*Reinventing political order? A discourse
view on the European Community and the
abolition of border controls in the second
half of the 1980s*

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WHAT KIND OF order did the European Community (EC) and later the European Union (EU) become by deciding to abolish border controls between the member states in the second half of the 1980s? The EU has been celebrated as a postnational entity which has been able to overcome old enmities between European states that resulted in so many wars in the past. Against this background, the EU is often turned into a benevolent actor. Such was the message by European Commission President José Manuel Barroso and EU President Herman van Rompuy in response to the awarding of the Nobel peace prize to the EU in October 2012: 'this Prize is the strongest possible recognition of the deep political motives behind our Union: the unique effort by ever more European states to overcome war and divisions and to jointly shape a continent of peace and prosperity' (2012).

This chapter is critical of such a benevolent rendering of the EU by highlighting a process of simultaneous 'debordering' and 'rebordering' (Rumford 2006: 157). Although the EU claims to be an inclusive community with regard to the member states and the rest of the world by attempting to break down a variety of borders, it reinstitutes them in other places with the effect of rerouting and redefining mobility and thereby also legitimising new forms of security. Examining the discussion about abolishing border controls between the member states and the proposal for alternative schemes of control during the second half of the 1980s shows the grounding of the EC/EU as a distinct territorial entity and as such becoming involved in the regulation of who can enter the territory under what circumstances. This chapter thus adds a note of caution with regard to those who celebrate the EU as a benevolent, postnational development.

Central to the analysis is the concept of the border. Traditionally, borders were understood as physical markers of the state's territory. Research focused on describing and classifying borders (Newman 2001: 140–1) and

their function was understood as either open or closed (Rumford 2006: 160). A sociological approach to borders has turned attention to the meaning-making practices involving borders (Parker and Vaughan-Williams 2009; Parizot et al. 2014; Johnson et al. 2011). It led to the notion of bordering, a focus on the process through which borders are made and remade; borders are never permanent fixtures. As Alison Mountz argues, 'borders are always in a state of becoming, their conceptualization remains provisional in nature' (Johnson et al. 2011: 65). Accounts of bordering also moved away from the idea of borders as strictly territorial markers of state sovereignty. Borders are considered legal, social, political, and cultural markers that emerge across and inside territories (Parker and Vaughan-Williams 2009: 583; Parizot et al. 2014: 505). Rather than designating the edge of the state's territory, borders should be understood as a 'multiplicity', a marker that manifests at multiple locales and in various forms, as William Walters (2006: 198) argues. Sociological accounts of borders are critical of the thesis that globalisation leads to the disappearance of borders (Rumford 2006: 157).

Indeed, while some borders, such as the checks between EU member states, vanish, a process known as debordering, they reappear in other, sometimes less visible and perhaps more unexpected places, a process known as rebordering. An example of rebordering are the various databases (Schengen Information System, Visa Information System, Eurodac) maintained by the EU that regulate entry and exit regarding the EU. Border controls are no longer exclusively performed at the edge of the territory but both before and after crossing the geographical border (Johnson et al. 2011: 61; Parizot et al. 2014: 505). Debordering and rebordering are not characterised by an either/or logic, they occur at the same time, although perhaps in different places (Rumford 2006: 157). Borders are regarded here as spatio-temporal constructs that produce and are the product of distinct formations of power and space (Van Houtum and Strüver 2002: 142). As such, bordering affects who can be mobile, the conditions under which this mobility is (il)legitimate, with what velocities movement takes place, their rhythms, routes taken, the experience affecting the traveller, and the degrees of friction encountered (Cresswell 2010: 22–6). Border control is then understood as a 'form of sorting through the imposition of status-functions on people and things' (Cooper and Perkins 2012: 57).

The debate over the removal of border controls between the member states in the second half of the 1980s is situated here in relation to the terminology of sociologist Manuel Castells (2010: Vol. 1, Chap. 6) of the space of flows and the space of places. The abolition of border controls is an expression of a broader principle on which societies organise themselves, they are preoccupied with boosting the 'exchange and interaction' – flows – between actors that are 'physically disjointed' (Castells 2010: 442). In EC/EU terms, this means the breaking down of barriers between member states to contribute to an 'ever-closer union

among the peoples of Europe' (EC 1957: 11). This manner of organising societies is contra that of the space of places where 'form, function, and meaning are self-contained within the boundaries of physical contiguity' (Castells 2010: 453). Within EU studies, the notion of the space of flows has helped to capture and rethink the ambition of the EC/EU to become a singular space or monotopia (Jensen and Richardson 2004: 3), including the effects this has in terms of the conduct of government (Hajer 2000: 138–9). For this chapter, Castells's terms help identify a field of power relations in which the space of places, as embodied here by the sovereignty–territory nexus and globalisation as the pinnacle of the space of flows, triggers a productive tension in which new forms of governing become possible.

More concretely, the chapter examines how the abolition of border controls between the member states was made possible as a topic of discussion in the second half of the 1980s. It looks at the ways of public political reasoning about borders and border control. In the debate over the removal of these controls, the notion of the border appears both as facilitator of economic exchange and as security device, a duality of functions that seems to be at odds. Chris Rumford (2007: 330–1) has identified this tension in the context of scholarly writing as well. Accounts emphasising the openness of borders, that is focusing on borders as facilitating flows, coexist with accounts pointing to the securitisation of borders, that is the making of borders as security devices. His suggested way out is the 'networked border', a term that captures the idea of border control as not necessarily taking place at the territorial border but at various points throughout society (Rumford 2006: 158; see also Walters 2006: 193; Guild 2009). In line with Rumford, as well as Walters's earlier cited notion of the border as a multiplicity, the chapter argues that the economic and security functions of borders are not mutually exclusive but represent a productive tension (see also Mezzadra and Neilson 2013: 3) which has made possible new forms of government for the EC/EU. The chapter thus contributes to the historicising of the networked border. Several aspects lie outside its purview: it does not address the 'Schengen' and 'Brussels' initiatives as contending ways of conducting border control (for an insightful analysis, see Zaiotti 2011) and border control specifically refers to checks with regard to the crossing of persons instead of controls on services, goods, and capital unless stated otherwise.

The structure of the chapter is as follows. The first part elaborates the theoretical assumptions and the method of analysis. It introduces the notion of discourse as inspired by the work of Michel Foucault, shows what reading strategies are used in examining the sources, and points to the limitations of this approach and the sources. The second part situates the debate on the removal of border checks and the need for alternative controls in a wider context. It examines two interlinked discourses: one on European Union, premised on the notion of an ever-closer union between the peoples of Europe and the removal

of barriers between the member states, and another on valorisation, that is the EC/EU being relevant in the daily life of citizens. The interlinkage of these discourses enables discussion of the removal of border controls as a viable option. The third part focuses on the meaning-making practices concerning the border between the member states. The border is conceptualised as a barrier, although in different ways. According to economic reasoning, borders prevent optimum exchange and wealth creation, while following a security reasoning, the border is seen as an essential device of protection. The fourth part shifts the attention to the need for new regimes of control and the kind of claims underpinning them. Knowledge about cross-border events was central to this. The fifth part offers concluding reflections by examining the functions ascribed to the border and border control in light of the notions of sovereignty and territory. As such, it argues that the removal of border controls contributed to the emerging territoriality of the EC/EU and the limits within which the EU is conceived as a political order.

Discourse analysis

The discussion on the abolition of border controls is approached through the lens of discourse. This part introduces and defines the notion of discourse, clarifies the methods employed in studying discourse, and discusses the primary material, including the limits of this specific approach. Discourse is widely used in the social sciences and this chapter builds on the work of Foucault in particular. Foucault's understanding of discourse (1972: 27; 1991: 59–60) refers to a set of rules through which meaning is established. Reality or knowledge is not accessible without the meaning-making practices that they produce and of which they are a product. What is real or fake, true or false, good or bad is not pre-given, but regulated by sets of implicit rules. Language, neither in written nor spoken form, does not mirror reality but brings about a reality as unfolded by language. Events, subjects, and objects become knowable by being ascribed particular qualities or meaning, instead of these meanings capturing an already existing reality. Discourse is at the same time infused with and the product of a nexus between knowledge and power. Those in a position of power have the ability to shape what counts as truth or knowledge more than others. On the other hand, the particular truth or knowledge also structures who or what can become authoritative. Every discourse is premised on the empowerment of particular meanings and the simultaneous marginalisation or even silencing of others (Foucault 1972: 27–8). Discourse as performative of particular truths and knowledge implies that meaning is contingent, in need of continuous reproduction and always open to change.

Although discourse can be studied in various ways, this chapter focuses on written texts. These texts are not read to gain insight into the motives of actors but

the texts themselves are the object of study (Rose 1999: 56; Wæver 2009: 165–6). The texts are studied to understand what Foucault (1991: 54) calls the ‘criteria of formation’ of a discourse, that is the implicit rules through which meaning emerges and within this how, through the mobilisation of language, the participants make meaningful certain events and the kind of subject-positions they construct for themselves and others. In terms of text selection, the interest is in authoritative articulations, texts that structure a discursive web of relations in such a way, thereby creating conditions of possibility for distinct meanings to emerge (Hansen 2006: 82). These texts are here referred to as key texts. At the same time, there is a need to account for the power/knowledge dimension of discourse, that is, the limits of what can and cannot be said or written. This requires the selection of texts that display what is referred to here as productivity.¹ Productive texts are those that provide a glimpse of what appears as unity, or rather is disunity organised as unity; such texts highlight the contingency of meaning.

Discourse is studied through two reading strategies that are presented here as separate for analytical purposes although they were performed simultaneously. The first is a reading to understand what terms, qualities, or dichotomies are drawn on to make known events, subjects, and objects. The reading goes beyond this as well by accounting for the regularities through which meaning is ordered. It is a reading to understand what the discourse forms as content and how it does so. This strategy is premised on the principle of exhaustion, additional texts are read until such material confirms the regularities already identified, although it is important to read across space and time (Wæver 2005: 39–40). The grouping of statements across space and time as forming a discourse is based on the prior assumption of the texts as all relating to the same object (Foucault 1972: 32), in this case the abolition of border controls. The second reading locates dissent and contradictions to understand the power/knowledge nexus of discourse. This reading is attentive to aspects that are either marginalised or silenced. Taken together, both readings account for the conditions under which particular (sets of) statements or meanings become possible.²

The EC and the conditions of possibility for removing border controls

The debate on the abolition of border controls between the member states needs to be situated in relation to two broader discourses in order to understand how the removal of border controls could emerge as a topic of discussion in the first place. The first discourse is that of a European Union. The Treaty establishing the European Economic Community, signed on 25 March 1957 and better known as the Treaty of Rome, introduced the terminology and logic on which the EC (and later the EU) organised itself. The initial preambular statement of the Treaty of Rome refers to ‘laying the foundations for an ever closer union between the

peoples of Europe' (EC 1957: 11).³ The second preambular statement translates this concretely into removing the 'barriers which divide Europe' (EC 1957: 11). These are barriers in a political and historical sense. As one of the goals set by the Treaty was the creation of a 'common market', the notion of barriers gained another meaning, that of removing 'obstacles to freedom of movement for persons, services and capital', as phrased in Article three (EC 1957: 15); these were barriers such as technical or administrative hurdles. During a summit meeting in October 1972, the political leaders of the member states formulated a new objective and linked the 'construction of Europe' to the creation of a 'European Union before the end of this decade' (EC 1972: 15), although the deadline was not met.

The figure of European Union appeared regularly in EC texts as the desired end goal and as a way to set priorities for the EC in order to overcome political or technical differences and move forward. The Report on European Union, appearing in 1975 and authored by the Belgian Prime Minister Leo Tindemans (1975: 34) on behalf of his fellow heads of state or government urged a restoration of the 'political consensus on the aims and main features of the Union' and to make the EC matter in relation to the citizen. The Solemn Declaration on European Union, adopted by the Stuttgart European Council meeting in June 1983, mobilised phrases such as 'efficient decision-making procedures', 'greater coherence and close coordination' and 'the search for common policies' to prioritise the work towards a European Union (European Council 1983: 25). The European Commission's White Paper entitled Completing the Internal Market from June 1985 contained an elaborate list of measures and deadlines to achieve a 'single integrated internal market free of restrictions' (Commission of the European Communities 1985a: 4). All these texts suggest the member states had to act in unity and solidarity to create a space where there was no place for barriers to disrupt the flows between them. Ole B. Jensen and Tim Richardson (Jensen and Richardson 2004: x; see also Hajer 2000) refer to this ambition of the EC/EU as a desire for a singular space or *monotopia* as they call it.

The second discourse is referred to here as *valorisation*. The above-mentioned report by Tindemans plays an important part here. Tindemans (1975: 11) considered the EC to be in a 'crisis' and argued that the solution lay in 'Europe ... find[ing] its place again among the major concerns of public opinion thus ensuring that it will be the focal point of the political discussions of tomorrow. We must listen to our people'. Rather than having a 'technocratic Europe', Tindemans (1975: 12–13, 26–7) boldly formulated that a 'European Union must be experienced by the citizen in his daily life'. He mobilised the notion of '[a] citizen's Europe' to capture the desired centrality of the EC in the life of Europeans (Tindemans 1975: 26). One of the suggestions made by Tindemans to achieve this closeness to the citizen was the '*gradual disappearance of frontier controls on persons moving between member countries*' (Tindemans 1975: 27, *emph. in orig.*).

The notion of a citizen's Europe has since appeared in various key texts as legitimisation for removing differences and barriers and continuing towards European Union (see for example European Council 1983; Commission of the European Communities 1985b). An important contribution in this regard were the two reports entitled 'A People's Europe' from the ad hoc Committee on a People's Europe, better known as the Adonnino Committee. The Committee was tasked to 'propose arrangements which will be of direct relevance to Community citizens and which will visibly offer them tangible benefits in their everyday lives' (Commission of the European Communities 1985b: 9). In the preamble of the Treaty on European Union, signed in Maastricht on 7 February 1992, the principle of subsidiarity is justified in light of 'decisions ... taken as closely as possible to the citizen' (European Communities 1992: 3).⁴ The urge to develop police and judicial cooperation was also inspired by 'bring[ing] the European Union closer to the people' (Council of the European Union and European Commission 1998: 3; see also European Council 1993: 9; 1995; 1999: 2).

The discourse on valorisation, that is, the EC/EU's desire to be relevant to the citizen, is strongly connected with the discourse on European Union. Their inter-linkage creates a condition in which the place and role of border control could emerge as a legitimate topic of discussion. This link is facilitated by both discourses being premised on an aversion to barriers, although of different kinds. As has already been pointed out, the discourse on European Union is organised around the elimination of barriers in a technical (to facilitate the flow of goods, persons, services, and capital), political (to confront future challenges), and historical (prevention of war) sense. The valorisation discourse conceives of barriers as the hurdles encountered by the EC to demonstrating its presence in the lives of European citizens. Both discourses approach barriers in such a way that the form of government that is needed to overcome these hurdles can no longer be contained within the territorial arrangements that have long determined the organisation of societies and the state. This reflects David Campbell's (1998: 17) observation that 'we live in a distinctive political time marked by the absence of a corresponding political space; that is to say, the activity of politics is no longer (assumed it once was) concomitant with the enclosure of politics (the state)'. In between the debordering and rebordering of the EC emerged the possibility of pursuing or experimenting with new forms of government (the Schengen system; Europol).

The border as barrier/enabler

The co-presence of discourses on European Union and valorisation should not lead to the conclusion that the removal of border controls between the member states was inevitable. Up until the mid-1980s it was not evident at all that the actual removal of border controls with regard to persons was a serious option.

Indeed, Tindemans had suggested it in 1975, but it did not become practice until well over a decade after. As the Commission stated in a reply to a question by the Danish MEP Kai Nyborg in 1980: '[u]nder Community law, freedom of movement does not entail the abolition of all checks at frontiers within the Community, nor even of systematic checks; it simply means the right to enter or leave Community countries on presentation of a valid identity card or passport' (European Parliament 1980: 1). The European Council began to move towards the removal of checks on persons when it decided on a 'reactivation of European co-operation' and called for a study of 'the abolition of all police and customs formalities for people crossing intra-Community frontiers' in June 1984 (European Council 1984: 8). This part shows the multiple meanings ascribed to the border and the logic that underpins the notion of border control.

Abolishing border controls between the member states was a sensitive matter in more ways than one. During a Parliament debate in 1985, the Dutch MEP Elise Boot recounted a story of being assisted by the Dutch frontier police after her car had broken down and that the police officers, upon learning she was an MEP, quipped that had they known this in advance, they probably would not have given her a lift (European Parliament 1985b: 249). The frontier police feared being made redundant by the removal of border checks. But the possible unemployment facing border guards was a marginal issue in the EC context. A predominant concern of the member states, various MEPs, and the Commission, while willing to remove obstacles to facilitate flows across the EC, was how to address crime, drug trafficking, terrorism, and immigration in the absence of border controls (European Parliament 1985a: 234; European Parliament 1985b: 247, 249; Commission of the European Communities 1985a: 6; 1992: 38). Border controls were regarded as essential in protecting public order and arguments for their removal were accompanied by the need to find alternative ways of protection. For example, the 1985 Commission White Paper referred to 'the legitimate concerns of the Member States about the need to control drugs and terrorism and is well aware of the role of internal frontier posts in this respect' (Commission of the European Communities 1985a: 10). The Adonnino Committee stressed the need to 'work on problems related to the effective cooperation between authorities responsible for the fight against crime' (Commission of the European Communities 1985a: 10). Commission President Jacques Delors later observed that 'the removal of the physical barriers – that is the borders – will naturally lead to the need for better and more effective coordination among the national administrations with respect to fighting crime, drugs and terrorism' (Delors 1988: 3; see also Commission of the European Communities 1985a: 9; European Council 1985: 13; Bunyan 1997: 10; European Parliament 1985a: 233; European Parliament 1991: 200; European Council 1988b: 3).

Still, the sensitivity involving the removal of border controls due to concerns about how to protect the public order *and* this removal becoming increasingly

more likely from 1985 onwards to complete the common market seems paradoxal. To understand this situation requires an appreciation of the border as a multiplicity in the EC context. One function of the border is as a security device. The earlier reference by Delors to the border as a barrier is instructive in this regard. The border as barrier is about preventing entry or filtering out undesirable subjects. The underlying assumption here is that in a situation without controls there will automatically be an influx of such unwanted elements. Notorious in this regard is the so-called Bruges speech by British Prime Minister Margaret Thatcher (1988) in which she stated that 'it is a matter of plain common sense that we cannot totally abolish frontier controls if we are also to protect our citizens from crime and stop the movement of drugs, of terrorists and of illegal immigrants' in September 1988.⁵ Although couched in more euphemistic language, Delors (1988: 8) hinted at a similar scenario as Thatcher when saying that '[a]s the economy becomes more international so does crime and delinquency'.

The need for an alternative set of border control arrangements is predicated on a specific understanding of the behaviour of undesirable subjects who are thought to cross the border in the absence of controls. Notions of exploitation and abuse are frequently mobilised to legitimate border control given the presence of criminals, terrorists, and illegal immigrants seeking to move across the border. As was argued, for example, by the Irish MEP Patrick Cooney: 'there is need [sic] to protect against the possibility of international terrorism and organized crime seeking to exploit the greater freedom of movement and communication' (European Parliament 1993a: 65; see also European Parliament 1985c: 131; 1985b: 248; 1993b: 283). As the European Council concluded under the banner of 'Safeguarding the open society' in December 1986: '[t]hey (the heads of government) agreed that asylum should not be sought for economic and financial reasons and that steps must be taken to counter abuse' (European Council 1986).

Coexisting with the border as a security device is a view of the border as enabling opportunities and making possible connections. Scholarly work has begun to emphasise the enabling function of the border (Zaiotti 2011: 80–1; Cooper and Rumford 2013: 110; Mezzadra and Neilson 2013: 3). The border as enabler underpins the discourse on European Union where differences or barriers are thought to result in a sub-optimal condition in which full potential is not realised. Lowering, simplifying, or removing border controls and other barriers with regard to goods, persons, services, and capital is seen to yield new opportunities, and simultaneously to close the gap concerning political animosities between states which had resulted in bloody wars in the past. Such an understanding is present in the Treaty of Rome (EC 1957: 11, 15) and reproduced in, among others, the 1985 Commission White Paper (Commission of the European Communities 1985a: 6). As stated in the White Paper: '[t]hese difficulties must

be recognized, to some degree they must be accommodated, but they should not be allowed permanently to frustrate the achievement of the greater progress, the greater prosperity and the higher level of employment that economic integration can bring to the Community' (Commission of the European Communities 1985a: 7). The uninterrupted crossing of borders between member states is inscribed with an enabling function.

While the border as security device *and* as (economic) enabler at first glance appear as antithetical, both dimensions of the border are in fact predicated on a similar logic. The expectant behaviour of citizens as engaging in more economic interaction if facing fewer restrictions to travel across the border speaks to classical liberal economic thinking. From this perspective fewer barriers to trade enhances the impetus to trade due to an increase in expected profits and thus wealth. The EC citizen emerges as *homo economicus*: a rationally thinking being that acts when benefits exceed costs. The suggestion, put forward by amongst others Delors and Thatcher, of an expected increase in mobility of undesirable subjects between member states if no alternative border control arrangements are made, follows a logic similar to the mobility of the regular EC citizen. Indirectly, criminals, terrorists, and illegal immigrants as undesirable mobile subjects are enacted as rational subjects who scale up their operations, ambitions, and desires if expecting less resistance in crossing borders. The effect of criminals, terrorists, and illegal immigrants as abusers of the EC's freedom of movement not only groups, and explains their future behaviour as being driven by similar motives, it also nullifies any understanding of their acts as highly contingent geographical, political, social, and cultural practices. Reading the mobility of undesirable subjects as rationally informed also produces a rather bleak understanding of the context in which the EC/EU acts. Any effort to facilitate mobility, or for that matter peace, will always be paralleled by concerns about criminals, terrorists, and irregular immigrants seeking to exploit these freedoms.

Knowledge about border crossings

What kind of knowledge informs the logic about the need for border control? Fact and speculation appeared to alternate in discussing future unwanted cross-border mobility. The following interaction is illustrative of this ambiguity. In debating the creation of Europol in early 1992, the German MEP Heinke Salisch claimed that '[w]e know now the extent to which internationally [sic] crime has focused on Europe as a centre of operations' (European Parliament 1993b: 282, see also 283–4). Digression from this claim was rare but revealing. In the same debate MEP Dorothee Piermont opposed police cooperation in the EU by arguing that '[t]he mafia and organized crime is [sic] cited as an example which apparently ... makes sense to everybody for institutionalizing police cooperation over and beyond specific cases' (European Parliament 1993b: 283).

Piermont thought the evidence about cross-border crime was anecdotal and she cautioned against translating knowledge about specific cases into broader patterns (see also Wilzing and Mangelaars 1993: 71). In order to understand the kind of knowledge informing and resulting from the discussion on the removal of border controls it is necessary to examine first how knowledge about illegal border crossings was generated.

An inquiry by the German MEP Rudolf Wedekind sheds light on this process. Wedekind asked the Commission whether it could provide information on the level of contraband seized at the borders between the member states as well as those with non-member states concerning the year 1982. Contraband referred to the smuggling of drugs and arms. Besides the fact that it took over two years to collect the information, the Commission also stated that 'the nature of the information varies from one Member State to another which makes it impossible simply to add the figures together' (European Parliament 1985d: 20–1). The knowledge on the level of contraband smuggled was nationally dispersed *and* due to national differences in collecting data difficult to assemble into a coherent and reliable picture for the EC as a whole (see also Anderson et al. 1995: 13). Generating EC-wide data was thus a tedious and time-consuming affair in the absence of EC bodies specifically entrusted with this task. Today, Europol fulfils this role, but previous to its official creation in 1998, there was no EC/EU body collecting data on cross-border criminality.

Border control was a very limited means of acquiring knowledge of illegal border crossings. In 1968 and 1973, the Council adopted legislation making it possible for workers, self-employed persons, and their families from the member states to travel to another member state simply by showing a valid passport or identity card (Europese Gemeenschappen 1968: 13; European Communities 1973: 15). Checks going beyond an inspection of the relevant identity document were no longer deemed desirable as they made crossing the border too laborious and would work against the EC idea of unimpeded travel between the member states (European Parliament 1979a: 11; 1979b: 15). Catching criminals and seizing illegal contraband was thus directed by the intuition of the border guard based on a quick inspection of the behaviour and appearance of the traveller and his or her identity document. Restrictions on systematic border checks beyond the examination of identity documents limited the gathering of knowledge about the extent of illegal cross-border activity. Border checks were performed amidst conditions of uncertainty and opened up space for speculation about the true extent of undesirable mobility across the border. Did the contraband seized at the border represent the actual amount smuggled, or did it reflect just the tip of the iceberg?

But the limited ability to know the extent of cross-border crime was no secret in EC circles. In fact, the discourse on border control is ambiguous here. On the one hand, the need for border control was taken for granted. While

national border controls would be abolished, borders would continue to exist and even be 'strengthened' and made more 'effective' at the border with non-EC states, the so-called external border (Commission of the European Communities 1985a: 10, 15; European Parliament 1985a: 233; European Council 1988a: 3; Trevi 1990). On the other hand, the removal of border checks could be achieved because the effectiveness of border controls as a security device was in doubt. In 1979, MEP Nyborg probed the usefulness of border controls for apprehending terrorists:

[d]oes it [the Commission] agree that it is relatively easy for terrorists and other criminal elements to avoid being identified if they have prior knowledge of where, when and how these identity checks are applied; that controls at the Community's internal frontiers can therefore in the present context hardly be expected to produce spectacular results ...? (European Parliament 1979c: 1)

The Commission White Paper from 1985 put forward a similar vision: 'frontier controls are by no means the only or indeed the most effective measures' in tackling crime and terrorism (Commission of the European Communities 1985a: 10). And similarly Parliament the same year stated: 'arrest of drug traffickers is normally achieved through intelligence work rather than by random checking' at the border (European Parliament 1985a: 232). In 1997, well after the removal of border checks, Parliament observed, after an expert hearing on the matter, that 'contrary to earlier fears ... the dismantling of controls at the internal borders has not increased the danger of acts of terrorism, because ... the traditional internal border controls virtually never resulted in the arrest of members of terrorist groups' (European Parliament 1997: 29).

The discussion on the abolition of border controls is home to seemingly contradictory positions. There are claims that border controls between the member states were considered by and large to be ineffective. At the same time, there was an argument for alternative forms of control between the member states and a strengthening of control at the border with non-EC states. Understanding this ambiguity requires us to revisit the relation between the border as security device and as economic enabler. In the drive to complete the common market in the second half of the 1980s as a concrete manifestation of the EC materialising as a space of flows, the meaning of the border as economic enabler gained importance. However, the EC was premised on facilitating certain flows – goods, persons, capital, services – and only the legitimate varieties thereof, which necessitated regulation of some kind. Instead of casting the relation between the border as security device and as economic enabler as antithetical, as was done in this chapter's section on the border as barrier/enabler, the productive tension of the relation should be emphasised. The tension made it possible to conceive of alternative forms of control that would enable flows while filtering

out undesirable subjects. Border controls continued although no longer visibly at the edge of the member state territory, but in less visible ways and at various points inside their territories.

Conclusions: at the limits of political order – sovereignty and emerging territoriality

Did the abolition of border controls – long considered one of the hallmarks of the sovereign state – signal the emergence of the EC/EU as a new form of political order? Did it bequeath the EC/EU with a uniqueness that set it apart as a form of political organisation different from the sovereign state? This raises the issue of what function border controls have. Any attempt to understand borders as spatio-temporal constructs requires an appreciation of the larger context in which they emerge (Johnson et al. 2011: 62–3).

Since the mid-1980s, Europe has been home to what Ruben Zaiotti (2011: 26) describes as three ‘cultures of border control’: a Westphalian system of nationally administered controls, an inter/transnational system that is Schengen, and outlines of a supranationally governed EU system. Despite these different cultures, border control has remained a practice of ascribing a status to someone or something – legal/illegal, risky/safe – that makes it possible to regulate flows. If performed by the state, border control is an expression and enactment of its sovereign authority. This implies that border control is linked to the notion of territory. As put by Stuart Elden (2009: xxx): ‘[t]he control of territory is what makes a state possible’. The edge of the territory is, depending on which side one stands, where a state’s authority begins or ends. Hence Elden’s (2009: 171) argument that territory is the spatial extent of sovereignty. In other words, the statist conception of sovereign authority is not possible without its association to territory. Border control ties together sovereignty and territory by continuously ascribing what can and what cannot legitimately pass into or across a territory. The conceptualisation of state sovereignty as supreme authority implies that state rule cannot be challenged outside the conditions specified by the state and that border control is an expression of how this authority is governed. To put it differently, border control has been rationalised as intrinsic to how sovereignty is administered or how the state governs.

Of what broader field of power relations is the debate on the removal of border controls and the appearance of alternative regimes of control an instantiation? The terminology of Castells – the rationales of the space of flows and the space of places – offers one perspective. Translating them in light of what has been said above highlights a friction between globalisation (flows) and sovereignty/territory (places). The manner in which this tension expressed itself in the EC in the mid-1980s – how to maintain security and enable (economic) flows – made it possible to experiment with new forms of governing and control.

The creation of the EU and the completion of the common market were regarded as answers to facilitate flows between the member states. Border control was reconfigured from a single sovereign's prerogative into a shared space of sovereignty between the member states with the aim of enabling flows (goods, persons, capital, services) and filtering out unwanted forms of mobility. It reflects an attempt to design a mode of government with the aim of capturing or regulating the political spaces of globalisation that exceeds the capacities of single states (see also Campbell 1998: 17).

However, the networked form of border control – i.e. checks throughout various points in society rather than at the edge of the territory – is indicative of the limits within which it is possible to think about forms of political order. After all, the making of border control as an EC/EU affair – via the incorporation of Schengen in the EU with the Treaty of Amsterdam in 1997 – made the EC/EU responsible for the administration of a territory (Walters and Haahr 2005: 111). As such, border controls as one of the ways in which the member states conducted themselves as sovereign states was transplanted to that of the EU. This calls into question Barroso and Van Rompuy's statement (2012) that the EU is a 'unique effort by ever more European states to overcome ... divisions' since border control is a means to enact inclusion and exclusion. While the divisions between the member states might have been transcended by the removal of border controls, they intensified the dividing line between EU and non-EU member states. This means there are limits to the celebration of the EC/EU as a postnational entity.

NOTES

- 1 The notion of productivity used in this chapter is specifically concerned with the revelatory potential of texts: how revealing they are of discursive limits and the contingency of truth and knowledge. This interpretation is slightly different from the more general manner in which, for example, Jennifer Milliken explains productivity: how discourse renders certain realities intelligible, see Milliken (1999: 236).
- 2 The texts themselves are of various form and from different bodies. There are debates from the European Parliament (hereafter Parliament) of which there are verbatim records. Additionally, Parliament texts consist of adopted resolutions and written questions from individual Members of Parliament (MEPs) and answers from the relevant EC/EU institutions. The European Commission (hereafter Commission) is present through various reports, a White Paper and a press statement. Texts from the European Council relate to a public statement and published conclusions following summit meetings.
- 3 The idea of an 'ever closer union' is already present in the Treaty establishing the European Coal and Steel Community which was signed on 18 April 1951, although this formulation is found only half way into the preamble and there is no mention of removing 'barriers', at least not in the preamble (ECSC 1951: 11).
- 4 The subsidiarity principle holds that in areas where the Community has to share its policy-making competences with the member states, policies will be developed by the institution that is best placed in relation to the matter at stake.

- 5 Thatcher's remark may seem out of place, especially since the United Kingdom did not join in the Schengen Agreement from 1985 and the Schengen Convention from 1990, which created an alternative control regime. While Thatcher placed herself on the outside of the discussion on removing border controls, she nevertheless contributed to the reproduction, like many on the inside, of a dominant conception of what would happen if border controls were removed and not replaced by alternative schemes.

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