

10 The Emergence of Viapolitics

The stated objective of this study has been to examine the formation of an external EU border since the 1985 Schengen Agreement. Starting from a characterization of the Schengen Process and reviewing how this political process has influenced the methodological and epistemological premises of border studies, it could be shown that most analyses of Europe's border(s) reflect upon the new border *as* something: *as* social practices of control, *as* subversion and movement, *as* institutional integration, *as* exception, or *as* the network-centric organization of security personnel in Europe. These analyses discuss Europe's borders in terms of Schengen's variable geometry, in terms of institutional Europeanization, in terms of its rules on paper and its contestations on the ground.

Building upon these assessments, this study has, however, taken a different methodological stance. Rather than examining the EU border *as something*, it analyzes the construction of an external EU border *via* two of its empirical construction sites: EUROSUR and the refugee boat. Gauging the formation of an external EU border by examining two of its mediators, this study offers a detailed analysis of the drawing together and networking of a border that remains under permanent construction. The two site inspections do not tell the story of a specific site, but trace and analyze the qualitative imprint EUROSUR and the refugee boat have had (and continue to have) on the external EU border.

The Latourian concept of mediation has been central to the research process and analysis. In fact, *Mediated Bordering* – the title of this book – both implies a methodological conviction and points to the most important empirical observations of this study.

The methodological conviction is rooted in the spectral character of any border. If a border *as such* does not exist or appear geographically, institutionally, or materially, if it is only available in proxies, we have to study these proxies, construction sites, and mediators in order to trace and understand how this “thing” or “network” that is socially effective in the form of a political border is programmed.

This methodological argument entails a twofold statement concerning (a) the direction of analysis and (b) the notion of praxeography. The preposition *via* – used and highlighted above – indicates both: with regard to the direction of analysis, the research object is studied *via* its proxies or mediators, similar to a train going to Berlin *via* Frankfurt, and similar to receiving information *via* satellite or *via* email. The preposition *via* contains both the notion of a point of passage and that of a medium – in the sense of a facilitator, means, gateway, corridor, route, carrier, or channel. The directionality that the preposition suggests is important for this methodology, which explores the kind and quality of the EU’s external border (the site of effect) *via* an inquiry into the sites of intervention: EUROSUR and the refugee boat. For “what circulates when everything is in place cannot be confused with the set-ups that make circulation possible” (Latour 2013: 32). Secondly, *via* alludes to a praxeographic notion that does not focus on individual practices or situations but on relations, processes of stabilization, and the empirical process of mediation itself. This post-foundational methodology has been vindicated, as it has proved to reveal the kind and quality of an emerging EU external border without becoming trapped by questions about the where (*ground*) and what (*substance*) of political borders. Instead, it bases its findings on the many reasons and mediators *via* which the border is constructed, stabilized, experienceable, and researchable.

Analyzing the EU’s external border *via* the development process of EUROSUR revealed quite a peculiar process of co-production. The IT application and the EU regulation – EUROSUR on the screen and EUROSUR on paper – have been developed in parallel, co-producing each other and providing for both a new spatial truth claim (supranational border work follows migratory pressures) and a legitimacy claim (a regulation to justify the border policing mandate in those terms and a mandate to intervene at calculated hotspots).

Conducting research on the EU’s external border *via* the refugee boat has shed light on various (legal and symbolic) constructs used to legitimize interventions at sea and to evaluate migratory endeavors without the legal reference of a common European immigration and asylum law. Focusing on the refugee boat made it possible to trace how boat migration provided the oscillating reference that could be flexibly used to reject migrants, intervene in a range of maritime spaces, question the status of refugees, and argue nationally while mobilizing supranational resources to control the means of movement.

The analyses of both EUROSUR and the refugee boat have pointed to considerable ambivalences in EU border policies between which the two sites oscillate. More than an effect of EU border policies and operational practices, this oscilla-

tion appears to be its paramount characteristic. It is itself durable and institutionalized. The following ambivalences are thus systemic and reappear in different disguises, while bordering is mediated between them.

First, there is the ambivalence between the transcendence of borders, on the one hand, and the proliferation of control practices, on the other. The functioning logic of EUROSUR mediates between these two ambivalences by concentrating the full floodlights of surveillance on the issue of “migratory routes” and migratory pressure” while keeping Europe’s map free from internal borders.

Second, the ideal imperative of the Schengen Agreement – liberty through freedom of movement – came with the promise of cooperative, and thus enhanced, security. The security promise, however, has been unfolded as a powerful parasitical twin imperative. As a consequence, the interests of internal security take precedence over the project of European integration and are considered a precondition of the latter.

The third ambivalence arises from the fact that, legally speaking, there is no common European external border. According to the Schengen Agreement, a member state that shares a border with a non-EU state has a duty to strengthen the security of its national frontier. The double-encoding of these borders as both national and European creates a tension, as does the lack of a common European immigration and asylum policy. There are some significant national differences: While unauthorized, illegal immigration is a criminal offence in one member state, in others it is treated as merely an administrative offence. The refugee boat in distress at sea calls out for the integration of all these differences; it constantly demands a European answer. EUROSUR collects, visualizes and offers the material to this very answer: it tracks and visualizes volume, frequency, routes and other data concerning “border-related events”; thereby allowing Frontex to provide member states with a European view on tasks and challenges at the common border. As an agency and as a coordinator, Frontex has no mandate to deal with individual persons at external borders nor does it have a mandate to interfere with any immigration or asylum procedures; Frontex and EUROSUR thus tackle routes, boats and other vehicles, or offer its services for the “logistics” of return flights. We thus witness viapolitics when Frontex gains competences while legal harmonization or political consensus among member states are declared to be stagnating.

Fourth, the reference to territory with regard to the border-policing mandate and the application of rights is itself ambivalent. A great deal of flexibility is used to take advantage of this incongruity between rights and territory. It is not only border control that is affected, but also the administration of migration and asylum – access to spaces of rights thus also appears stratified. While territorial

frontiers once determined territorial sovereignty and therefore territorial competences, this has now definitively been superseded by cross-border cooperation on internal security, which constructs extra-territorial areas – transit zones, reception centers, the high seas as a pre-frontier area – while also defining operational areas using risk analysis. While the sovereign power to decide about access is mobilized and to a certain extent deterritorialized, access to individual rights is tight to someone entering national territory or national databases on arrival.

At sea, and this is the fifth ambivalence I want to highlight, European border management switches flexibly between monitoring and repelling migrants, on the one hand, and carrying out rescue missions, on the other. The helper can only arrive when the hunter has failed, as in the Lampedusa incident of October 2013 that I described in the introduction.

EU border policies are thus not ambivalent but flexibly and strategically oscillate between these ambivalences. Bordering, as it occurs, mediates these ambivalences. This allows for the integration of what is meant to be kept separate: the transcendence of borders and the proliferation of their surveillance and control; an increase in freedom of movement *and* security, national competences and supranational power, state sovereignty and refugee rights, the ambitions of friend and enemy, hunter and helper.

The findings and results of this study (summarized above and in chapters 6 and 9.3) support a proposition first advanced by William Walters (2011, 2014, 2015): the notion of viapolitics. They may even enable the further development of his theses and arguments. To theorize viapolitics, Walters calls us to pay attention to the symbolic, the political and the material dimension of vehicles in the context of migration policies and public discourse on migration and border control. He argues that viapolitics “orients us to see migration from the middle, that is, from the angle of the vehicle and not just the state” (Walters 2014: 1). More than a conceptual proposition or theory, Walters notion of viapolitics calls for us to pay attention to particular objects of inquiry, and thus for a certain methodological sensibility. Such is the title of the lecture when he first introduced the notion of viapolitics “Where are the missing vehicles?”. The lecture’s title took up the Latourian impetus to integrate material artefacts into the study of phenomena and applied it to the study of migration and migration policies.

The claim of symmetrical anthropology, namely that we must come home from the tropics and apply an equal level of curiosity to “the whole shebang” at home (Latour 1993: 101), and that in pursuing this course, we need to pay as much attention to artefacts as to humans and to acknowledge them as actants (Callon/Latour 1994) and quasi-objects (Serres 2007: 224–234), is, in fact, al-

ready present in the public imagination of migration: Not only is there a clearly stated agency when aircrafts fly, ships sail, and boats carry migrants; vehicles also overdetermine the identity of their animate and inanimate goods and those who transport them. In the case of migration however, the question is not whether the vessel or the captain sails, whether the car or the driver drives, whether the pilot, the passengers, or the aircraft flies, i.e. which actant or hybrid is moving or migrating. In the case of migration, animated goods *already appear entangled* and move as a strangely indivisible hybrid. Balibar's hints about the "empirico-transcendental question of *luggage*" (Balibar 2002a: 91, emphasis in original; cf. chap. 2.2.1) point to this reconfigured agency that differentiates between carrier and carried, between technology of movement and the passively mobile cargo. From a viapolitical angle, the carrier, the technology of movement the infrastructures are kept under control in order to indirectly govern movement.

The example of the visual and verbal image of the overcrowded and unseaworthy migrant vessel (cf. chap. 5.1.4) provides the proof of his claim: the legal status of the passengers of a refugee boat or migrant vessel is not infrequently deduced from and determined by the vessel. The vehicle-body entanglement, this hybrid of boat person and refugee boat, functions as a deliberately non-committal yet all-pervasive point of reference in political rhetoric. Visually integrated with their means of transport and the "masses" on board, migrant passengers are deindividualized and depoliticized. The image evokes legal and moral classifications: the irrationality of the journey, the illegality of its passengers, and renders the vehicle a legitimate object of intervention. From the perspective of the European spectators, this image mediates both the possibility of intercepting the vessel and thereby expanding the legal borders of policing, while at the same time disconnecting the vessel's passengers from the legal border of individual rights. The mode of viapolitics becomes apparent as an indirect constellation which systematically condones the "the elephant in the boat", i.e. the individuals on board.

The example of the boat people and the refugee boat allow us to see the classificatory process that the imagined explanation and evaluation trigger, even to the extent that the vessel provides a substitute classificatory identity when no nationality can be advanced or documented. The point of acknowledging vehicles as mediators of migration is to underline that they not only transport people but also distort and transform their identity and status. Walters notes that migrants are not only "specified [...] by institutional and legal categories but in their bodily existence by their forms of transportation. The boat people. The wet backs. The stowaway. The hobo. In all these cases an encounter with travel follows you around" (Walters 2011: 5). Yet, the moment the decision for a means of transport

has been taken, or must be taken in a certain way, velocity, frequency, route, and experience, four of the six facets of mobility Tim Crewell (2010: 22-26) puts forward, are largely determined.¹ Consequently, for those on the move viapolitics have asymmetrical effects, as this mode of politics governs populations without addressing the individual.

Just as “nationality is an ascribed status that *cannot be established without reference to documents*” (Torpey 1998: 256, original emphasis), mobility is a mediated capability that is established by differentiated means of movement – vehicular, technological, administrative. Torpey already warned that “people have to some extent become prisoners of their identities, which may sharply limit their opportunities to cross jurisdictional spaces” (ibid). When nationality and identity are neither available nor helpful, as can be the case in unauthorized migration or flight, classifications are made by reference to the means of movement. In this set-up, the way you move replaces the need for political localization. The vehicle carries a person and replaces her or his passport.

What renders this constellation of mediated mobilities distinct is that it will not be found in passports or ID cards nor in biometrics, all of which play an essential role in the operationalization of border control. It is rather in the realm of capabilities, that movements are regulated. As a result, vehicles, transportation, logistics as means of movement not only characterize the kind of migration and determine the condition of the journey. They also essentially determine the path to rights and the possibility of avail oneself of them.

When juxtaposing Walter’s proposition with Torpey’s argument, it is not the passport or ID card that may be necessary to gain access to rights and democratic participation (ibid: 239–243, 255–257). In viapolitics, it is the kind of vehicle that determines access to a certain corridor of rights and of privileges. To put it another way: if Walter’s claim holds true, vehicles would unfold a similar effect on refugees and migrants as passports, ID cards, and biometric information. Going by the description that the state holds a monopoly over the legitimate means of movement, as it has stripped “individuals and private entities” of their legitimate means of movement (ibid: 239), it can be hypothesized that the access to rights and/or privileges can be regulated by means of traffic and transportation policies. In this sense, the question of who regulates and authorizes the means of

1 Creswell identifies “six facets of mobility, each with a politics: the starting point [motivational force], speed, rhythm, routing, experience, and friction” (Creswell 2010: 26).

movement probes the operationalization of political borders, and it does so without needing the concept of the territorial state.

In consequence, *can we take the concept of viapolitics beyond the methodological gaze, orientation, or sensibility* that it bestows to the study of migration and border policies? Are there viapolitics in a globalizing world? And, if so, what relation to political borders would this mode of politics sustain? In order to explore this mode, I shall delineate it from notions of territorial politics and of biopolitics. Having researched the practices and policies of EU bordering, I argue that these three modes of politics – territorial politics, biopolitics, and viapolitics – generally come into effect in the operationalization of borders, and in a range of constellations.

Conventionally, borders are associated with territorial politics. Viapolitics differ from territorial politics in so far as they do not project power onto a delineated space but rather onto infrastructural means of movement (gateways, corridors, routes) and mobile means of movement (vehicles, other carriers or technologies of movement). This entails that viapolitics do not operate along an inside-outside distinction. A notion more apt to describe viapolitics is the on-and-off binary, alluding to notions of – online/offline or off the road/on the road or *en route*. Moreover, viapolitics do not know territory, nor do they discuss belonging: Viapolitics identify routes, corridors, and gateways to rights, obligations, and markets. While territorial politics are based on the “notion of camp as a safe place where no enemy could infiltrate because the borders of a specific space are under control” (Bigo 2006: 90), viapolitics are not afraid of the enemy entering a territory, but of him entering an airplane.

Logistics is the ideal-typical set-up of viapolitics, and it appears that viapolitics project their ambitions onto seamless movement or its interdiction (cf. particularly Cowen 2014: 76–88) – it is just that things get a little more complicated when the cargo is animated.

In contrast to biopolitics, viapolitics do not target individuals but their means of movement or the technical systems that enable movement. Superimposed upon the delineation of a territory is the definition of criteria that authorize coming and going. The attribution of deviance can thus impose a border on a person. While, from a territorial perspective, borders mark the range of jurisdiction in congruence to terrestrial expanses, the biopolitical angle captures the sites of selection. We are in the mode of biopolitics when populations are not only regulated at the border, but when the site of the border is “regarded as a privileged institutional site where political authorities can acquire biopolitical knowledge about populations and their movements, health, and wealth” (Walters 2002: 572–573). From the angle of biopolitics, bordering authorities protect the physical body of

an individual and the political body of a nation by embracing the body and shielding it from attacks and risks.

In the mode of viapolitics, by contrast, the deindividualized person is addressed by means of traffic rules (Waitz 2014: 96; Augé 2008: 113, 121). This fits in with the way EUROSUR maps the external EU border. An important finding of this study is that the digital displaying the European Situational Picture (ESP) differs fundamentally from an analogous map of EU territory (chapters 4 and 6). It does not represent a spatial geography but detects, tracks, and identifies targets of intervention. The fact that border-related information is classified and visualized by icons which, in their design and idea, are based on traffic signs, might only be an illustration. Nonetheless, it does support the notion of politics that are designed to prevent individual negotiations.

While in territorial politics and biopolitics the notion of states penetrating or embracing society aptly describes the logic of state power (Torpey 1998: 244-245), viapolitics unfold its ambitions by spying, tracking, and analyzing data on movements and their facilitations (Tazzioli 2018; Broeders/Dijstelbloem 2016; Mountz/ Kempin 2014; Amoore 2009, 2011). Likewise, EUROSUR does not target migrants, nor does it search for refugees at sea. As a form of invisible profiling, it does not need to embrace subjects – which the state does in the biopolitical mode – it rather targets suspicious constellations by analyzing “surveillance information” or, as the jargon puts, it “pre-frontier intelligence”. EUROSUR thus talks the language of viapolitics.

Going by these proposed descriptions of viapolitics, it can be concluded that the external EU border is strongly governed in the mode of viapolitics – a mode characterized by a projection of power onto the infrastructures and means of movement (and not onto the people that move), a mode determined by a surveillance gaze that tracks and archives (Tazzioli 2018) and which is thus depersonalized and depoliticized. A power oscillating between authoritarian power and humanitarian care, in the sense of being on or off. Ultimately, the Schengen Process can be considered both an expression of as well as a trigger and catalyst to the emergence of viapolitics.