



# Introduction

## Europe's Bleeding Border and the Mediterranean as a Relational Space

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On 3 October 2013 the world witnessed the most dramatic human disaster in the Mediterranean Sea since the Second World War. Of a fishing boat that left Libyan waters with 518 Somali and Eritrean refugees, only 155 made it to the Italian island of Lampedusa. Rescue workers recuperated over 300 corpses from the swelling waters, while others remained stuck in the wreck. Survivors stated that a few passengers, including, apparently, the human smuggler who was sailing the boat, set fire to a sheet to attract attention from passing vessels.

Though this does by no means constitute a unique event<sup>2</sup>, the Lampedusa tragedy demonstrates that the Sicilian Channel has, effectively, become an outer border of the European Union. Lacking the means to enter the Union legally, for many migrants coming from Africa's so-called "failed states" and conflict zones the Mediterranean has come to constitute an increasingly important route to reach Europe. The emergence of this Lampedusa route (or Central Mediterranean route, see Ciabbari and Cuttitta, this issue) has raised a twofold violent paradox. Though constituting only a fragment of illegal migrants entering the continent, Africa's boat people have progressively become a focal point of media and policy attention.



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<sup>2</sup> The organization United for Intercultural Action has registered 17.000 migrant deaths on Europe's borders over the last 20 years, 7.000 of which occurred in the Sicilian Chanel since 1994.

The result has been what Paolo Cuttitta (this issue) calls the political “spectacle” of the border and which consists of the conscious dislocation of migration controls towards the margins of territorial sovereignty. The conscious marginalization – and manipulation – of the process of migration control in Lampedusa has generated an increasingly repressive climate, including a series of violent, and sometimes even extralegal, measures to combat what European governments increasingly call the “war” against illegal migration. To give one example: apparently passengers on the capsizing boat in front of Lampedusa on 3 October 2013 ignited a fire to attract attention because several passing fishing boats had ignored their call for help<sup>3</sup>. Their denial was indirectly motivated by contemporary Italian legislation, which implicitly prohibits assistance of Italian nationals to illegal migrants (in jargon *clandestini*)<sup>4</sup>. In the past such repressive anti-migration laws have led to occasional contradictions among European member states as well as between EU members and the Council of Europe. One of such instances concerned Italy's prominent pushback operations in 2009, whereby at some point 24 Eritrean and Somali refugees who were floating in Italian waters were sent back to Libya. This particular act resulted in a condemnation of the Italian government by the European Court of Human Rights (ECHR)<sup>5</sup>. The ECHR regularly raises concerns about the way human rights are being trampled upon as a result of member states' increasingly aggressive pushback and detention policies. One could refer, for example, to a series of separate ECHR rulings regarding Greece's and Hungary's treatment of immigrants entering the country. The same humanitarian values the Court uses to condemn unlawful acts, however, frequently serve to underpin increasingly aggressive border control operations by EU individual member states. In the immediate aftermath of the Lampedusa disaster, the Italian government – in collaboration with Frontex and Eurosur – launched what it called a migration control “package” aimed at protecting Europe's Southern borders, and which explicitly evoked the protection of African emigrants against illegal trafficking networks<sup>6</sup>. Although technically separated, at the end of the day one cannot deny the explicit normative linkages between the EU's humanitarian values, which it regularly invokes to justify repressive actions on its borders, and the Treaty by which member states promise to respect fundamental freedoms and human rights

<sup>3</sup> Lampedusa, il sindaco: "Incendio ignorato da tre pescherecci", *Repubblica*, 4 ottobre 2013.

<sup>4</sup> The effect of this law is actually more ambiguous. Though article 12, 1 of the text explicitly penalizes “acts directed at favouring illegal entry” (*atti diretti a procurare l'ingresso illegale*), and Tunisian and Sicilian fishermen have effectively been put on trial, part 2 of the same article excludes from penal punishment acts of assistance and humanitarian relief (*non costituiscono reato le attività di soccorso e assistenza umanitaria*): Decreto Legislativo 25 luglio 1998, n. 286, in: *Gazzetta Ufficiale* n. 191 del 18 agosto 1998 - Supplemento Ordinario n. 139.

<sup>5</sup> The European Court ruled that Italy had neglected Article 3 (prohibition of inhuman or humiliating treatment), Article 4 (prohibition of collective expulsion) and Article 13 (right to effective defense) of the European Human Rights Charter.

<sup>6</sup> The operation was symbolically called *Mare Nostrum*, a hybrid term that simultaneously invokes the Italian nationalist and fascist re-usage of Roman Conquest terminology, but which was later re-framed in “soft” European foreign policy to embrace “the full diversity of Mediterranean cultures”: [http://lawprofessors.typepad.com/international\\_law/2012/02/mare-nostrum.html](http://lawprofessors.typepad.com/international_law/2012/02/mare-nostrum.html).

through the Council of Europe. The question remains to what extent this separation serves other, more mundane ends.

Ultimately, these internal contradictions between Europe, the Council and its member states appear to resuscitate a kind of Sophoclean drama, whereby the greater laws of humanity are sacrificed for the *nomos despotès*, or the sovereignty of the ruler. In a context whereby migrating bodies are reduced to bare life and their death reduced to mere destiny, a whim of uncontrollable forces, the Italian writer Barbara Spinelli (2013) notes, the protection of human rights becomes a purely residual objective, an ornament to Europe's absolute values of security and stability. Rather than mitigating the critical emergency in the Central Mediterranean, its perpetuation at a subjective, human level has become a key element in the justification of a forceful border regime that is officially aimed at curbing irregular migration but which, through its effects, enhances a system of interests and relationships that has almost become an end in itself. To quote David Keen (2012), for some wars, waging them is more important than winning them. But like all wars, the complex emergency unfolding in the Mediterranean Sea hides a more hidden but nonetheless powerful "emerging complex" of underground economies and connections that make it endure like a dragon with multiple heads (Duffield, 2001). To talk of a political economy of illegality, therefore, is to explicitly associate this explicit evocation of exceptional measures and institutions to the proportionate development of a clandestine cross border economy, a labour market with no rights, but which increasingly performs its task within the centre of Europe's formal economic growth (Mezzadra and Neilson, 2013).

Today, this instrumentalization of political disorder in the Mediterranean border complex shows off in two distinctive ways. On the one hand – and parallel to Chabal and Daloz's (1999) analysis of African politics of the mid-1990s – the chronicity of the European asylum crisis nowadays increasingly defies the classic parameters of positivist political analysis. European political actors – and not just the extremists – seek to maximize their returns on the current state of confusion and uncertainty that characterizes cross-Mediterranean mobility. Although the parameters are somewhat different from Sub Sahara Africa, national politicians hit by the current European crisis try to maximize the resources at their command by manipulating the institutional connections and resource flows intended to guard Europe's borders, while simultaneously acting as the gatekeepers of their "domesticated" returns. This is not to state that Europe has fallen back to patrimonialism or it is retreating into African "backwardness" – a term Chabal and Daloz fiercely resists by the way – but rather to reframe the current 'crisis' in its correct context, as an uncertain situation of which the outcome is not known in advance. As it goes, such conditions offer certain opportunities that may be exploited by those who know how to 'play' the system well (Idem, xix). In that sense, the political spectacle of the border needs to be read exactly in this vein, as a consciously performed stage, a play intended to converge certain institutional dynamics and flows, while displacing others. On the other hand, the

instrumentalization of disorder plays out at a different – let's call it the “glocal” – scale as well. For national governments, it becomes important to act as hedges against the uncertainty that this crisis, which they partly themselves generate, produces in their citizens' everyday lives. For uncertainty to transform into a calculable risk, governments propose to act as the protectors of their citizens' right to stability and security, which coincides, as mentioned, with the “absolute” value of national sovereignty in the international system. In straightforward Hobbesian fashion, this absolute right then literally encapsulates citizens' relative right to personal freedom and humanity, which is subsequently relinquished to an overarching ethical body that becomes a mere ornament to the former. The only problem then becomes how to distinguish these rights from those who are not-yet citizens: being neither refugees (because they have not yet laid down their claims to asylum), neither illegal (because not having had the right to effective defense) nor legal (because they have not entered national territorial law), the floating bodies in the Mediterranean remain as they are, in this interstitial space, nomads who function as the source of the law but to whom at the same time the law cannot apply. In that respect, Veena Das and Deborah Poole (2004) are indeed quite right when they state that the exercise of sovereign power at the margins of the state has moved centre stage to the reconfiguration of our contemporary polity – though this is not quite the polity Europe's founding myths had imagined.

### Guiding questions

What material and ideological associations can one make between Europe's increasingly aggressive migration policies and the rise of violent racism in individual member states today? What are the immediate and medium-term effects of Europe's increasingly networked approach to migration enforcement for the respect for human rights and migrant lives in general? To what extent can we link the perpetuation of crisis in the margins of European rule with the gradual reconfiguration of national and supranational sovereignty? These were some of the guiding questions a group of border specialists from Europe, Africa and the US faced between 15 and 17 December 2011 in the Northern Italian city of Pavia. The aim of this workshop, organized with the support of the European Science Foundation (ESF), the Universities of Milano-Bicocca and Pavia (Italy), and of Zurich (Switzerland), was to give further flesh to the emerging paradigm shift in border studies, which favours a re-conceptualisation of territorial borders as interfaces, as devices, in short, as *agencements* (Deleuze and Guattari, 1980)<sup>7</sup>. During this workshop, participants from a variety of disciplinary fields in the social sciences engaged in an in-depth, three day discussion to analyze (1) the differentiated and often conflictive participation of state and non-state actors in the

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<sup>7</sup> The workshop specifically focused on the European cases of Italy, Spain, the African cases of Libya, Tunisia, Egypt, Morocco, Senegal and, as a relative newcomer in terms of Europe's anti-immigrant outposts, Israel (<http://www-3.unipv.it/wwwscpol/saa/abornephp>). Two publications resulted from this workshop, of which this is the first one.

management of human mobility across the Afro-European border; (2) the way African migrants themselves interiorize and reshape European policies of border externalization; (3) the possibility to compare this emerging borderland with processes of border securitization in other parts of the African continent. In fact *the normative focus on borders as “lines in the sand” (Parker and Vaughan-Williams, 2009) seriously detracts our attention from the multi-scalar and multi-dimensional ways in which borders are enacted and imposed through a network of connected places, involving islands, oases, frontier settlements and legacies of pluralist confinement* across all these spaces. To overcome the lie of the border, therefore, (an expression used by Paul Nugent, 2002), there arises a need to humanize it (see Brambilla, and Loyd and Mountz, this issue), in other words to attach agency to it. As Brambilla writes in her contribution to this themed issue, “borders can be regarded as socio-spatial agency in their own right and bordering processes do not begin or stop at demarcation lines in space (...) Thus, borders can be critically conceived as power-laden differentiators of socially constructed mindscapes and meaning and such a focus enables us to point out the material as well as symbolic dimensions of bordering practices.” This perspective serves to indicate the “mobile, perspectival, and relational” (Rajaram and Grundy-Warr, 2007: x, cited in Brambilla, this issue) dimension of the border, which involves strong relations of inequality as well as sustained encounters of competing and even contradictory emplacements and temporalities.

In recent years, growing efforts have been placed into externalizing Europe’s southern border towards the African continent. For example, there has been a lot of talk about a so-called biopolitical shift towards “smart borders” (using high-tech means like biometric data and satellite communications, amongst others) as well as a supposed de-territorialisation of borders in general (Hassner, 2002; Delanty, 2006; Rumford, 2007). The contributions to this issue start from two basic premises in this regard. First, they depict the Mediterranean not as a wall but rather as a relational space, which acts at once as a filter and connecting space. To some extent, one could argue that the border has increasingly become the migrant body itself: whether sitting on a bench in the park, in a train wagon between two countries or a waiting room in a government building, the existential insecurity of being included or excluded is both meant to function as a deterrent and a demonstration towards national citizens that they need to abide to the system of sovereign territorial law. At the same time, however, one needs to explicitly connect this rising biopolitics of the border with a rapidly changing geopolitics of the border. Secondly, therefore, the contributions to this volume consciously differentiate themselves from a narrow, cartographic representation of the Mediterranean Sea as a facilitator of unidirectional flows (much like the newspaper maps one is bombarded with every day), towards favouring a relational space involving convergences that simultaneously function as acceleration and deceleration points of cross-border flows (Papadopoulos and Tsianos, 2007). If their normative ambition is often pervasive, the effect of European border policies is indeed frequently ambiguous. As borders become increasingly extraterritorial

and networked, migrants become so, too, and their agency filters through the semi-permeable membrane that the border becomes. The uneven circulation of capital, goods and ideas through this networked border underpins a subjectivity that is often physically mobile while ideologically fixed – confined to a place constructed through race as Merrill (this issue) writes. The cases described in this issue (Libya, Italy and, to a lesser extent, Israel) constitute important cases of re-articulated sovereignty across the historical space of the Mediterranean, because, despite the fact that these countries have only recently become important migrant routes from Sub-Saharan Africa to Europe, their emergence as central convergence points in cross-continental migrant flows influence the geopolitical reconfiguration of Europe's borders in significant ways.

The general consensus emerging from this collection of papers is that the Mediterranean as a border(ing) space has gradually left its stable ground of national checkpoints and territorial lines on maps to make part of a more fluid landscape built on overlapping, and often contradictory, histories of mobility and exchange. Europe and Africa do not share one but a multitude of borderlands, Chiara Brambilla writes in her contribution – referring to overlapping borderscapes of Italian-Libyan business connections, bilateral relations and migrant mobilities. On a theoretical level, therefore, the notion that is explored more in depth in this collection is that of the Mediterranean borderland as a relational space – or the form it takes as a result of people, ideas and things encountering each other in more or less organized circulations (Thrift, 2009, 96). For this reason, the notion of the Mediterranean frontier – which was once proposed by historian Fernand Braudel – remains useful, because it simultaneously focuses attention on the *conjuncture* of historical experiences, while taking seriously the *structure* (or the geopolitics) of Europe's expanding border enforcement (Braudel, 1972-1973). As Alison Mountz and Jenna Loyd (this issue) argue, “[s]tates’ efforts to manage human mobility do not end struggles over territoriality, but rather complicate them. Moreover, these efforts intensify crises of state sovereignty at a range of geographic scales.”

Terminologies such as corridors, frontiers and borderlands become important devices to designate this fluid space of the Mediterranean migrant landscape, and they have important normative and material implications on the way migrant mobility is being regulated (Karakayali and Rigo, 2010; Van Aken, 2007; Neilson and Mitropoulos, 2007). Brambilla, for example, proposes to use the notion of “borderscape” to indicate the dialectical space that emerges between such discursive practices and the often-violent renegotiation of logics of rule underpinning them (Brambilla, this issue; see also Rajaram and Grundy-Warr, 2007; Parker and Vaughan-Williams, 2009). Cuttitta prefers the notion of border “spectacle” to indicate the overlapping political economies of illegality and territorial border control. And Ciabbarri talks about a historical interlacement between South-South and South-North migration, particularly in terms of labour mobility, across the wider Mediterranean region. In sum, all contributions to this issue emphasize the multidimensional character of this changing Mediterranean

border space, which more than ever involves a violent transposition of regulatory frameworks, including the legal norms, agencies and instrumental repertoires that continue to underpin these. In particular, the topological dimension of the border as a constantly immanent force, which makes its presence be felt “at a distance” (Allen, 2009, 198, Rose, 1999), so to speak, radically goes against the state-centric vision that at the end of the day, it is state government that generates clandestinity<sup>8</sup>. In the Mediterranean, border control agency is being enacted by a multiplicity of agents that converge, but also diverge, in various constellations. In the perception of the migrant crossing Europe’s multidimensional border space, the sometimes multiple encounters with private security agencies like Securitas (who manage detention sites across the continent), Frontex and International Organization of Migration (IOM) officials, United Nations personnel as well as national security forces of various kinds all form part of same border regime. For them, the question of where to locate the border, but also how to relate the margins and centres of sovereign rule come again to mind, in other words: how is the constant unsettlement of migrant rights (like the rights to mobility, to asylum, or to legal protection) constitutive of a border regime that is both increasingly immanent and networked and extraterritorial in nature?

Besides the location of the border, a second set of questions in this volume converges around the effects of border control policies. Migrant testimonies increasingly evoke the border as a kind of classifying device of mobile populations –or “populations flottantes”, as Roitman (2005) would call them. While some are actively made invisible through either death or delegitimation – via categorical distinctions, selections and other bureaucratic procedures – others are actively legitimated through the same procedures, which thus become an entry card into Fortress Europe. One could argue with Timothy Mitchell (1991), therefore, that the immanent character of the border, the fact that sometimes it is and sometimes is not implemented, at the end of the day produces the *effect* of the territorial state, which emerges as a result of its institutional boundary drawing practices with all these other less territorial and less fixed institutions in everyday political performance. The interesting question arises, then, what kind of supra- or extraterritorial political entity emerges from this immanent border enforcement across the Mediterranean Sea. If it is not (only) states, how should we call it? Loyd and Mountz (this issue), for example, argue that the network of detention sites on Malta, Lampedusa and other island sites has gradually reshaped the Mediterranean border into an “archipelago” of migration control, rather than a fixed set of nation-state borders. Other authors prefer to conceptualize the border as a set of intersected nodes, involving different strategies of territorialisation and deterritorialisation (Rumford, 2006; Andrijasevic and Walters, 2010, Andersson 2011). Though critical of this de- and re-territorializing logic, the contributions to this issue nonetheless reveal an

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<sup>8</sup> This vision, which has long been abandoned by European national governments and supranational bodies, is still reminiscent in traditional leftist circles across the continent. See, for example, Agier (2013).

important paradox that cannot simply be swept away by referring either to the responsibilities of individual member states or to supranational humanitarian principles. Indeed, the implementation of these policies is often extremely ambivalent and depends as much on the actual encounters between legal representatives and migrant bodies in the midst of the Mediterranean border than it does on these abstract regulations and laws.

From a broader political perspective, finally, the humanitarian fallacy of Europe at its legal and geographic margins opens up a challenging debate on the place formerly colonized African subjects continue to occupy *within* Europe, not as integrated citizens but as nomads between many worlds. As Heather Merrill writes in her contribution, the life worlds of African migrants in Europe (she takes the case of Italy) remains reminiscent of Frantz Fanon's descriptions of his status as an Algerian migrant in France, being caught as he was between his own self-understanding as part of French society and his social erasure in France because of his enforced designation as someone from a colonial territory: a socially nonexistent permanent outsider (Fanon, 1967). Read from this vantage point, the mounting racist violence African migrants currently experience in European cities like Athens, Florence and Copenhagen today is not aberrational or abnormal, but should be read as an inherent part of Europe's institutional border enactment towards the citizens Europe once ruled with indiscriminate oppression. Despite its presumed superiority in terms of humanitarian principles and liberal democratic values, Europe has an equally important history to reckon with of racism and imperial conquest, and of explicitly discriminatory policies that denied colonial subjects from Africa and elsewhere entry into Europe's selective economy. While intentionally boasting their national border controls as a collective bulwark against illegal migration to Europe, national government in Spain, Greece, Italy and Israel are actively reshaping Europe's long history of frontline imperialism, in which the conscious construction and imagery of a barbarian outside world provided the ideological foundation for the racist exploitation and discrimination of its colonial subjects (Taussig, 2004). At the end of the day, all of this teaches us that border agency is never "simple and unfettered" (Merrill, this issue) but remains informed by a strongly racial and gendered imagery of what it means to be good citizens in a teleologically open but effectively closed society. Through the politics of migration in the Mediterranean, Europe's emerging identity once again hits hard against its own violent colonial past.

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