies along the external borders of the EU—as well as the ethno-exclusionary politics that characterize its public debate—amount to the exacerbation of a longstanding ‘b/ordering and othering’ trend which has been set by EU policy (van Houtum/van Naerssen 2002; Kriesi/Pappas 2015; Jones 2017; van Houtum 2021).

Although we recognize that the EU is not a homogeneous political entity, but a complex supranational organization composed of diverse political institutions, culturally specific member states, antagonistic political parties of all ideological stripes and, overall, a wide range of interests, for the purpose of this chapter we evaluate the overall effect that the EU’s border regime exerts on its political community as a whole. To this end, we analyze the b/ordering and othering regime of the EU through the lens of Jacques Derrida’s notion of political autoimmunity, which he defined as the strange behavior by which an organization, “in quasi-suicidal fashion, ‘itself’ works to destroy its own protection, to immunize itself against its ‘own’ immunity” (Derrida 2003, 94).

We employ the metaphor of ‘autoimmunity’ in full antagonism with the white supremacist rhetoric by some far-right politicians, who have distorted it to denounce ‘massive immigration’ as the cause of the ‘West’s weakening body’. Instead, we draw on Derrida’s (2003) notion of autoimmunity to argue the opposite: that the EU’s self-destructiveness is not rooted in its openness to the world but in the counterproductive effects of its increasingly closed and xenophobic border regime. Dating back to its inception, the EU has been inspired by a nativist principle to develop a network of biopolitical filters along its external and internal borders. This architecture has been designed to discriminate against migrants—not to all but to migrants from specific countries—not least by endangering and criminalizing their mobility. We argue that not only has this *border disorder* (Bueno

Lacy/van Houtum 2013) alienated the EU from its self-professed values (i.e., the rule of law and universal human rights) but it has legitimized and normalized nativist authoritarian populists (Boedeltje/van Houtum 2008; van Houtum/Bueno Lacy 2017; van Houtum 2021; De Jonge/Gaufman 2022). Thus, the autoimmunity that we recognize has its roots inside EUrope and not beyond its borders.

Our analysis breaks down the EU's border regime in three filtering mechanisms: (1) the pre-border of legal entry documents or, as we term it, the 'paper border'; (2) the physical border controls or what we refer to as the 'iron border'; (3) and the post-border articulated by the reception and detention camps that keep migrants ostracized even after they have entered the EU. We analyze how these three cogwheels of the EU's b/ordering and othering machinery have developed over time and we cast light on how they have become self-reinforcing engines propelling a self-destructive border policy. Finally, we suggest three alternative directions that could take the EU out of this suicidal paradox (van Houtum 2010).

We conclude by stressing the ominous political implication of this EUropean 'border disorder' (Bueno Lacy/van Houtum 2013): the harrowing fate of immigrants is inextricably linked to the fate of the EU, for their suffering and deaths are both symptoms and consequences of an autoimmune reaction that might ultimately lead to the EU's demise. Ultimately, the aim of our analysis is to issue a warning: we may be witnessing a dangerous authoritarian turn—or even a *sEUcide*—characterized by the gratuitous self-destruction of the post-war project of European integration, which was originally founded to guarantee the sort of basic human dignity that it increasingly denies to those who need it the most.

## 2. Derrida's Autoimmunity

Autoimmunity as a tool for the critical analysis of geopolitics is famously associated to the deconstructive method developed by Jacques Derrida. For him, autoimmunity evoked the backfiring mechanism by which a political hegemon flexes its 'techno-socio-political machine' to consolidate its power yet unleashes an unintended reaction that undermines it and eventually threatens the hegemon's survival. Derrida identified a series of symptoms typical to this autoimmune disorder: (1) a *reflex of power* and the *reflection* it produces; (2) a *trauma* that envisions an inauspicious future—barred any action undertaken to prevent its repetition; (3) *invisible* and

*anonymous* enemy forces that could hardly be pinned down to a particular state, cartographical location or physical entity; (4) *apocalyptic* descriptions of geopolitical events carrying religious undertones and, perhaps more decisively: (5) a *double incomprehension*: a political organization's inability to comprehend the traumatic events to which it responds and to realize that what it deems its reasonable responses to them only aggravate them (Derrida 2003, 90, 97–98). Ultimately, such autoimmunity sets in motion a dauntingly counterproductive machinery of self-fulfilling prophecies that are fueled by what Edward Said (2001) called 'a clash of ignorance'.

In a famous interview with the philosopher Giovanna Borradori, Derrida resorted to a deconstructive analysis of 9/11 to dissect the autoimmune syndrome that he saw affecting the U.S.' global hegemony (Derrida 2003). He called out the asymmetry between the U.S. commemoration of 9/11 as an unparalleled historical tragedy and the far more atrocious violence orchestrated by the U.S. around the globe, which was unleashed many times before 9/11 and has been reoccurring many times afterwards without arousing a comparable amount of either media epitaphs or political lamentations. Whereas 9/11 enjoys the privilege of arousing pathos in both Europe and the United States, comparable massacres and atrocities beyond their territories and perpetrated by their own armies do not cause such an intense upheaval in their media and public opinion (e.g., Vietnam, Chile, Guatemala, Cambodia, Rwanda, Palestine, Iraq, Afghanistan, Yemen, Congo, Guantanamo Bay, and so on) (also Derrida 2003, 92). What is more, after 9/11, in order to protect its 'democracy' and 'freedom', the USA has constructed a massive an enduring global war against terrorists, which has led to the killing of many innocent people in Iraq, Yemen, Syria, and Afghanistan, Islamophobia and hostile migrant policies. And hence has led to the autoimmune weakening of the 'democracy' and 'freedom' that it aimed to protect.

### 3. *The Autoimmune Borders of the EU*

In what follows, we deploy Derrida's notion of autoimmunity to analyze the b/ordering and othering policies that the EU has developed as a response to undocumented migration (van Houtum/van Naerssen 2002). To this end, we dissect the EU's b/ordering response into three immunizing borders, each characterized by a different materiality and function: the pre-border

(i.e., the 'paper border'), the in-situ border (i.e., the 'iron border') and the post-border (i.e., the 'camp border').

### 3.1 The Pre-Border: The EU's Paper Border

Arguably, one of the most significant landmarks in the recent history of EU's b/ordering and othering policy (2002; van Houtum 2021) has been the creation of a common external border—what we call 'the paper border'. The common paper b/ordering of the EU dates back to the Schengen Agreement of 1985, which envisioned the gradual abolition of internal checks in exchange for the establishment of strict border controls along the EU's external borders—a decision that implied merging Member States' border controls under a joint command. This agreement was further refined by the Dublin Convention of 1990, which harmonized the EU's asylum procedures later enshrined in the Maastricht Treaty of 1992 (EC 2018). The Schengen area was effectively established in 1995 (and later incorporated into EU law by the Treaty of Amsterdam that came into effect in 1999). The Schengen Information System (SIS) and Visa Information System (VIS)—implemented in 2006 and 2011, respectively—that derived from these agreements constitute the fundamental architecture of the EU's common external border surveillance system, which is designed to filter out global border crossers lacking the travelling papers required by the Schengen Agreement.

With the demarcation of this paper *bordering* (van Houtum/van Naerssen 2002; van Houtum 2021), the EU, a supranational organization, began to mimic the nation-state's anachronistic political myth: it legalized—and thereby normalized—the apocryphal synonymousness between 'EU citizen's' and 'Europeans' (Slootweg et al. 2019; van Houtum/Bueno Lacy 2019). This territorial caging of EUrope carved up a fracture between the EU and the much broader historical idea of Europe, which includes the whole Mediterranean basin as well as much of the rest of the world (Bueno Lacy/van Houtum 2015). This is unprecedented: Europe has always been geographically undetermined and it has never been either a congruent political organization or a demos (Delanty 1996); nor has the European continent ever been severed from its contiguous Mediterranean geographies by such sharp borders (Braudel 1995, 2002; Bueno Lacy/van Houtum 2015). Yet, since the introduction of the Schengen Agreement, the EU has been fortifying itself by turning the Mediterranean into its moat.

This abduction of Europe by the EU has been progressively reified through a conscious *ordering* (van Houtum/van Naerssen 2002; van Houtum 2021) brought about by the distinct process of *EUropeanization*. This identitary strategy pursues the inculcation of a cultural identification between the EU—a political organization dating back to 1951—and a European heritage that could be traced back as far as to the Kurgan civilization (Gimbutas 1985)—or whenever a historian might decide these origins lie, for such considerations are unavoidably idiosyncratic and thus amount to political decisions (Foucault 1971; Southgate 2011). Europeanization has been characterized by the manufacture of maps, coins, symbols, narratives and geopolitical practices that have attempted to shoehorn European history and culture into the current borders and geopolitical concerns of the EU (Boedeltje/van Houtum 2008; Bueno Lacy/van Houtum 2015). Conversely, as membership to the EU has become equated with a historical belonging to Europe, EUropeanization has cultivated a complementary imagination of neighboring countries as lacking an intrinsic Europeaness—i.e., the *othering* process (van Houtum/van Naerssen 2002; van Houtum 2021).

A prime example of this otherization took place in 1987, when the European Economic Community (EEC)—the immediate predecessor of the EU—received a membership application from Morocco. Almost immediately, the EEC issued a rejection arguing Morocco's lack of Europeaness: by codifying geographical prejudice into law, the EEC prevented a North African country from meeting the basic eligibility criteria to be considered part of a geography of which it has nonetheless always been part. It is worth noticing that the EEC's reasoning amounted to more than an innocent incursion into basic physical geography: its decision implicitly asserted that the EEC claimed to be the institutionalized embodiment of European civilization. As such, the EEC asserted its prerogative to legally define and confer, in a discretionary way, its arbitrary acknowledgement of Europeaness. The anachronistic process continued in 2004, when the EU demarcated the Bosphorus as yet another boundary of Europe by indefinitely delaying Turkey's accession to the EU (pending since 1987 and making Turkey the only candidate to which EU membership has been promised yet never granted).

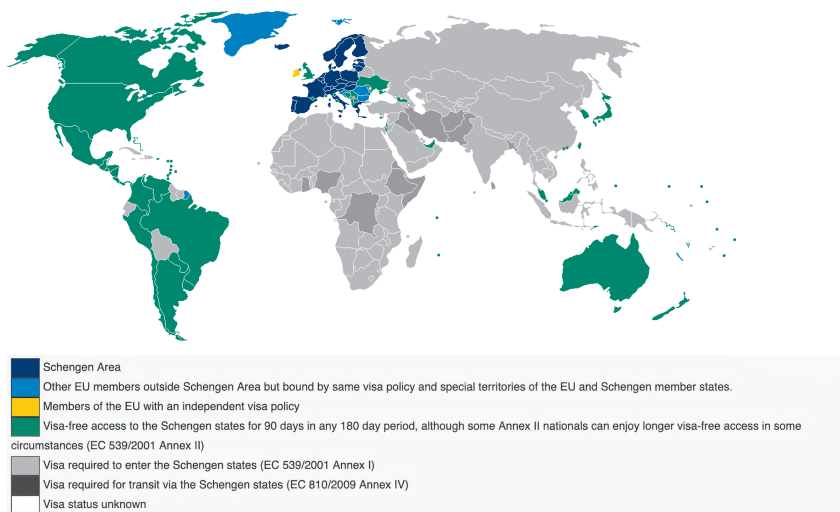
Through these legal, territorial, and discursive reifications, the EU suggested that it regarded the borders of European culture as roughly coinciding with those of a Christian—or, at least, of an essentially non-Muslim—European civilization. Through this anachronistic prestidigitation, the present started to invent the past by b/ordering EUropeaness in a way that

consciously left out large swathes of land whose people, cultures and heritage have played a critical role in the making of Europe: North Africa, Asia Minor, Russia, and the worldwide former colonies with which Europeans share so much transculturation.

We contend that a troubling consequence of carving up this hard external border—on which the EU's invention of Europe is predicated—has been the resurrection of traumatic prejudices about Europe's others: the non-Europeans who have been traditionally imagined as backward and violence-prone intruders (Vitkus 1997). Although this civilizational threat is mostly confined to sensationalized accounts or downright fabrications magnified by murkily manipulated media (Callawadr 2017; Juhász/Szicherle 2017), the invisibility and anonymity inherent to such non-existent boogeymen has made their signifiers—i.e., the flesh-and-bone human beings immigrating to the EU—look like legitimate targets of ever more vicious social demonization and thus of state surveillance and repression (Holmes/Castañeda 2016).

The striking culmination of this paper b/ordering regime was the common Schengen list of visa-required countries introduced in 2001. This significant—yet still remarkably under-researched—'black and white list' (later re-branded as the 'negative and positive list') made a sharp distinction between countries whose citizens require a visa to enter the EU—largely Muslim, African and overall less affluent countries—and those exempted from it—largely OECD members as well as a few countries in South America and Asia (Mau et al. 2012, 2015; Neumayer 2006; Salter 2003, 2006; van Houtum 2010; van Houtum/Lucassen 2016; van Houtum/van Uden 2022; van Houtum 2021; Illustration 1).

This list is based on the principle of nativist discrimination—a principle that is forbidden by law in all Member States of the EU and which runs against the EU's own Copenhagen criteria and Lisbon Treaty. This global apartheid has, in effect, almost entirely closed off all legal migration channels to the EU for the large majority of the world (van Houtum 2010; van Houtum/van Uden 2022). The legalization of such discrimination and prejudice has nurtured a selective dehumanization of refugees, which is a vivid illustration of what has been termed 'borderism': the discriminatory politics of spatial segregation that essentialize—and politicize—the value of human beings on the basis of the bordered (id)entity they are born into and/or are a citizen of (van Houtum 2021). This pre-border thus divides EUropeans from non-EUropeans on the basis of arbitrary geographical discrimination even before the actual fences, border guards and detention camps are even



*Illustration 1: The paper fortress of the EU. Source: Wikimedia Commons, Creative Commons Attribution-Share Alike 3.0 Unported, [https://commons.wikimedia.org/wiki/File:Schengen\\_visa\\_requirements.png](https://commons.wikimedia.org/wiki/File:Schengen_visa_requirements.png), author: Alinor.*

able to exert their own bordering constraints (Bueno Lacy/van Houtum 2022). In so doing, the pre-border policies have outsourced the EU's border control to governmental offices far away from the EU's actual border. Thus, this paper border should not be conceived as a line on a map dividing one country from another but as a global techno-political mechanism meant to border the EU at remote control (Zaiotti 2016). Rather than guards with guns, this first border of the EU is staffed by bureaucrats entrenched in faraway embassies and armed to the teeth with impenetrable forms. Through this political technology, which could be termed 'tele-bordering', most people from entire nations are blacklisted—barred few exceptions such as the wealthy who can afford golden passports (Carrera 2014; van Houtum/van Uden 2022), Russian and US oligarchs (Collins 2022), as well as the families of oligarchs and kleptocrats the world round who have made Europe their home (Ragget 2020). This means that, in practice, most of the citizens of these blacklisted countries cannot acquire the visas they require to legally travel to the EU. The implication is that the paper border of the EU keeps people remotely caged in the inequitable lottery of birth (Rawls 1999, 118–123; van Houtum/van Uden 2022).



The result of this tele-bordering has been as counterproductive as it has been grim (Miller 2019), for a first suicidal paradox inherent to the EU's paper fortress is captured by the following all-too-common paradoxical tragedy: even if someone is fleeing life-threatening circumstances or their bad regime in their country, in most cases they cannot get a visa for the EU because they come from a country that is seen as having a bad regime. By refusing potential refugees the possibility to obtain legal entry to its territory, the EU's paper fortress punishes the victims of unenviable fate for being born in the wrong place and for the all-too-human attempt to escape an oppressive regime, generalized violence, economic despair, or natural disaster. This constitutes both a violation of international refugee law as well as a factual rejection of both the humanist ethos and legal custom on which the internationally recognized right to ask for another country's protection has been built. Such custom includes an express exhortation to governments for the "issue and recognition of travel documents", which "is necessary to facilitate the movement of refugees, and in particular their resettlement" (UNHCR 1951).

The repercussion of the EU's willful non-compliance with such international obligations is that—and this is the second paradox of this paper border regime—access to the EU's 'regular' asylum system can only be gained irregularly: through smugglers and other illicit peddlers. The safe alternative of air travel is also unavailable to undocumented migrants because, since 2001, air carriers can be fined for taking on board passengers lacking the required visa (Directive 2001/51/EC). This policy that amounts to the erection of an effective b/ordering dome over the EU's airspace (FitzGerald 2019). Such paradoxical policy, which welcomes refugees yet illegalizes the channels that would allow them to legally and safely travel to the EU, is what FitzGerald (2019) has recently described as 'the Catch-22' of the rich world's asylum policies.

By forcing asylum seekers to undertake a reckless odyssey—which criminalizes a large portion of the world as well as those who assist undocumented migrants in their journeys—the EU has boosted a large-scale smuggling industry that profits from the legal void that the EU itself has made sure to enforce. Rather than the humanitarian philanthropy which the EU so duplicitously pretends characterizes its border regime, its anti-smuggling—and, at its core, anti-refugee—policies have become the legal framework on which a billion-dollar industry of refugee smugglers and border enforcers (e.g., Frontex) has thrived (Lyman/Smale 2015; Spijkerboer 2018).

This border industrial complex embodies the third paradox of the paper border regime: the EU has decided—against its own principles and international obligations—to voluntarily create a border system that guarantees the production of ‘illegality’, corruption, and human insecurity. Thus, this paper border should be credited with turning the routes to seek asylum in the EU—a supposedly safe destination—into a sordid and perilous survival of the fittest. Since this is precisely the kind of distress that international refugee law is meant to preclude, the so-called migration crisis of 2015 in the EU would be better described as a ‘refugee-protection crisis.’ Scandalously, by erecting such an insurmountable paper border the EU has advocated a politics of death—a necropolitics (Mbembe 2003).

Seen through the lens of Derrida’s (2003) conceptualization of autoimmunity, one could argue that the reflex of power manifested as the EU’s territorial strategy to protect itself from unwanted foreigners through Schengen’s paper b/ordering has been predicated on an inexistent apocalyptic threat of invisible and anonymous non-Europeans—whom much of the European press and opportunistic politicians wantonly associate with all sorts of crime and moral decay (Albahari 2018; Burrell/Hörschelmann 2019; Trilling 2019). Moreover, the EU has developed its paper-border regime hand in hand with a facetious ‘war against human trafficking’ (Frontex 2022a): a real peril faced by refugees which nonetheless is heightened—not diminished—by both the EU’s border regime and Frontex, its callous border guard service. This tortured ‘humanitarian’ narrative is a cunning misrepresentation of the causality between asylum seekers and human smuggling and trafficking (Cuttitta 2018; Dadusc/Mudu 2022): as though smugglers and traffickers were the cause and not the consequence of the own EU’s autoimmune border regime (Bueno Lacy/van Houtum 2020). Such conscious mischaracterization and inversion of causality has only further dehumanized and criminalized undocumented migration, strengthening, and legitimizing cultural prejudices against exceptionalized migrants. Simultaneously, it has helped to normalize—and popularize—a stream of Eurosceptic and xenophobic political movements that are trying to pose as the preservers of Europe’s imagined native culture, which they define in terms antithetical to the EU’s ethos yet reminiscent of the heyday of European imperialism.

Overall, such misrepresentation of this phenomenon of global mobility has led to a politics of death and criminalization of solidarity that is being presented as the regrettable but unavoidable collateral damage that Europe must accept in order to preserve the ‘enlightened’ European civilization

which the Union itself has essentialized (Plenel 2019). What Derrida identifies as autoimmunity's 'double incomprehension' lies in the EU's inability to grasp the suicidal paradox in which it has trapped itself: in a short period—since the Schengen Agreement was signed in 1985—the EU's has triggered a border politics of autoimmunization that, in an inexorably self-defeating manner, has been shielding EUrope's humanist heritage with an ever more anti-humanist border regime.

### 3.2 The In-situ Border: the EU's Iron Border

The second b/ordering—or immunization—strategy of the EU that we wish to address is the construction of all kinds of material deterrents that have been erected over time along the external borders of the EU and which we metonymically classify as the 'in-situ border' or 'iron border'. This border complements the 'gate at a distance' erected by the paper border with all sorts of terrain-related obstacles including towers, walls, and barbed wire.

This inhuman infrastructure is typically guarded by stern-looking men and women in uniform who are equipped with guns, handcuffs, surveillance vehicles and sophisticated military gear. The location of this iron b/ordering regime is arterial (Vogt 2017; Campos-Delgado/Côté-Boucher 2022): it is not confined to either the EU's external borders or its Member States' internal borders but it also encompasses scattered border controls all throughout Schengen. This comprises on-the-spot passport controls at airports, trains and highways, as well as surveillance patrols along the EU's maritime borders, which are tasked with stopping refugees from either reaching the EU or remaining in it (van Houtum 2010; Gualda/Rebollo 2016; Minca/Rijke 2017).

In contrast to the remote-controlled legal procedures characterizing the largely invisible paper border, an important aspect of the iron border around—and within—the EU's territory is its visibility to the public eye (Campos-Delgado 2022). It suffices to google 'fences' and 'EU' (or anything of the sort) to come across thousands of pictures featuring the heterogenous materiality of the iron border, such as the iconic and violently guarded fences separating the African continent from the Spanish enclaves of Ceuta and Melilla. Likewise, the recently built fences along the Hungarian-Serbian border as well as the gruesome human rights abuses perpetrated along the Belarusian, Ukrainian, Croatian, and Greek borders have turned the EU's Balkan and eastern routes into hallways of horror. There is a growing

body of evidence that all along the external borders EU Member States' military and paramilitary forces increasingly have been robbing, beating, torturing, raping and either murdering undocumented migrants or leaving them to die (Tondo 2018b; BVMN 2020; Deeb et al. 2021; Mbayé 2022; Kassam 2022; Guterres 2022; HRW 2022). Sadly, this purposeful terrorization of vulnerable populations represents neither a mistake nor a rarity but instead a systematic EU strategy to deter undocumented migrants from requesting the righteous refugee protection to which they are entitled.

To a large extent, the architecture of the iron borders should be understood as a conscious performative power play: a geopolitical spectacle conceived as a public-relations' strategy. This show is intended to project safety and security for domestic electoral consumption by displaying an intimidating infrastructure which, in turn, is meant to portray the government as being tough on unwanted outsiders. The straightforward message of such political theatre is that the government is protecting its people by keeping a close eye and a clenched fist on threatening foreigners trying to enter the country by irregular means. More than a line of control, the iron border resembles a camera-happy spectacle of a drama pre-scripted by the paper border. This performative *mise en scène* relies on an unwritten but foreseeable plot in which barbed wire—which epitomizes the division between EUrope and a threatening world of incompatible and undesirable strangers—casts unsuspecting migrants into the threatening stereotypes on which xenophobic EUrosceptics feed.

The iron border's attention-grabbing visibility was intensified with the outbreak of the refugee-protection crisis in the summer of 2015. This spectacle included the sensationalized arrivals of undocumented immigrants disembarking from their fragile dinghies, trying to climb fences, cutting their way through barbed wire, or running away from the border police. Although governments and migration scholars estimate that the number of the largely invisible visa-overstayers—who entered regularly—is at least as large as the number of undocumented migrants, the latter's trespassing of the EU's outer borders has received much more media and political attention. Undoubtedly, what has triggered this sense of crisis is that far right politicians have relied on these images to frame undocumented migration as an invasion and a threat to sovereignty. Ultimately, this narrative constitutes the rationale behind the EUropean far-right's core ethno-exclusionary demand: an existential threat as justification for merciless borders.

The political sway of these border aesthetics should not be underestimated: this spectacular theatre of trespassing undocumented migrants has

justified the EU's expansion of its own iron border (DeGenova 2017). It is estimated that the EU has constructed almost 1,000 km of iron borders in the last two decades: more than six times the total length of the Berlin Wall (Ruiz Benedicto/Brunet 2018) and soon to be equipped with digital surveillance systems at sea and on land. Not surprisingly perhaps, though still ironically, the costs of physical border controls have gone up at about the same speed—and in a similar proportion—as the turnover in the smuggling industry (The Migrants' Files 2014). Since its foundation in 2004, Frontex's budget has exponentially increased—from €6.2 million in 2004 to €754 million in 2022 (Frontex 2022b), thus making it one of the best funded agencies in the EU (Grün 2018). Between 2000 and 2014 (one year before the refugee-protection crisis), the EU spent almost €13 billion on border control: a number that bulged to €19.7 billion for the 2014-2020 budget cycle and which has swollen to €43.9 billion for the current period (2021-2027) (Jones et al. 2022). This has conferred the EU the dishonorable distinction of having one of the costliest border regimes on the planet. One thing should be clear: as long as the EU's visa-based paper border keeps working as the main manufacturer of irregular migrants, we should expect the iron border and its costs to keep rising too.

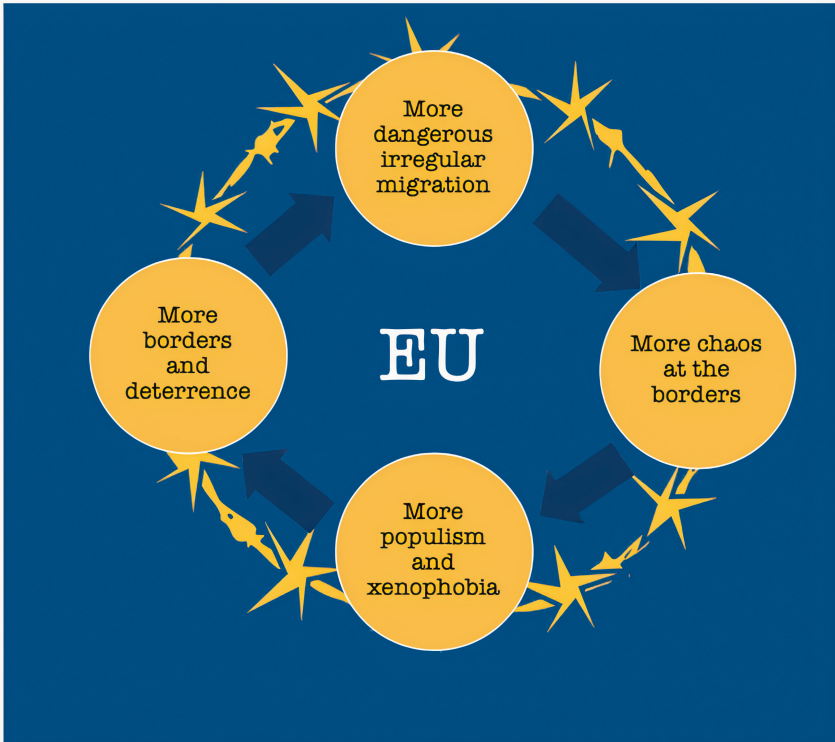
In order to understand the significance of this budget and the geopolitics of the EU's iron fence, one should look at the reach of its arteries beyond the European continent. The EU has struck a growing number of bilateral deals with neighboring and faraway countries in order to outsource its border controls and thus stop undocumented migrants farther away from its boundaries by relying on atrocious violence without exerting it or being blamed for it. Put differently, the EU is coopting contiguous and far-away autocracies into its border regime by hiring them as its immigration enforcers in exchange for large sums of money—thus raising the costs of external border controls and boosting the border security industry even further. This neo-colonial outsourcing of migration control to poorer countries, warlords, and dictators is factually stretching the EU's own iron border far beyond its EU's actual physical border (Lahav 1998; Nye 2004; Lavenex 2006; Rijpma/Cremona 2007; Levy 2010; Zaiotti 2016; Carrera et al. 2018, Ferrer-Gallardo/van Houtum 2018). Such geopolitical machinations betray the same kind of 'dictator-empowering' policy that the EU decried as shameful back in 2010, when Berlusconi and Gaddafi struck a deal that committed Libya to stop migrants in return for money (Bialasiewicz 2012a; Jakob/Schindwein 2019).

Today, the EU pact with Libya has given rise to a full-fledged slave market run by cold-blooded human traffickers who, incentivized by the EU's crackdown on irregular migration and the resulting business downturn of would-be profitable passengers, are now auctioning economic migrants and refugees as slaves (Asongu/Kodila-Tedika 2018). How times have changed: only one self-manufactured 'refugee crisis' later, the EU is collaborating with neighboring and far-away autocracies—such as Rwanda (Malik 2022)—by means of outright bribes (Verhofstadt 2018; Malik 2019). This means that the EU is outsourcing its border regime to tyrants who have no qualms about violating the legal prohibition of *non-refoulement*—a touchstone of refugee law—to keep undocumented migrants at bay.

The infamous deal between the EU and Erdogan's despotic administration is another case in point: Turkey is cutting short the journeys of asylum seekers travelling to the EU in return for €6 billion and the conditional promise of visa-free access to its citizens (Deutsche Welle 2021). Although the official EU narrative is that such contribution is intended to support the humanitarian reception of asylum seekers in Turkey, it is evident that the same aid could also be provided by EU Member States, a fact that reveals be the policy's true purpose: preventing refugees from making it into EU territory. Moreover, the magnanimous embrace of over 7 million Ukrainian refugees by the EU, the self-constructed 'good' or 'deserving' migrants that "look like us" has undeniably belied the insincerity and double standard of such narrative (Bueno Lacy/van Houtum 2022).

The autoimmunization of this iron b/ordering strategy is reflected in the incongruence between the EU's desire to gain more control over its borders in order to safeguard its democracy, human rights, rule of law and diplomatic power of attraction, on the one hand, and its pursuit of such noble objectives through the recruitment of despotic and unsafe neighboring countries on the other. By outsourcing its border policies to smugglers and repressive regimes with the aim of tightening its grip on migration, the EU is, incomprehensibly: (1) losing control over its ever expanding, ever more shadowy and ever more distant physical border, thus undermining its own sovereignty and making itself liable to blackmail while becoming morally complicit in the exploitation of refugees by autocratic regimes elsewhere; (2) widening the global mobility divide by fostering human misery, criminal economic activities and political instability in its neighborhood, which in turn nurtures its population's desire to migrate; (3) hollowing out the EU's core values and contributing to legitimize the discourse on which authoritarian Eurosceptic populists draw their strength (van Hou-

tum/Bueno Lacy 2017). The result is a narrow tunnel vision that keeps the EU obsessed with stopping undocumented migrants at all costs, even though the sensationalized chaos and manufactured 'insecuritization' at its borders is undermining solidarity with refugees while strengthening the hand of Eurosceptics—who exploit the threat inherent to the aesthetics of the iron border to push their demands for even higher walls and an ever more vicious border regime (see Illustration 2).



*Illustration 2: The vicious cycle of EU's autoimmune b/ordering regime.*  
*Source: authors.*

### 3.3 The Post-Border: The Camp

The third immunizing b/ordering pillar of the EU's border architecture that we identify is the post-border, or 'the refugee camp'. Undocumented migrants who have the fortune to make it across the paper and iron borders

must endure yet another procedure of exclusion, which takes the shape of concentrated segregation in reception and detention camps strewn along the EU's external and internal borders (Agamben 1998a; 1998b, 2003). Migrants have to wait in such secluded reception until their case is processed, a hostile policy that coincides with what Derrida (2000) called 'hostipitality': a *portmanteau* of hostility and hospitality formulated as a critique on the enslaving inclinations inherent to charity—and an appeal to solidarity instead. Like the iron border, the hostile hospitality of Europe's refugee camps aims to abnormalize and exceptionalize migrants in space, representation and ultimately—not least to discourage them from seeking the EU's protection.

The camps correspond to what Vaughan-Williams (2015) described as 'zoo-like spaces': refugees are caged yet ceaselessly exposed to the inquisitive eye of either cameras or the intimacy-depriving layouts that characterize refugee reception and detention camps. Such unnecessary exposure amounts to a spatial confirmation of their social undesirability as well as to a forced animal-like performance that, we argue, contributes to stoke the already prevalent disdain—or plain fear—for racialized refugees in the EU. Furthermore, the segregation and maltreatment of people who share a bodily resemblance or cultural affinity with already-discriminated ethnic minorities in European societies sends an ominous message to the EU's own citizens: it tells them that the fundamental rights to which the EU allegedly adheres to, do not fully apply to people who look like them. By legitimizing such discrimination, the immunization of the border camp fails to ensure the very rule of law it is designed to safeguard. Instead, such protection tactic ends up emboldening authoritarian leaders and political movements inside the EU who have signaled their preference to employ similarly discriminating practices against easily identifiable minorities with scant political representation (van Houtum/Bueno Lacy 2017).

Although refugee camps have aroused a huge body of critique due to their recurrent human rights violations, of which the dreadful conditions of Camp Moria (Lesbos) arguably have become most emblematic (Minca 2005; McElvaney 2018), the preventable suffering of its inmates has nevertheless become a normalized policy across the EU.

We cannot stress this vicious border cycle enough: by creating a hostile environment for undocumented migrants, the EU is nodding to rapacious ethno-nationalists who see in the Union's lawless border violence a blueprint to employ the state's apparatus and legitimacy to trample upon the fundamental rights of their opponents (i.e., racialized national minori-



ties, traditionally oppressed sexual minorities, liberated women, political opponents of a communitarian or autonomous persuasion, environmental activists, unions, etc.). No wonder the far-right has become the EU's dominating political force (Mudde 2019b): the brutal EU's b/ordering regime has been manufacturing a theatre in which undocumented migrants are forced to play the role of dangerous hordes while vicious border police are cast into the role of civilization's bulwark against 'barbarism'.

Certainly, there are some people willing to rescue refugees from the claws of the sea or help them find their way into European societies. However, their humanitarian deeds are largely offset by border tactics that engineer the failure of undocumented migrants' integration before they even get a chance to find a foothold in the EU. Such tactics involve warehousing migrants of blacklisted countries under horrifying conditions while making them dependent on aid for both their livelihood and freedom. This amounts, in Derrida's terms, to an incomprehensible deterrence politics that is detrimental for undocumented migrants as well as for solidarity across the EU (HRW 2012; Fernández 2014; Kingsley 2018; Leape 2018; Smith 2018).

To make things worse, some states like Hungary, Poland, and Slovakia have shown their true colors by expressly stating their willingness to host only Christian refugees (Bastide 1968; Reuters 2015; Cienski 2017). Compounding this crisis of solidarity, the EU's expectations for a country like Greece to manage a disproportionate number of asylum arrivals smacks of hypocrisy given the devastating austerity-fueled misery that the EU imposed on this Balkan country. These self-defeating processes betray a blind incomprehension that characterizes what the EU's autoimmune disorder looks like to us: as though the EU were pursuing a border strategy bound to nurture resentment against itself and undocumented migrants alike.

Given the cold shoulder that other EU Member States showed Greece when it needed their solidarity the most, the country does not seem very receptive to the EU's calls to improve the inhumane conditions in which it keeps the detained migrants languishing on its Mediterranean islands. Greece has even been accused of misusing EU funds meant for the critically overcrowded and underfunded refugee camps in its Aegean islands (Howden/Fotiadis 2017). Additionally, Greece's far-right government has indulged in the senseless destruction of extraordinary refugee-support networks like Exarcheia and introduced laws to deport thousands of asylum seekers without concern for their rights under international refugee law (Smith 2018, 2019; King/Manoussaki-Adamopoulou 2019). Greece's

animosity towards the EU—and its undocumented migrants—is critical to understand how the EU’s excruciating autoimmune cycle is being ceaselessly fueled by the Union’s internal austerity policies and its external border regime. By degrading its asylum promises, the EU is simultaneously degrading its larger promise to the European population, which is supposed to guarantee solidarity yet is sowing enmity instead.

It is worthwhile reflecting on a particular question that Derrida posed in his deconstruction of geopolitical autoimmunity: “Can’t ‘letting die,’ ‘not wanting to know that one is letting others die’—hundreds of millions of human beings, from hunger, AIDS, lack of medical treatment, and so on—also be part of a ‘more or less’ conscious and deliberate terrorist strategy?” (Derrida 2003, 108). Derrida’s reflection poses a harrowing question for the EU’s border regime: is it less cruel because it repels potential refugees at a distance by preventing them from even legally applying to migrate to the EU? Is it less violent because it premeditatedly builds obstacles that preclude asylum seekers from safely entering the EU and purposefully creates ever more inhumane hosting conditions once they have reached what they imagined would be a safe territory? Perhaps, by pushing (involuntary) migrants—many of whom have sought the EU’s protection—into a hopelessness so intolerable that an alarming number of children in refugee camps have chosen to take their own lives (Tondo 2018a), the suicidal autoimmunity of the EU’s b/ordering strategy is coming to an abhorrent full circle.

#### *4. Towards a Sustainable Border Policy*

“For the first time in 30 years, I really believe that the European project can fail” (Lefranc 2016). This alarming message came from no less than the vice-president of the European Commission, Frans Timmermans. The way he sees it, the ‘refugee crisis’ of 2015 strained solidarity across the EU to the brink of rupture. The continuation of this crisis, Timmermans frets, poses an existential threat to the project of European integration.

Employing Derrida’s (2003) notion of autoimmunity, we have argued that the EU has indeed been cornering itself into a dead end. Not only has the EU been unable to muster support for a comprehensive migration and asylum system across its supranational community but the Union is increasingly taking the self-destructive road towards dirty deals with autoc-

racies, and either imprisoning legitimate asylum seekers or brutally pushing them back to countries where they might die or suffer severe harm.

In particular, the politicization of undocumented migration which itself is the result of the EU's inability to assume its role in the longstanding geopolitical inequality that causes it, has been exacerbated by the adoption of extreme policies by establishment parties. Under the pretense of normality, parties of a self-confessed liberal inspiration have copied the far-right's predatory worldview as a strategy to stop its rise—even though one would hope that such a strategy has proven to be self-destructive by now (van Houtum/Bueno Lacy 2017; Mudde 2019a). In the bigger picture, since the structural causes that keep pushing people away from their countries (e.g., inequality and poverty, armed conflict and widespread violence, droughts and agricultural collapse, overfishing and the depletion of ancestral fisheries, and overall livelihood-destroying global ecocide, etc.) are unlikely to be addressed anytime soon and the worsening effects of climate change are surely going to keep magnifying them (Nordås/Gleditsch 2007; Franzen 2019), the question the EU should be asking itself is not whether the next existential crisis will come, but when.

To break this self-defeating political path, the EU urgently needs a drastic revision of both its violent b/ordering regime and the essentialist EUropean discourse that support it (Jones 2017). To this end—and as a conclusion—we offer three different paths that the EU could take: normalization, legalization, and equalization (van Houtum 2015; van Houtum/Lucassen 2016).

*Normalization* would require accepting migration as a non-negotiable reality of today's globalizing world, which would represent a first step towards the design of a border policy informed by scientific assessments instead of prejudice. The dominant pattern of world migration shows that global mobility is still very much the exception rather than the rule: 97% of the world's population are not migrants. Refugees represent less than 1% of the world's population and more than 85% of all refugees on the planet are hosted outside the EU—mostly in less affluent countries (de Haas 2008; UNHCR 2022). Moreover, the EU's neighboring countries are hosting a higher number of refugees than the EU—in absolute and relative terms. Although this does not mean that hosting an increasing number of refugees does not represent a difficult task for EUropean societies, it shows that such a challenge does not warrant transferring responsibility to dictatorships.

The numbers also make clear that the panic-stricken depiction of an 'invasion' of migrants coming to the EU is not only scientifically unfounded, but also dehumanizing and thus contemptible. It is a worrying sign of our

times to realize that all kinds of phobic metaphors used to refer to undocumented migrants have become normalized in the EU over the last decade. Think of the threatening descriptions and (cartographic) imaginaries of undocumented migrants conjured up by hydrophobic metaphors evoking flows, streams, floods, waves, and tsunamis; zoophobic metaphors suggesting swarms, flocks, rats, cockroaches, and insects, as well as bellicose and criminalizing metaphors that bring to mind invasions, armies, illegal and criminal activities, hordes and violent conflict (van Houtum/Bueno Lacy 2020a, b, 2024). When dehumanization is normalized and unchallenged, untamed extremism goes rampant and physical violence becomes ever more likely.

Meaningful reform would also require *legalization*: the creation of legal channels for migrants to safely travel to the EU would require its laws to allow for migration's natural circularity (Clemens et al. 2019). This specific policy path would also require the EU to crack down on the boogeyman represented by the economic migrant. The fear of economic migrants reveals perhaps one of the biggest flaws of Schengen: the criminalization of people whose biggest threat to the prosperity of the EU polity seems to be their ambition to work in order to earn the kind of living standards that their countries of origin cannot offer them. It is a testament to the extreme nature of our times that such unremarkably liberal ideas as respect for those who seek fairness of opportunities as well as the right to work are today seen as extreme proposals for a project like the EU, which prides itself on its universal rights, rule of law and market economies (Holmes 1993, 3–4).

Moreover, opening more legal migration channels is not only morally right, but it would also be in the interest of everyone: migrants themselves, their countries of origin—where they send much of the money they earn—and, finally, the EU's economy, particularly regarding the preservation of its welfare states.

Furthermore, the legalization of migratory movements could not only protect refugees and drastically disrupt the illicit chaos and high death rates at the gates of the EU, but it might also protect and strengthen the EU's rule of law by disrupting the supply-and-demand chains on which smugglers, slave traders and even violent extremists depend. Such legalization would also taper off the informal economy by giving undocumented migrants a chance to stand again on their own feet— by setting clear rules for them to acquire citizenship and social security rights, which could depend on their years of participation. With legalization we also mean that the EU should abide by its own rule of law: although all EU Member States have signed the

Refugee Convention and its protocols—which means that their pledge to aid people escaping their countries is a commitment of their own volition—the increasingly vicious border regime they have put in place is vigorously hollowing out the protections that such international agreements afford asylum seekers. Trampling upon such international obligations stands in direct contradiction with the EU's own rule of law and is weakening its promise to enforce fundamental rights while legitimizing xenophobia as well as the arbitrary abuse of power across EUropean politics.

Finally, a comprehensive reform of the EU's border regime should encompass an *equalization*—i.e., an equal distribution of refugees across the EU and among the neighboring regions based on shared responsibility and eventual resettlement guided by refugees' autonomy. Such a course would involve dismantling the Dublin regulation and implementing provisions akin to those stipulated by the Temporary Protection Directive afforded to Ukrainian refugees (Bueno Lacy/van Houtum 2022). Instead of ad hoc funds such the current Asylum Migration and Integration Fund (2013–2027)—which replaced the European Refugee Fund (2000–2013)—a more reliable funding tool could be sourced from a common fiscal policy. Crucially, such a policy would fund public services such as those typically demanded by both refugees and communitarian EU migrants alike (i.e., social housing, education, healthcare, public transport, and everyday utilities). Such a common fiscal policy would not merely promote the seamless integration of refugees into EUropean societies but it would also bolster the EU's freedom of movement by making it easier for its citizens to relocate in other Member States. Moreover, by decoupling national public services from national taxes, such a common fiscal policy could delegitimize xenophobic rabble-rousers whose electoral success depends on misrepresenting migrants as freeloaders of public services.

Critically, equalization would further require the immediate installment of a EU Rescue Guard that reflects the EU's *raison d'être* (Akkerman 2021) to prevent any more migrant deaths. It would also require an immediate end to the concentrated-segregation politics of the EU's current refugee camps and replace them for dignified housing monitored by the democratic scrutiny of media and society. That this is not an impossibility, but rather a matter of political will, has been demonstrated by the manifest willingness—even enthusiastically—to accommodate millions of Ukrainian refugees, which represent notably seven times the number of Syrian refugees, which by contrast was framed as a refugee-crisis that would threaten the very survival of the EU (Bueno Lacy/van Houtum 2022).

In the longer run, an equalization agenda would imply a wider series of tasks that would bring the EU outside its perceptual isolation by assuming itself as the significant global actor it is. That would first of all require the overall adoption of a European political identity based on a humanist supranational historiography that rejects the racist tropes, imperialist symbolism, and colonial narratives evoked by the EU's current identity paraphernalia (Bueno Lacy 2020; Bialasiewicz 2012b). And secondly, it would imply the EU's pursuit of fair trade, a global green deal, and the resolute but peaceful resolution of conflicts—at least around its immediate neighborhood or, at the very least, in the regions and countries that are the sources of its largest refugee populations. Hence, it should involve the replacement of savagery-prone border police forces and coopted foreign dictatorships with a veritable EUro-Mediterranean cohesion policy designed to root out the wealth disparities between the EU and its neighborhood. Such disparities underlie the poverty, violence and despair pushing refugee populations to EUrope and they often hark back to a longstanding European colonialism that has not disappeared but merely transformed (Gregory 2004).

Ultimately, such equalization agenda would also need to consider what is perhaps the most important measure: a drastic revision of the discriminatory EU visa regime in order to root out the nativist principle built into the design of the Union's political community. Of the three borders discussed in this chapter, this paper border is arguably the most untreatable root of the EU's refugee-protection crisis: the autoimmune policies devised to address this form of human mobility have not only magnified the challenge posed by an increased number of asylum seekers in the EU but they have also exacerbated other geopolitical problems to the point that this self-made migration crisis has become the most threatening existential threat the EU has ever faced. As we have argued, the visa regime has created a global caste system of elite travelers whose mobility is welcomed, on the one hand, and wretches whose mobility is banned, criminalized, and deterred as consequence of not having enough capital to buy a golden visa or having the wrong place of birth—to the extent that they could die not only trying to flee but even after they have arrived to an allegedly safe port (also Bueno Lacy/van Houtum 2022). The deliberate intention to keep the less affluent, bodily contrasting and religiously different trapped at a distance, or spatially and representationally invisibilized, simply because they were born unlucky is an act of discrimination that is at odds with the equal moral worth of human beings as laid down in the Universal Declaration of Human Rights as well as EU's Treaty of Lisbon—which the EU has

promised to defend. Surely, the world's discriminatory visa system—already a hundred years old—may today seem unbreakable, but so did the divine right of kings, the transatlantic slave trade and women's right to vote.

The discussion on how to achieve a responsible, sustainable, and just border policy surely does not end here. What is worrying, however, is that, for now, the EU seems poised to keep medicating itself with its increasingly self-poisoning remedies. Such an appalling course, we argue, should not be regarded as a momentary lapsus but instead as a train wreck happening in slow motion. Since the EU closed its external borders with the introduction of Schengen, its political community has followed an ever-deadlier path of discriminatory self-enclosure that excludes a large portion of the world. Today, the EU is experiencing the limits of this border model: the current politicization of migration characterized by ghastly measures to curtail the movement of refugees is shaking the EU to its foundations and endangering Schengen, the non-discrimination principle, the protection of human rights, solidarity, and the rule of law. Alarmingly, these are the liberal-democratic principles of the Copenhagen criteria and, ultimately, the very ethos of the EU.

Barring a drastic change in the EU's trajectory, the death and suicide of undocumented migrants and their children will not stop. What is more foreboding, perhaps, is that the EU might share their fate—at least as we know it. Perhaps Frans Timmermans is right: for the first time, the project of European integration that has brought historically unseen prosperity and peace to a continent characterized by its historical bloodshed seems like it might fail. Ironically, it might fail because the European Union has become its own most formidable threat.

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