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# Transnational Migration and the Emergence of the European Border Regime: An Ethnographic Analysis

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## **Abstract**

Most critical discussions of European immigration policies are centered around the concept of Fortress Europe and understand the concept of the border as a way of sealing off unwanted immigration movements. However, ethnographic studies such as our own multi-sited field research in South-east Europe clearly show that borders are daily being crossed by migrants. These findings point to the shortcomings of the Fortress metaphor. By bringing to the fore the agency of migrants in the conceptualization of borders, we propose to understand how borders are being shaped by taking as a starting point the struggles of mobility. Against the background of our two-year transdisciplinary research project TRANSIT MIGRATION European migration and border policies cannot be longer conceptualized as being simply oriented towards the prevention of migration. Since migrants cross the borders daily, what happens if the borders' permeability is part of the way they work? If so, we have to investigate the mechanisms of border policies and practices anew. One is the concept of the border or migration regime. The other is the concept of the autonomy of migration. Our concept of ethnographic regime analyses is based on a transdisciplinary approach, comprising political studies, anthropology and sociology.

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The most common manifestation of the border in Europe is not to be found along the geographical border line of the Schengen area but rather in the records on the laptops of the border police; in the visa records of the European embassies in Moscow, Istanbul, Accra or Tripoli; in the check-points of Heathrow, Tegel, Charles de Gaulle or Odysseas Elytis; in the German central register of asylum seekers (ZAST); in the online entries of the Schengen Information System (SIS), where the data on persons denied entry to the Schengen area is administered; in the Eurodac, the data system administered by the European Commission, where the fingerprints of asylum seekers and apprehended illegal migrants are stored. Access to mobility is often via the computer screen. In this sense, Dana Diminescu (2005) talks of a 'virtual prison' and Papadopoulos, Stevenson and Tsianos talk of the emergence of *liminal porocratic institutions*: 'We see the emergence of a new form of mobility control, one which is no longer the result of transnational governance, rather it is designed and implemented by a series of institutions, we will call them Liminal Porocratic Institutions which lie and operate beyond public negotiation and beyond norms and rules instituted through governance' (Papadopoulos et al., 2008). Today we see the emergence of new forms of mobility control that operate in the liminal spaces between the public, the state and supranational organizations. These liminal spaces are regulated by institutions which largely attempt to close off possibilities for public participation in their management of migration. Crucially, these liminal institutions establish new forms of sovereignty, postliberal sovereignty which extend beyond the European borders through agreements with neighboring countries. Their main function is to regulate mobility flows and to govern the porosity of borders (hence *porocratic*). Both the liminal character of the new control institutions as well as the deterritorialization of sovereignty characterize what we call Liminal Porocratic Institutions (Papadopoulos et al., 2008: 179). Within the Liminal Porocratic Institution, i.e. the governance of porosity, the term 'flows' denotes the affinity between the fast, flexible multi-directionality of the mobile subjectivities of migration and the knowledge and network-based technologies of their surveillance.

The denaturalization of border control, with the double function of politics at a distance and virtual data collection, develops a logic of the extraterritorial net of control, which denaturalizes not only the form of surveillance but also the form of punishment by extending the risk of deportability (de Genova, 2005) within and beyond state boundaries. Since the commencement of the Treaty of Amsterdam in 1999, migration policies have officially belonged to the field of responsibility of the European Union and have become an integral part of the criteria of Copenhagen, which the acceding countries of the European Union have to implement. At that date a project started, which can be characterized as the Europeanization of migration and border policies – once located at the core of national sovereignty and identity. What happens, however, is not only a relocation of border controls from the national to the external borders of the European Union, but borders actually change their shape, practice and function. The emerging 'European border regime' affects not only the landscape of migration (as, for example,

in transnationalization and illegalization), but also influences cultural self-images and concepts of citizenship in the new Europe.

The events of Ceuta and Mellia in 2005 and the intensified fencing of the Spanish enclaves thereafter or the invention of Frontex as the EU border control agency certainly seem to support the metaphor of 'Fortress Europe' for the new Europeanized migration and border control realities. The metaphor may have as well contributed to the anti-racist movement by helping to build a critical discourse against European migration policy. However, we are highly critical of the Fortress paradigm, as we will outline in this article.

Above all, the metaphor of 'Europe as Fortress' cannot overcome the myth of *zero migration*. The erection of metaphorical and actual walls in Europe and elsewhere, however, does not seem capable of repressing migration movements. Despite the upgrading of control, migration still occurs and changes the socio-economic geography of border zones. Against this background, we attempt to come to terms with the Europeanization of migration policy by examining it as a social, conflictual process of negotiation (Transit Migration Forschungsgruppe, 2007; Papadopoulos et al., 2008). This means that we analyze the actors, practices, technologies and discourses involved in the process in concrete social situations. As we were working in a team, we could also apply a 'multi-sited ethnography' (Marcus, 1995), not only combining different countries in South-east Europe but also different social and local settings, following an approach which the social anthropologists Cris Shore and Susan Wright called 'studying through' (Shore and Wright, 1997): tracing the ways in which the different actors, discourses or technologies were creating new webs and relations of power. Such an approach implies a high level of cross- or transnational comparison. Therefore, we also prefer the concept of 'migration regime' instead of the classical system-theories as it includes a multitude of actors whose practices relate to each other, without, however, being ordered in the form of a central logic or rationality. Rather, the concept of 'regime' implies a space of negotiating practices.

## The Concept of 'Regime' in the Social Sciences

We assume that the concept of regime provides a framework wherein aspects of the autonomy of migration can be articulated. This seems important to us since it rejects the primacy of control implied in the theories of migration systems in favor of the primacy of the practices of migration.

From the very beginning, the concept of regime has focused on the theoretical problem of the subject-object divide. Against the background of the growing intertwinement of different agents and the emergence of new agents such as multinational corporations and NGOs, regime analysis was developed by scholars of International Relations in order to overcome the constraints of the neo-realist school. In this approach, international regimes are defined as institutionalized forms of behavior in the handling of conflict that are guided by norms and rules. According to this definition, regimes consist of 'principles, norms, rules and decision making procedures' (Wolf, 1994: 423). The aim of regime theory is to analyze objects such as the regime of global trade or currency. The focus of regime analysis lies on new levels of bargaining, which originate from

the establishment of a regime and which are no longer intergovernmental. The aim of the global currency regime until the 1970s was to achieve stability of expectation and sufficient international liquidity for an expanding world trade through fixed exchange rates. Central norms of this regime obliged states to follow stable currency policy in order to secure the fixed exchange rate backed up by the gold standard of the US dollar. The currency regime became a relatively autonomous process, which the agents who installed it accepted as an objective set of rules. It is pretty clear that the concept of regime in international polity (of states) reflects the problem of the absence of any external monopoly of power – there is no global state. A regime therefore is something like a virtual state for certain segments of internationally intertwined political and economical processes. Since the foundation of regime theory by International Relations in the early 1980s the concept has also been picked up and applied to different scientific objects by scholars of regulation theory (Lipietz, 1985) or the Bourdieu school (Boltanski and Chiapello, 2005). In regulation theory, scholars asked how it was possible that a maze of autonomous processes could result in a coherent social product in which all private expenditures of work can be valorized (Lipietz, 1985: 119). The point here is the problem of creating consistency of relations, which are highly instable but cannot be secured or regulated externally, e.g. by the state. Regularization of social relations is rather the result of social conflicts, which end in institutionalized compromises that have to be renewed or abandoned over and over again. To speak of a regime of migration suggests a perspective where migrations do not appear as objects of control.<sup>1</sup>

Of course not every aspect of the concept ‘regime’ is important in our case. A rather important aspect is what we call the ‘reversion of sovereignty’: the concept of regime makes it possible to understand regulations of migration as effects, as condensations of social actions instead of taking regulations functionalistically for granted. According to the concept of regime, there can be no ‘unmoved mover’ as a starting point of social action. A multiplicity of political agents is supposed to deal with social processes, where the regulation capacities of nation states have failed.

In the current debate on ‘governance of migration’, the findings of the regime debate are being applied in practice. In the 1990s, a change of paradigms occurred. The concept of migration as a single, one-way process has been replaced by the concept of transnational migration. One indicator of this change is the debate around a ‘General Agreement on Movements of People’ (GAMP) led by staff members of the IOM (Ghosh, 2000). The debate has shown that, in the context of migration, the State is an agent among others and that discourses and practices beyond classical institutions are more than merely ‘ideology’, but rather seem to replace them. Moreover, the concept of governance focuses on the increasing importance of immaterial and symbolic work in political practice (see Virno, 2004).

As pointed out, both the concepts of governance and regime decenter the idea of government, but still both do not take into account the agency of migration. Just as in the classical concept of government, migrants are the ‘absent cause’ of governance. In our empirical research conducted in the South-east border region of the European Union (including the Former Yugoslavia, Greece and Turkey), we could prove that implementation of migration laws (and the ‘Schengen acquis’) greatly depend on the set-up and the construction of a civil and non-statal discourse around migration. The EU thus supported

measures to build up a network of NGOs and scientific institutions that would back up and serve as a framework for the long-term emergence of a *gouvernementalité* of migration. Migration had – first of all – to be set up as a ‘problem’ (Hess and Karakayali, 2007). Although it seems that even within governmental reasoning, the restrictions of administration have been finally accepted, governance is rather conceptualized as an affirmative version of Gramsci’s concept of the ‘extended state’: NGOs and the implementation of mainstream discourses on migration serve as ditches and casemates of the fortress. But it is the migrants who, by crossing borders and overstaying, put government and administration into question on a daily basis. Migration itself proves that is not a stream of water that can be turned off like a tap.

This is why we opt for a regime analysis that takes up analytically the position of migration – which is not the same as methodological individualism. Thanks to Cultural Studies, the actions of the subaltern today can be conceptualized outside the framework of the divide between critical and affirmative theory, in which the subalterns have either been captivated by ideology and repression and thus became pure victims of bourgeois dominance, or action has been conceptualized as deviancy and thus, without any theory of antagonism. The cultural studies paradigm of resistance, however, reduces the politics of the subaltern to tactics in the tradition of what Michel de Certeau (1984) called the ‘art of action’, that is to oppose those in power.

A migration regime includes an asymmetric power relation. There is no doubt that those who can enforce border policy, the Schengen Information System (SIS) or immigration laws are – in terms of a ‘power econometrics’ – absolutely superior to migrants. The question is not who is the winner of this game, it is rather: who initiates the changes in its rules? The point here is that the result of superiority in this matrix is not the proclaimed immobility, proved in so many case studies at the borders of this world. The operational mode of a border regime is not sealing-off but rather the element of disfranchisement. There is a further element of such a regime:

It is obvious that such a migration regime is not targeting the exclusion of migrants, but rather valorizes elements of surplus (i.e. its autonomy) which are characteristic for migration today and to reduce them to their economic dimension and in so doing to exploit them, although enforcement of borders and refinement of deportation and detention system belongs to its direct effects: In other words, the aim is surely not to hermetically close the borders of the ‘rich countries’, but to build up a system of barriers, that ultimately serves to produce an active process of inclusion of migrant work through their clandestinization. (Mezzadra, 2007: 183)

Current analyses of border regimes are either centered around a very descriptive approach focusing on details of border control policy, or they focus on reconstructions of the establishment and transformation of transnational agencies. Therefore, these accounts reify the myth of the controllability of migration, on one hand, or run the risk of disconnecting politics of control from the aspect of productivity, on the other. Mechanisms of border control produce clandestinity and thus the conditions of migrant exploitation. It is no coincidence that migrants predominantly work in sectors in need of flexible labor since migrants, thanks to their transnational mobility, can rely on different

reproduction systems. Clandestinization is neither the result of a sinister plan to overexploit a new subproletariat, nor does exploitation mean the subordination or erasure of the migrant's subjectivity. Rather, the asymmetry results from a re-coding of the mechanisms of control by the migrants – transferred or 'interpreted' by the fields of labor and social compromise they become something different. Migration regimes produce the transformation of mobility into politics. It is a 'machine' in the sense of Gilles Deleuze and Félix Guattari and not an independent variable in a smooth continuum of mobility and its control. But how can we integrate migration theoretically as a social movement into such a parallelogram of power?

### **The Ethnographical Analysis of Border Regimes**

In line with these general methodological and theoretical remarks, our research on the practices and discourses of border control in South-east Europe suggests a double twist. First, we propose to see the border no longer as a solid line but as highly differentiated 'border zones' and, second, we suggest thinking about borders no longer in metaphors of 'walls', but rather as highly perforated systems or regimes. It is no coincidence that in this context Étienne Balibar makes the point that the 'institution of the border' in Europe has a double-edged nature: on the one hand, it functions as a form of state regulation of populations and their movements and, on the other, constitutes a border institution (liminal institution) only seldom subject to democratic control (Balibar, 2003: 270). In her work on the communitization of Eastern European border policy, Enrica Rigo (2005) has pointed to how European migration policy leads to the diffusion and stratification of borders. In accordance with many other critical researchers (Guiraudon, 2001; Lahav and Guivandon, 2000; Walters, 2002), Rigo points to a 'deterritorialization' of state sovereignty: in certain cases, the knock-on effect of third-state regulations, the 'police à distance' as Didier Bigo and Elspeth Guild (2003: 3) call it, can stretch as far as to Asia. This postnational process of border displacement and externalization, however, should not be understood as a sovereign act by states to extend power or competence on the basis of an abstract claim for hegemony and control; rather, it represents a multifaceted constitutive plane of struggle, where the regime of mobility control is itself challenged by the fluid, clandestine, multidirectional, and context-dependent forms of mobility. At first glance, this may seem like a heroic glorification of migrant ruses and tactics best suited to the neo-liberal ideal type of the *homo oeconomicus*. However, this is a central epistemological question of understanding migration as a movement 'that possesses knowledge, follows its own rules, and collectively organizes its own praxis' (Boutang, 2002: 1). The work of the new migration economics as well as research on transnationalism (Basch et al., 1994) has shown that the conception of the migrant as an economic and, as a rule, male Robinson Crusoe cannot be sustained (Hess, 2005; Kofman and Sales, 1998). These studies stress the importance of households, families and other networks as the context within which migration takes place because migrants never reach the border on their own.

In the following we want to describe the Aegean border zone as a conflictual social space that is composed of diverse actors, forces, discourses, interests, and economies. We will start with ethnographic accounts of Turkey as a central transit space and hot spot

of migration along the so-called eastern route. Subsequently we will follow the border crossing strategies to Greece.

## **Smuggling – the ‘Sheep Trade’**

In contrast to the well-known tourist destinations along the Turkish Mediterranean coast, Ayvalik is an almost sleepy resort situated only a few kilometers from the Greek island of Lesbos. When we visited Ayvalik in 2003 our host told us right away that only last week a ship sailed out with 23 migrants on board and capsized somewhere nearby. Only three survived. He said: ‘The coastguard doesn’t bother to raise the sunken and stranded ships any more because there are so many of them. I can take you to one.’

The journey did not lead to a stranded ship but to another person who knew the ‘sheep trade’ from personal experience. Just a few years ago the man had helped 800 migrants to board a tanker. It happened the way it always does. He got a call from Istanbul to let him know that his help was needed. He actually succeeded in transporting the 800 people to the sparsely populated coast and from there to the tanker, which was to take them directly to Italy. A day later he got the news that the coastguard had captured the tanker.

The transport service began very small in the late 1980s and in the middle of the 1990s the Kurdish migrants began to show up. In the beginning they all traveled by public transport; then they were brought in minibuses and eventually in three or four big buses — until the police began to notice. Now they are moved in trucks, squashed together like ‘sheep’, as our host put it. Another fisherman told us a quite similar biography of smuggling. What started out as a favor led to more and more people asking him for ‘help’, until eventually he was arrested three years ago. However, he was convinced: ‘I tell you people will always try and escape and others will always help them.’ With increasing and more sophisticated technologies of control, the situation has become much more difficult. The main effect was that small smugglers such as the fishermen are losing the race and well-organized smuggler networks are taking over. Another smuggler in Greece told us of his experiences with the practice of border crossings: ‘The payment only comes at the end of the deal.’ That’s the security that the customers or their relatives have. The deal is always a verbal one. When the captain has been contacted and the agreement has been made, the date is set, the ‘heads’ are counted, and finally the price and method of payment are determined. The price varies according to the number of ‘heads’ and the type of journey. The captain can earn up to €15,000 per ‘transport’. ‘Sometimes, during the summer, we are finished in five minutes.’

## **Fakes and Excessive Movements**

The social relations in the immediate vicinity of the border zone are closely tied to the current developments in the metropolitan areas of West Turkey, as our encounter with Mike – a this and that – in Bodrum, a coastal town on the Turkish side of the Aegean, shows. We met Mike with a small photo in his hand looking for a friend who he had lost track of after a failed attempt to cross the border, and he was willing to meet us again at Istanbul.

Mike's migrational biography of being stuck in transit for a few years increasingly is representative of constantly more international migrants passing through Turkey on their ways to the North or West (Icduygu, 2003). Years ago he had gone to Lebanon with his friend. After years of civil war, however, Lebanon was a 'chaotic and difficult country' as he described it. Both of them set out for Europe with forged passports and €1,500 in their pockets. They went via Syria to Turkey from where they made three – unsuccessful – attempts to continue their journey. They tried with a visa and a scheduled flight to Poland, to Croatia, and by ship to Greece. Every attempt failed and they ran out of money. Especially for African migrants it was apparently difficult to find a job and save money in Istanbul. He often spent days and months in prison but every time he managed to get out.

Luis, too, another African migrant we met was only recently released from custody. He entered Turkey with an official student visa but was soon unable to pay the student fees, which meant his visa was no longer extended. Like many impoverished migrants, he set out for the Aegean coast, but the minibus from Istanbul was intercepted and the group was imprisoned in an empty school. There are many such improvised 'deportation camps' in schools, empty factories, police stations or hotels which – given the absence of a state migration and asylum policy and of appropriate infrastructure are used by local authorities as temporary prisons. Many things can happen in this rather dubious system. For instance, migrants are packed off to Syria irrespective of whether they came from there or not. Alternatively, this situation can mean that a flu outbreak or a purported marriage leads to release from custody as in the case of Luis.

Due to this situation, Istanbul grew into a complex transit zone with a big market for *fakes* and *frauds*. The merchandise consists of fraudulent accounts of escape, faked papers or torture videos. Not only is use made of the categories of EU migration policy, but it is clear that there is also a wide knowledge of the conditions of migration: how to make another believe that you are not coming from a 'safe country' or how to satisfy the documentary requirements of the European asylum process.

Now, Luis had again to decide in which category of the official migration and mobility policy to place himself: Should he stay in Istanbul and eke out a meager existence, or return to Ghana and from there apply for a new visa or, even better, asylum – this time in Germany? Or perhaps attempt to reach Germany via illegal routes? But as he said, actually, Greece would really be enough. Greece is in fact the first Schengen point of entry in this region, where the hubs of the migration routes are being linked under new conditions.

## The Institutionalization of Transit in Greece

Resa, a migrant from Bangladesh, was involved in organizing a transport from Lesbos to Italy. In the summer of 2004, he was detained in the main city of Lesbos, Mitilini, on suspicion of 'trafficking'. He used a house on Mitilini to quarter the migrants whom he recruited in the nearby camp. He flew to the island after he was contacted by phone by a Palestinian living in the camp and informed the transmigrants in the camp that the 'transport' to Italy, including the initial accommodation in Mitilini and Athens, would cost €500. About 750 people were stuck in that camp – guarded by eight policemen.



Most of the detained knew that they would have to stay in the camp for three months and then go to Athens. They asked the research team for telephone cards and telephone numbers of NGOs in Athens. To the question, whether they needed anything, the team received the answer: 'Yes, an English grammar book . . . We want to go to Canada, you know!'

Apo was another inmate of this so-called 'reception center'. He told us that he was a 'guest worker' who had lived with his relatives in Southern Germany since the beginning of the 1980s. In the 1990s, he had gone back to the Turkish mountains to fight with the PKK. When the PKK called a cease-fire he had withdrawn to Iraq. He had already spent some months trying to return to Germany, eventually managing to reach the Aegean island of Lesbos from the Turkish coast. He could not return directly to Germany since – according to the stipulations of the German Aliens Act – his legal residency was no longer valid due to his long absence. Although he had lived in Germany for 25 years, Apo would be illegal in Germany and although he would qualify as a political refugee, he did not want to apply for asylum on Lesbos. He felt the procedure was too uncertain and took too much time. The acceptance quota in 2004 was 0.6 per cent and waiting periods of up to two years are not uncommon. If Apo applied for asylum in Greece, he would also have to be registered in Laurio – a camp for victims of political persecution, especially from Turkey, erected in the south of Athens about ten years ago. If he were to be registered in Greece as a refugee, however, his first arrival data would be registered in the Schengen Information System (SIS). According to the Dublin Convention for Asylum and Visa Issues which regulates first country provisions, this would rule out traveling on to Germany since he would have to reckon with his being sent back to Greece in the case of arrest. Since Apo wishes to live in Germany, he accepts the risks entailed in crossing borders illegally. He is counting on being able to leave Greece illegally with the help of his family networks.

On Crete, we found a repetition of this scenario in the 'Hotel Royal' situated opposite the rather oppressive US military base. The spokesperson for the detainees, who was a teacher in Egypt, told us that half of the detained migrants are Palestinians who have applied for asylum, while the other half does not wish to make an application. Actually, they were only in Greece by mistake. They really wanted to go to Italy. Their only demand was to help them free 'their brother', who had been identified during an interrogation as a 'trafficker', only because 'they needed someone to blame'.

Viewed from a theoretical perspective that emphasizes repression, the camps provide the ultimate proof of the efficacy and the misery of 'Fortress Europe'; however, the stories told by Mike, Resa, Minu and Apo show exemplarily the porosity and failure of this self-proclaimed omnipotent 'fortress'. Moreover, migrants' active embeddedness within criminal networks of cross-border mobility as well as their perseverance and the multi-directional flexibility with which they manage their biographies prompt an alternative understanding of the impermeability of borders as well as of the function of trafficking. In the following we want to exemplify this with regard to the function of camps. From the viewpoint of Mike, Resa, Minu and Apo, camps are tolerated (tolerated by migrants) transit stations, even if these spaces seem to oppose the very core of migration: excessive mobility. Camps are heterotopias (Foucault, 2005), spaces outside of all spaces, although they exist in reality. What makes the imperceptible politics of migration so powerful is

that it incorporates, digests, and absorbs these spaces through the excessive movements of mobility.

## **Transit Camps**

The Europeanization of migration policy and the installation of the liminal institutions of camps clearly illustrate current tendencies in the transformation of sovereignty. This process not only attempts to erect a rigid executive segment for policing migration but it constructs a space for a new form of regulation of migration as well. While legalist thinking understands undocumented and illegal migration as a criminal crossing of borders, it is, in terms of its local realities across Europe, a complex field amenable to management and control.

Apo, Reza and all other transmigrants caught at the borders, are confined to the camps on the islands until their nationality has been accurately determined. Because of the pressure from the EU, in 2001 a treaty of repatriation between Greece and Turkey replaced the previous, ineffective bilateral repatriation agreements. However, this treaty is – at least in part – practically void due to the established regime of human rights. Threats of penalties and sanctions are meant to force countries of origin and transit states like Greece to accept a ‘common management of migration flows’ and the repatriation of their citizens or transmigrants that are unwelcome in Europe. However, the application of the treaty diverges radically from the Schengen deterrence scenario when it gets translated into the actual practice of the border institution.

Actors involved on the ground include not only the migrants and the militarized border patrols but also the intervening space of negotiation in which different NGOs strive to implement European asylum law. In Greece, repatriations are illegal in the sense that ‘just in time’ sanctions against illegal border crossings (administrative deportation according to §50 of Statute 2910/2001 on leaving and entering Greek territory illegally) violate the general human right to asylum. The procedure of clarification usually lasts seventy days. The treaty only works in cases where migrants can be classed as clear-cut labor migrants from Turkey, and are either already registered in the SIS system for a previous illegal border crossing, or anticipatively ‘out’ themselves as such in order to make a renewed attempt. For migrants from Afghanistan, China and Africa, repatriation is even more difficult, since such migrants must be handed over to the bordering country of origin, insofar as it is a ‘third country’.

The illegal border crossing is usually registered by the coastguard or border police and on arrest the police order an immediate administrative deportation on the grounds of illegal entry. However, the state prosecutor suspends this provisionally by not filing an individual case against the illegal migrant. This is a reaction to the fact that the police are unable to provide asylum procedures in the camps and, therefore, the illegal immigrant cannot be immediately deported because of a presumed right of asylum. As a rule, those not wishing to or unable to apply for asylum, or those clearly identified as, for example, Iranians or Iraqis, are transported as quickly as possible to the detention camps in the Northern region of Evros and, in the worst case, ‘clandestinely’ sent back across the waters of the Evros river border – mostly under threat of violence. Those among the camp population not immediately deported leave the camp after three months with a

document that requires them to leave the country ‘voluntarily’ within two weeks. Here, the subordinate clause in the ‘document of release’ is of interest as it states: ‘in a direction of your choice’. Apo and other transmigrants may, after obtaining permission to leave the camp with their ‘release permit’, travel on to the mainland. The law states that whoever claims asylum, either verbally or in writing, may not be repatriated. The applicant is supposed to be interviewed within three months, but in practice this phase lasts from one to three years.

This administrative practice documents a political calculus that is an open secret: the migrant will waive his interview, remain illegal and move on. Until 1992 the responsibility for both the recognition of the right to asylum and the financing of initial reception lay primarily with UNHCR. The official policy on asylum was characterized by the political credo that Greece was only a transit stop on the way to the European heartland. The implementation of EU legal standards on asylum, mainly due to the intervention of NGOs, serves to put a brake on restrictive border controls and to a certain extent legalizes the dynamics of mobility and transmigration.

Transit camps mark a provisional topography of stations along the various migration routes. The camps along the Aegean function less as a blockade directed against migration and more like an entrance ticket to the next journeys. In fact, the Greek practice and reality of camps seem to institutionalize mobility. Something we can also observe in some of the Eastern countries that recently joined the European Union. But also the improvised camps on the Turkish side cannot be understood simply as the results of the deterritorialization of the cordon of camps to beyond European borders. It is not simply that the heartland of Europe determines the general parameters and the south is then liable for local implementation. The EU countries of the Mediterranean play an active and central role in this process. The implementation of EU migration policy across the whole South-east European area, with its informal cross-border economies, is more a mode of transit regulation than of transit control. These changes of function of the camps of Southern Europe that we have described represent, at least in part, the beginnings of a productive transformation of (European) migration control. This observation implies the necessity of rethinking both classic migration theory and the concept of the ‘camp’.

## **Camps as Regulators of Migrational Flows: Porosity and Permeability**

The consensus on both sides of the debate of what a camp is – the critical as well as the affirmative insisting on Fortress Europe against migration – awakens associations of a battlefield. This association is particularly important for the ideological and political debates. Both the migrants in the camp, as well as the critics in the metropolises, rely on a human rights discourse that seems, at present, to be the only vehicle capable of articulating migrants’ interests. When we visited the camps in Lesbos, the detainees immediately referred to the scandalous and inhumane living conditions and explicitly requested that we photograph the inadequate sanitary facilities. However, an ethnographic analysis of the border space must not replicate the usual imperatives of political control that are implicit in the associations of camps as battlefields or simply as humanitarian

disasters. Rather, the task is to elaborate a conceptual framework that elucidates the relations between the camp and regulation as a spatialization of social relations.

According to Giorgio Agamben's concept of biopolitics, the camp represents the place where the biopolitical dimension of sovereign power becomes productive. Here, Agamben claims, it lays hold of interned subjects. By denying them any legal or political status, it reduces them to their physical existence. Various authors such as Ferrari Bravo (2001) or Sandro Mezzadra (2007; Mezzadra and Neilson, 2003,) criticize Agamben's concept of 'bare life' (2002), because it excludes the question of the regulation of labor power and focuses only on a legalist understanding of the function of camps. Such approaches reverse Agamben's concept: the question now centers on the mode of articulation between deportation camp and the restructuring of the global labor market in contemporary capitalism. In his critique of Agamben, Sandro Mezzadra (2007) recasts the figure of the contemporary camp as a type of 'decompression chamber' which functions to disperse the pressure on the labor market, sectorally, locally and exterritorially.

If one is to believe the official estimates of Europol, annually 500,000 undocumented migrants enter Europe via the South European/Mediterranean route. This represents one-fifth of the total estimate of undocumented immigration to Europe. Under such conditions, the camps of South-East Europe are omni-functional institutions of migration policy, since they 'produce' the flexible separation of residence and labor rights, and the outsourcing of the reproduction costs of undocumented labor. In no sense are they places of totalitarian immobilization. Their relative porosity and the temporary nature of residence give them the function of stopover points. The camps are fields of various forces, which permeate the migration politics of the EU countries along various axes. Within them, migrants are subject to what appears initially to be a rigid system of mobility control, which they seek to bypass where they can with microscopic 'sleights'. The camps represent less the paradigmatic incarceration milieu in the age of authoritarian neoliberalism than the spatialized attempt to temporarily control movement, i.e. to administer traffic routes and to render regulated mobility productive. The porosity of the camps is thus an expression of an institutionalized border porosity that evolves through relations of power where the actions of the migrants and their carriers play just as much a role as the clearly discernible population policy intentions of the EU. Therefore we want to ask in the final section if it is possible to think about camps 'from below'?

## **Deceleration: The Temporal Control of Mobility**

With the aid of Paul Virilio (1980), the catastrophic functionalism of Agamben's position can be challenged insofar as one opposes the political disciplinary connotations of camp confinement and exclusion by using the figure of *decelerated circulation* of mobility. That is, viewing the camps from below reveals a constant flow of migrational mobility and camps as the spaces, which most drastically attempt to regulate the speed of this circulation and to decelerate its velocity. Rather than stopping the circulation of mobility, camps reinsert a socially commensurable time in the migrants' movements. They bring illegal and clandestine migration back into society by make it visible and compatible with a broad regime of temporal control. Decelerated circulation means that migration is not regulated through space but through time.

The Schengen camps are less panoptical disciplinary prison institutions than, following Virilio, speed boxes. Camps as they appear in Zelimir Zilnik's film *Fortress Europe*, are markers on the map of travel, communication and information centers, rest houses; and not infrequently small banks of undocumented mobility. Against the background of Foucault's *Discipline and Punish* (1977), it is important to examine the figure of decelerated circulation in the light of how it alters the relation of time, body and productivity. The centrality of temporal over spatial regulation for an understanding of migration today is also clear when we consider how the time regime of the camp is distinguished by the dissociation of the body from its direct economic utilization. Previously, mobility was rendered productive by territorializing movements and inserting those movements into a spatial regulation of bodies. Consider, for example, the workhouse or the situation of the first foreign worker hostels of the guest workers' era, which territorialized mobility in order to create a productive workforce. However, with the current configuration of camps, this scenario has changed.

Camps do not attempt to make migration economically useful by making migrants productive in the spatial order. Rather they make migrants productive by inserting them into a global temporal regime of labor. This regime is not based on disciplining bodies and regulating whole populations. The temporal regime of global labor follows the movements of people and invests where it finds a productive workforce in a state of flux. This allows global capital to thrive on labor and life conditions that are in a state of transition and, most importantly, are primarily unregulated and informal. With this global temporal regime of labor, the moving and changing workforce is rapidly embedded into capital's productive structure. However, global capital also quickly abandons those recently and opportunistically embedded workforces as soon as new possibilities for exploitation emerge elsewhere. What is significant for us, here, is that this is a temporal regime, rather than a spatial regime: the spaces where global capital invests do not exist as such, they constantly emerge and vanish as people move, migrate and change their lives.

How to understand migrants' waiting, hiding, unexpected diversions, stopovers and settlements, the refusals and returns, the possibility of a fatal end to the journey? Is the deceleration of migration through camps and border controls really productive for the European labor market? The camp regulates the temporalities and speeds of migration and in doing so, it reintegrates the global vagabonds of the third millennium into a new temporal economy, an economy they have long since deserted on their journey. The main function of camps is to impose a regime of temporal control on the wild and uncontrollable unfolding of the imperceptible and excessive movements of the transmigrants.

In this article we trace the main techniques of postliberal migration control at work in one of the most permeable and heavily policed lines of border crossing in Europe, the Aegean Sea. We consider how migration evades its regulation, creates new conditions for mobility and movement and challenges the liminal porocratic institutions' regime of mobility control. For instance, when we examine how migrants incorporate camps into their overall tactics of movement, we can see that the disciplinary and biopolitical functions of the camps only evolve by following the escaping and moving masses. We draw on a theoretical approach, the *autonomy of migration*, to jettison the ubiquitous notions of the migrant prevalent in NGO paternalistic interventionism – as either a useful worker or as a victim. Instead of conceiving of migrational movements as derivatives of

social, cultural and economic structures, the autonomy of migration lens reveals migration to be a constituent creative force which fuels social, cultural and economic transformations. Migration can be understood as a force which escapes the current constellation of political sovereignty.

## Note

1. Saskia Sassen used the term 'human rights regime' to stress the function of human rights in the establishing of a transnational geopolitical order. To be able to determine the dimensions of gendered divisions of labor, Brigitte Young developed the concept of gender regime. Following the definition of the term regime of accumulation in regulation theory, she defines gender regime as a terrain in which within the framework of social transformation processes, gender ratio is being re-defined.

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