

BARBED WIRE, BORDER WALLS AND THE ‘ART’ OF FENCING OUT MIGRANTS AND REFUGEES: AN ASSESSMENT OF THE EU AND AMERICAN BORDERING PRACTICES

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ABSTRACT:

SINCE ANTIQUITY BORDERS HAVE GONE THROUGH MAJOR TRANSFORMATIONS, AND IF FOLLOWING THE SIGNING OF THE TREATY OF WESTPHALIA THEIR MAIN PURPOSE WAS TO DELIMIT THE LEGAL JURISDICTION AND SOVEREIGNTY OF A STATE, BY THE 21ST CENTURY FRONTIERS HAVE TURNED INTO SOCIAL CONSTRUCTS WITH BOTH INCLUSIONARY AND EXCLUSIONARY FEATURES. BORDERS CAN HAVE AN INCLUSIONARY ROLE AS WELL, ACTING AS BRIDGES, CONNECTING PEOPLE AND CULTURES FROM THE TWO SIDES OF THE BORDER. HOWEVER, THE CURRENT RESEARCH WISHES TO EXAMINE MAINLY THE EXCLUSIONARY FEATURE OF BORDERS IN RELATION TO IMMIGRANTS AND REFUGEES BY USING THREE SPECIFIC CASE STUDIES FROM THE EU AND FROM THE UNITED STATES OF AMERICA, ASSESSING WHETHER THE PROCESS OF FENCING OUT IMMIGRANTS AND REFUGEES AND OF BUILDING WALLS COULD BE A SOLUTION TO STOP UNWANTED MIGRATION. NAMELY, WE WISH TO SEE WHETHER BORDERS AND WALLS MAKE GOOD NEIGHBOURS OR NOT?

KEYWORDS: CEUTA AND MELILLA, US WALL, SCHENGEN, TECHNICAL FENCE, STATE OF EMERGENCY

INTRODUCTION

When the Berlin Wall, the prominent symbol of the East-West divide and arguably the most shameful border of the twentieth century was dismantled, the world celebrated. Since then, more than 1000 km of new border walls were built on the territory of the European Community/European Union. In 2017, the EU's anti-immigrant infrastructure reached to 15 instead of the two walls² existing in the 90s', 10 out of the 28 EU MS raising such walls, especially after the 2015 crisis. Scientific research has identified a causal link between the consolidation of xenophobic parties in various EU Member States and the subsequent erections of border barriers, but we argue that the main purpose behind their setup is the desire to keep out undocumented migrants and would-be refugees. In the current study we shall focus on this exclusionary function of the border walls and fences, which are the leitmotifs of our research

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² Iron Curtain and the Berlin Wall.

investigating the practice of erecting walls in the European Community and the rationale behind them since the fall of the Berlin wall. Special attention shall be rendered to the examination of the bordering practices implemented following the 2015 refugee crisis in Hungary, as it represents a rather ambiguous case of fencing within the EU. The building of the fence also denotes the existence of double standards within the EU, as the same EU Commission which years ago paid and supported the erection of the barbed wire fences in Ceuta and Melilla, harshly criticized the Hungarian government for doing the same. Also migration and the building of a wall have turned into meta-phenomena in the USA, dominating the political agenda, especially since the election of Trump as president. By contrasting the EU and the US ‘bordering’ and ‘fencing’ practices, we endeavour to find out whether the erection of walls can solve the problem of migration, departing from the presumption that walls might temporarily stop people from getting from one place to another, but ultimately they cannot address the origins of tensions which put those people on the move.

WHAT IS THE ROLE OF BORDERS AND OF BORDERING?

Plenty of scholarly work³ deals with the deciphering of the meaning of borders/frontiers, also trying to understand the practice of bordering and of erecting walls and fences. There’s no unison among the pundits concerning the classification or the rationale of borders, while some examine them in their mere geographic constitution, others render to them political, economical, juridical, symbolical, material, performative, affective, figurative, ideological etc. connotations.⁴

Back in 2005, David Lyon, a prominent scholar in border surveillance studies affirmed that “the border is everywhere”, however he linked its omnipresence and diversification to the recent developments in surveillance and technological transformations.⁵

Traditionally, borders were identified as spatial demarcation lines delimiting the territory and sovereignty of a state, especially by geographers and historians in their early writings. These researchers had even attributed qualitative features to borders, categorizing them as *good* or *bad*⁶, depending on their tension elevating capacity. The concept of borders and the phenomenon of bordering closely intertwined with the emergence and the consolidation of the nation states.⁷ However, the art of fencing and bordering was used centuries before the appearance of the Westphalian and the national state model. The walls erected around the Ancient Greek city states acted as a buffer against the threats coming from the exterior, while the Roman *limes* divided the territories conquered by the Roman Empire from the unoccupied lands, signifying a clear differentiation between the civilized Roman and the uncivilized or barbarian world, thus already in Ancient times borders bared a civilizational/cultural meaning. Moreover, the hierarchy of spaces also existed in the Roman Empire, as the Romans organized the occupied territories into administrative divisions, even categorizing them based on their dimension and function, varying from regions, provinces to cities and settlements.⁸

³See the works of Malcolm Anderson, Bort Eberhard, Federica Infantino, Evelien Brouwer, Reece Jones, Thomas Diez, Mathias Albert, Stephan Stetter, James Wesley Scott, Henk Van Houtum, Ros Pijpers, Ioan Horga, Emmanuel Brunnet-Jailly etc.

⁴DeChaine, “For Rhetorical Border Studies,” 1.

⁵Broeders, “A European Border Surveillance System,” 40.

⁶Ferreira, *Human Security*, 51-52,

⁷Infantino, *Outsourcing Border Control*, 4 .

⁸Brunet-Jailly, “Theorizing Borders,” 634-635.

Undoubtedly, the Great Wall of China⁹ is one the most renowned fortifications of the world, an architectural masterpiece of 6434 km long, its construction lasting through centuries, starting in Ancient times in the 7th century BC until 1644 AD. We find similarities between the purpose of erecting the Roman limes and the Great Wall of China, as both of them were designed to act as protective defence lines against the barbarian, nomadic invasions. Even Stephen Turnball argues that the Great Wall of China “owes its existence to the history of the interaction between the settled agricultural communities of China and their predominantly nomadic neighbours to the North”.¹⁰

Within the feudal system established during the Middle Ages the boundaries between different empires and dominions were not clearly delimited, so borderlands were quite imprecise, as great importance was rendered mainly to the control of cities and territories. The border forts well-known from history books, were situated on the edge of dominions, somewhat marking the end an area of demesne. The major developments in the field of mapping and cartography enabled the rulers the gain ‘connaissance’ of the spatial view of their possessions. This practice contributed to border regions’ and borderlands’ gradual transformation into boundaries or frontiers.¹¹ This spatial transformation led to the diversification of the terminology as well, demanding an explicit differentiation between the concepts of boundary, border, borderland and frontier. However, the terminology in border studies is rather fuzzy, and many times the differences between *border* and *frontier* are not that obvious. In the European scholarly tradition a *border* is described as an official delimitation between collective entities, politically organized identities in states or equivalent of states, with a dual identity: a *political* one, defending a set of laws and regulations, and a *symbolical* one protecting norms, customs and cultural identities.¹² The American perception of borders is different from the European one, as for them the term *frontier* is a moving zone of settlement, not a borderland or border region as in the French precept. According to the famous Scottish political scientist, Malcolm Anderson, the term *frontier* has a wider sense, describing it as “a precise line at which jurisdictions meet, usually demarcated or controlled by customs, police and military personnel”.¹³

The Treaty of Westphalia represents a major momentum in the history of international relations, not only because of the birth of the concept of state sovereignty, but also due to the strict delimitation and consignment of the boundaries marking the territorial possessions of England, France, the Dutch Republic, Spain, Sweden and the German princedoms. Accordingly, geographers and historians had a major contribution to the establishment of the so called modern Westphalian political order.¹⁴

Following the end of the First World War, Woodrow Wilson’s self-determination tenet together with that of sovereignty became the main organizing principles of the newly created boundaries of the emerging nation states. So, during the negotiations at Paris, the sketched borders were a materialization of the ‘aggrandised maps’ envisaged by the representatives of the European states, which mainly served national interests and not necessarily were a genuine illustration of their territories and people. Consequently, the Paris Peace Treaties closed aftermath the First and the Second World Wars consecrated the newly created borders and state of affairs on the European continent, borders acquiring even more importance as they have

⁹ A set of defensive walls.

¹⁰ Turnball and Noon, *The Great Wall of China 221 BC-AD 1644*, 4-5.

¹¹ Brunet-Jailly, „Theorizing Borders,” 634-635.

¹² Mészáros, „The Historical Analysis,” 462.

¹³ Anderson, *Frontiers. Territory and state formation in the modern world*, 25.

¹⁴ Brunet-Jailly, „Theorizing Borders,” 635.

delimited the legal jurisdiction of the states, reflecting also the newly born countries' *security needs*.¹⁵

The emergence of two ideologically and politically divergent power polls following the end of the Second World Conflagration fostered the setup of a heavily militarized and securitized barrier, the *Iron Curtain*. The *Iron Curtain* is hardly out of the ordinary, as it is a border impossible to categorize following the traditionally known criteria: first of all, it's not a national border separating one state from another (it's both a physical and a mental/cultural/ideological dividing line between two opposite political systems); and secondly it is an *arbitrary border*, imposed by force by external decision-makers. Accordingly, the Iron Curtain represents an anomaly in border studies, as it challenges the archetypal ideal of territorial sovereignty, extending on the borders of several countries in Europe, in case of Germany dividing a territory that before was of a unitary state.¹⁶ Also, another prominent symbol of this East-West divide could be considered the Berlin Wall, an *arbitrary border* erected as a consequence of dissent between the allied powers and the Soviets at the beginning of the 60s', meant to prevent the citizens of West Berlin to go to East Berlin and East Germany. Thus, we can consider the Wall of Berlin as a political tool of confinement and pressure, and in the same time a mental/ideological barrier.¹⁷

In the 90s' following the dissolution of the Soviet Union and of the Yugoslav Federation and the reunification of Germany, the borders of Europe went through major transformations, and by the lifting up of the Iron Curtain and the tearing down of the Berlin Wall, postmodernist approaches on borders began to take shape, forecasting a 'borderless' Europe. The idea of a borderless¹⁸ Europe/world was mainly favoured by economists and businessmen, furthermore Francis Fukuyama argued within his *end of history approach*, that according to this scenario, mankind would also witness the end of geography and of the existent nation state system as we know it, and the new process of de-territorialisation would bring the annihilation of borders.¹⁹ As noted by Reece Jones, a renowned American political geographer, the predictions about a borderless world/Europe have not come to materialize, as in the first decade of the New Millennium thousands of kilometres of new security barriers were built along political borders throughout the world, and if we would add up the length of these barriers, it would stretch all the way from New York to Los Angeles, respectively from Frankfurt to Istanbul.²⁰

On the other hand, globalization and the liberalization of trade demand more open borders, thus we might ascertain that the need for unhindered trade activities have made the borders more porous, giving birth also to various security related concerns. In case of the European Union, for example the prerequisite for the functioning of a common single market and of Schengen, is the existence of an area without barriers. However, the elimination of borders and of border control within the Schengen area created a security deficit, a shortfall that the policy-makers have tried to manage by strengthening the external borders of Schengen and of the European Community, and by introducing various databases and cutting edge technologies for the control of borders and for the monitoring of the movement of persons. Therefore, in this framework borders have acquired another meaning, as in case of the external frontiers of the European Union, they have become exclusionary lines separating the EU from third countries, challenging the traditional view of the frontier as a principal element for state

¹⁵Mészáros, „How the security dimension triggered...”; Brunet-Jailly, “Theorizing Borders,” 635.

¹⁶Zaiotti, *Cultures of Border Control*, 56.

¹⁷ Mészáros, “The Historical Analysis,” 466-467.

¹⁸ As the lack of borders and of border control does not hinder trade.

¹⁹ Ferreira, *Human Security*, 51-52.

²⁰Jones, *Border Walls*, 1.

sovereignty. It also became a defence barrier against the influx of third country nationals fleeing poverty, persecution or war-torn areas, turning also into a site through which socio-spatial differences are communicated and where the *self identity*²¹ differentiates itself from the identity of the *other*^{22, 23}.

THE 'ART' OF BORDERING/FENCING REFUGEES AND IMMIGRANTS .

As Ana Sala-Lopez argues, in the past two decades, border studies have become profoundly interconnected with migration studies, as through the process of bordering, frontiers have turned into veritable *tools of inclusion or exclusion* of territories and people from various "hierarchical network of groups, affiliations and identities".²⁴ According to her, borders have acquired this new role due to the changes occurred in international migration trends and in the global/European geopolitical landscape, this change being also fuelled by the debates between the advocates of a *liberalization*²⁵ vs. a *securitization*²⁶ ethos. Furthermore, the authoress enumerated 4 levels in which interconnection between border and mobility takes place:²⁷

1. First, borders are seen as institutions involved in the management of migration also enabling the extra-territorialization of border control practices;
2. Second, borders are perceived as socially constructed phenomenon and delimiters of social categories functioning based on the principle of selective permeability;
3. Third, they are spaces of bargaining beyond the formal limits of the state that define the collective stories and experiences of people residing in borderland areas;
4. And last, but not the least, borders have turned into instruments of technologies of control and government as a consequence of the securitization and criminalization of migration, legitimizing extreme exclusion and destitution practices, allowing the instauration of a permanent state of emergency.

Looking at the irregular migration trends, from the 90s' onwards we observe the contouring of a securitization rhetoric in the European Community/EU, which called for the strengthening of the external borders of the Community and developed a *security continuum*, criminalizing immigrants, linking them to illegal activities, varying from petty crime, urban violence, organised crime, and money laundering to terrorism. Both borders and immigrants became securitized phenomena, but as several scholars argued, this securitization did not take place only at the border but also beyond it. There were scientific debates about the 'de-

²¹ Of forming part of the securitized space of the EU.

²² It refers to third country nationals.

²³ Ferreira, *Human Security*, 52.

²⁴ Sala-Lopez, "Exploring Dissuasion as (Geo)Political Instrument," 517.

²⁵ They prefer de-territorialized social, political and economic practices

²⁶ They advocate for re-territorialization and securitization.

²⁷ Sala-Lopez, "Exploring Dissuasion as (Geo)Political Instrument," 517.

nationalization'²⁸, the 'extra-territorialisation'²⁹ and even about the 'outsourcing' of border and migration control.³⁰

Further unfolding the idea that the securitization of border and of migration does not take place only at the centre or at the border (by Frontex, European decision-makers, Member States) but also on the other side and even beyond borders, Emma Haddad's *centre/periphery theory* is very appropriate. Haddad notes that in several academic studies³¹ the border is discursively constructed as "a dangerous place. Things that cross the border undermine the border's authority and have the capacity to "pollute" the inside that the border is trying to protect."³² She stresses "that where there is a danger [...] there is fear, and where there is fear, there is a need for security. Consequently, the actors playing the security game desire to be free from that which scares them: the threat(s)".³³ The identity that must be protected is located in the centre, and distances itself from the threats, which are situated outside or in the periphery, the border being depicted as the place of encounter between the interior and the exterior. Here we can observe a change of roles, the insiders posing in the role of the victim, not the marginalized immigrants or refugees coming from the periphery. Immigrants and refugees are seen as *toxic* elements polluting the pure inside, so accordingly, the centre has to supervise the periphery at the periphery, not from inside, if it wants to subsist: "If the centre wants to survive, it has to control the periphery and it has to do so at the periphery, leading to the institution of norms and legislative instruments to deal with refugees in an attempt to prevent pollution that could bring chaos."³⁴ In short, the refugee (at the periphery) poses a security problem (to the inside or centre), one which is fundamentally a potential pollution problem. Accordingly, borders must be sealed to prevent contamination of the pure inside."³⁵ Within this reasoning, the identity of the refugee/immigrant is crafted where the inside and the outside of the border merge, thus the refugee/immigrant becomes an artificial creation of the border, the existence of the border being a precondition for its subsistence. Thus, immigrant and refugee groups exist today due to the modern nation states' thrive to organize people and territories within well-defined political/judicial structures delimited by demarcation lines, called boundaries. A clear line of separation is being drawn between the citizens of a nation state, perceived as the normal, legal, *sedentary society* versus the refugee/immigrant, a *moving entity* which acts as a destabilizing factor by blurring the well defined border of the nation state, in the global state system, the refugees/immigrants turning into an *anomaly*, precisely due to their continuous moving nature.³⁶ Furthermore, Haddad underlines that migration inside the EU is part of a liberalization ethos (free movement of people under Schengen), while the extra-territorial

²⁸When supranational entities, institutions, organizations take charge of the border control and migration management tasks.

²⁹ Here we can speak about a remote control, when the control is taking place beyond the borders and even before reaching the border.

"Remote control however is a strategy that seeks to achieve all goals at once, i.e. to circumvent constraints in cost-effective ways, simultaneously appealing to public anxieties over migration, short-circuiting judicial constraints on migration control, while allowing wanted trade, labour, and tourist flows. In practice, this means ensuring that aspiring migrants or asylum-seekers do not reach the territory of the receiving countries." See Infantino, *Outsourcing Border Control*, 5.

³⁰Infantino, *Outsourcing Border Control*, 5-9.

³¹ Douglas, *Purity and Danger*; Thompson, *Maya Identities and the Violence of Place*.

³² Haddad, "Danger Happens at the Border," 119.

³³ Haddad, "Danger Happens at the Border," 128.

³⁴ Mészáros, "Security Dimension of New EU External Communication." 216.

³⁵ Mészáros, "Security Dimension of New EU External Communication." 216

³⁶ Mészáros, "Security Dimension of New EU External Communication." 121-122.

migration is rendered to a *security ethos*³⁷ (as foreigners or migrants represent a real/perceived threat to the jobs, welfare, culture, religion, identity, security of the EU citizens).

In order to illustrate this *security ethos*, in the following lines we shall present the bordering/fencing techniques used in the European Union vs. the United States of America through three subsequent case studies.

THE EUROPEAN BORDERING/FENCING³⁸ PRACTICES CEUTA AND MELILLA AND THE BIRTH OF 'FORTRESS EUROPE'

Ceuta and Melilla represent one of the most controversial cases in borders studies, combining features of a place of an economic and cultural encounter between Europe and the Maghreb, with elements of heavily guarded barbed wire fences erected in order to stop irregular immigrants.³⁹ Historically speaking, Ceuta and Melilla symbolize a polemical relationship between Morocco and Spain, fluctuating between peaceful coexistence and tough confrontation shaped by the just prevalent balance of power in the Mediterranean. Since the Spanish 'reconquista' movement both Ceuta and Melilla are under Spanish control, Melilla since 1497 and Ceuta since 1668. A rather ambiguous detail, that while in the Middle Ages the two enclaves were surrounded by high stone walls in order to protect them from foreign invaders and from external threats of all kinds, today they have become the embodiment of the *fortress Europe* metaphor.⁴⁰ Ceuta's total surface is 19.48 km², its territory being 28kms long, out of which 8 kms represent the land border with Morocco; while Melilla's surface area is 13.41 km², measuring 20 kms in length of which 11 kms constitute the land border with Morocco. Both of these enclaves are disputed territories between Morocco and Spain, and since 1986, the year of Spain's accession to the European Community, as a consequence of the Spanish rule they have been also integral part of the European Union, however geographically situated on the African continent.⁴¹ As Xavier Ferrer Gallardo highlights, following Spain's accession to the European Community, in 1991 came the 'Schengenization' of the Spanish-Moroccan border, Ceuta and Melilla turning into a site of two simultaneous but antithetic processes: on the one hand, we can speak about the militarization of the enclaves by the erection of barbed wired border walls with exclusionary purposes; and on the other hand, about the liberalization of trade and the creation of the Euro-Mediterranean Free Trade Area in 2010. After the accession to the EC and the implementation of the Schengen agreement, both the Christian and the Muslim inhabitants of the two enclaves found themselves in a somewhat privileged situation, as they have become EC/EU citizens. However, the new regulations in vigour acted as separating lines between the Muslims from the enclaves and the Muslim on the other side of the border, in Morocco. As for the survival of the enclaves cross-border interaction with the hinterland was/is absolutely imperative, the EU decision-makers allowed the implementation of the Schengen regime in a selective way, thus permitting a slight exception. This derogation permitted for a certain category of citizens from Morocco, the so called 'desirable migrant' workers and consumers from the adjacent regions of Tetouan (in the vicinity of Ceuta) and

³⁷ Ethos described by the Merriam Webster dictionary as the guiding belief of a person, group or organization.

³⁸ Raising fences: Austria with Slovenia 2015; electronic security barrier Poland-Belarus; Bulgaria-Turkey 2013; Denmark-Germany 2019 (apparently because of wild boars, swine fever); Estonia-Russia 2015; France-UK (Calais); Greece with Turkey 2012; Hungary with Serbia and Croatia in 2015; Latvia-Russia 2015; Lithuania-Kaliningrad (Russia) 2017; Macedonia-Greece 2015; Slovenia with Croatia 2015; Spain (Ceuta and Melilla).

³⁹ Johnson and Jones, "The Biopolitics and Geopolitics of Border Enforcement in Melilla," 5.

⁴⁰ Saddiki, "Ceuta and Melilla Fences," 1.

⁴¹ Ferrer Gallardo, "Border Acrobatics between the European Union and Africa," 75.

Nador (in the vicinity of Melilla) to enter the enclaves for a maximum period of 24 hours without a visa. This atypical deployment of the Schengen border regulations could be considered as an inclusionary border practice meant to secure the political and economic sustainability of the enclaves. On the other hand, this practice didn't only give an impulse to the cross-border flow of people and of merchandise, but it also bolstered the illegal flow of commodities, enhancing smuggling activities as well.⁴²

Needless to say that Spain's accession to the EC increased even more the economic gap between Spain and Morocco, which also accelerated the illegal flow of people between the two countries, using Ceuta and Melilla as the main transit zones. The presence of more and more immigrants in the two enclaves trying to get to the hinterland, forced the Spanish authorities to erect fences in order to curb the irregular migration flows. The fencing of the enclaves has started in the 90s', following their declaration as Autonomous Cities within the Spanish constitutional framework. To prevent the flow of immigrants to Spain, the Spanish authorities have raised fences both in Ceuta and Melilla, in 1993 in Ceuta (8.2km) and 1996 in Melilla (10.5 km). In the first years after the erection of these fences it wasn't an arduous task for the immigrants and smugglers to make their way through them, due to the fences' rather rudimentary condition.⁴³ Unfortunately, the tightening of the border control and the erection of the fences had negative consequences as well, as it intensified illegal crossings through the sea, in 'rickety wooden pateras', leading to many shipwrecks and deaths.⁴⁴

Following an unfortunate event⁴⁵ in 2005 when thousands of immigrants from the South of Sahel tried to forcibly climb through the fences, the Spanish authorities decided to strengthen them even more, thus restoring the medieval fortress dimension of the enclaves, combined with new cutting edge border monitoring technologies.⁴⁶ The year 2005 saw the implementation of an Integrated System of External Surveillance, or SIVE together with the intensification of bilateral cross-border cooperation between the Spanish and Moroccan authorities. Concerning the fences, their heights were doubled, increased from 3 to 6 meters, equipped with barb-wire, motion sensors, CCTV (closed circuit television), infra-red cameras, pepper-spray mechanism, bright spotlights⁴⁷ and watchtowers. Furthermore, the construction of a third tri-dimensional tow-rope fence between the already existing ones was ordered by the Spanish authorities, which was meant to be more secure and less harmful. This tri-dimensional tow-rope fence as an innovative mechanism, never implemented before has also captured the attention of the United States, which considered its implementation at its common border with Mexico. It is rather surprising and also shows the existence of double standards when it comes to the erection of border walls/fences in the EU, the fact that the European Commission bountifully contributed to the construction of the razor wire border around Ceuta, giving 200 million Euros, 75% of the costs of the building and modernizing of fences in the period 1995-2000.⁴⁸

Initially, the fences seemed to have risen to the expectations of their builders, as from 2005 until 2013/2014 they have managed to keep away major flows of immigrants, instead forcing them to choose more perilous routes through the sea. However, since 2014 immigrants have managed to find alternative ways to get through the fences by using collective force. In February 2014 hundreds of migrants from the Sub-Saharan region tried to make their way

⁴² Ferrer Gallardo, "Border Acrobatics between the European Union and Africa," 75-82.

⁴³ Mészáros, "Security Dimension of New EU External Communication," 226.

⁴⁴ Johnson and Jones, "The Biopolitics and Geopolitics of Border Enforcement in Melilla," 11.

⁴⁵ According to official reports 13 people have died and thousands were injured.

⁴⁶ Ferrer Gallardo, "Border Acrobatics between the European Union and Africa," 85.

⁴⁷ Anderson, "Rescued and Caught," 85.

⁴⁸ Mészáros, "Security Dimension of New EU External Communication," 226.

through the fences at Ceuta. However, they were spotted by the thermal cameras of the Spanish Guardia Civil and then tried to escape by throwing themselves into the sea. For warning purposes the Guardia Civil fired several rubber bullets into the sea, but the panic their action sow coupled with the cold temperature of the water led to the drowning of 15 people.⁴⁹

As attempts to pass the fences are almost daily in the two enclaves, on the 5th of March 2019 the Spanish Minister of Interior Fernando Grande-Marlaska announced the removal of the third layer of the border wall around Melilla in order to increase the height of wall to 8 or 10 metres and to make it non-injurious. Furthermore, the barbed wire will disappear too, however its place will be taken by CCTV cameras. He cited humanitarian purposes for these measures, namely “the height of the fence will be increased by 30 percent, reaching ten meters, where most of the entries occurred” with the purpose of preventing migrants from being injured.⁵⁰ Since June 2019, 41 DOMOS cameras and 11 fixed cameras were replaced by 14 new technical cameras as well as a more modern CCTV control platform in Ceuta. Moreover, the launch of a facial recognition system both in Ceuta and Melilla was announced by the competent authorities. Of an outermost importance is the fact that while Spain has given up the barbed wire (concertina wire), on the other side, Morocco is building new fences with razor wire, for its setup the EU generously contributing with a 140 million Euros investment.⁵¹

THE 2015 ‘MIGRANT’ CRISIS AND THE HUNGARIAN TECHNICAL FENCE

2015 saw an unprecedented wave of third country nationals targeting the European Union through various migratory routes. An intensification of movement could be observed on the Western Balkans migratory route, in 2015 altogether detecting 764.033 people. After transiting Greece from Turkey, third country nationals crossed Macedonia and Serbia, attempting to enter the European Union through Hungary. For a small country from Central Europe which has never been a colonial power or a main transit country for immigrants, the presence of thousands of immigrants signified a huge shock. According to Eurostat, in 2015 Hungary received 174.400 first time asylum applications, which represented 14% of all asylum application, being the second largest number in the EU, after Germany (with 35%, 441.800 first time applications). In 2015 in Hungary there were only 545 positive decisions concerning the asylum claims, while in Germany there were 148.215.⁵² Moreover, we must underline that contrary to the view of various western EU Member States, from the very beginning the Hungarian government perceived the movement of third country nationals as a migration and not as a refugee crisis, stating that the vast majority of them are economic migrants who came to Europe for financial benefits. Accordingly, the central government first, has discursively constructed immigrants and immigration as a threat to the national/European security, wellbeing, culture and identity and after receiving authorization from the reference object⁵³ (through various national consultations), began the securitization process, namely elaborated security oriented policy actions concerning asylum, migration and border control.⁵⁴

As the migratory pressure at the Southern border was increasing in the summer of 2015, the Hungarian government has taken certain measures, such as the construction of a temporary

⁴⁹ Anderson, “Rescued and Caught”, 86.

⁵⁰ Ben Saga, “Spain to Install Surveillance Cameras at Ceuta, Melilla Borders.”

⁵¹ Morocco World News, “Spain Steps-up Ceuta-Morocco Border Security.”

⁵² Eurostat, “Asylum in the EU Member States Record number of over 1.2 million first time asylum seekers registered in 2015 Syrians, Afghans and Iraqis: top citizenships, 4 March 2016, 1.

⁵³ Hungarian citizens.

⁵⁴ See, Mészáros, “State of emergency, public anxiety and the discursive construction of migration as a threat during the current migration/refugee crisis,” 11-12.

technical fence (barbed wired fence) at the Hungarian-Serbian and Croatian-Hungarian border, the strengthening of the police, also creating the legal background for the involvement of the army assisting the law enforcement authorities at the southern border for the alleviation of the great migratory pressure. The decision to close the *green border* with Serbia and to build a 175 km long⁵⁵ and 4 m high fence was taken on the 17th of June 2015. The construction of the fence⁵⁶ at Mórahalom began on the 13th of July with the assistance of the army, and the fact that its erection had been finalised much before the actual deadline (30th of November) shows the extreme importance the Hungarian government was rendering to its construction. After the total seal of the Hungarian-Serbian border on the 14th of September 2015, plans were put forward for the erection of fences with Romania and Croatia. While the fence with Romania did not materialize as immigrants did not choose Romania as their main transit country, a 41 km long barbed wire barrier was erected along the Hungarian-Croatian border in September 2015. While the construction of these fences heated up the spirits both within Hungary and in other EU Member States, triggering heavy criticism from the opposite national party leaders, Eurocrats and EU MS decision-makers, in the end it had lived up to the expectations of its architects, as it significantly decreased the number of illegal border crossings, especially at the Hungarian-Serbian border.⁵⁷ However, this could be also the result of the deal between the European Union and Turkey from 2016, as Turkey in exchange of financial assistance has pledged to hold back illegal immigrants who are not entitled for asylum or international protection at its border with Greece. Furthermore the government established a new law enforcement unit, helping the work of the border police, called “határ vadász,”⁵⁸ and tightened the laws, labelling both the illegal border-crossing and the damaging of the fence as criminal offences.⁵⁹ Thus, this migratory situation labelled as an extraordinary event led to the amendment of the country’s Asylum Act⁶⁰, the Criminal Code⁶¹ and the Criminal Procedure Act.⁶² On the other hand, as a reaction to the high number of migrants attempting to get to the EU through the Western Balkans route, following the erection of the technical fence by Hungary, other EU Member States as well took restrictive measures at their external borders. Germany had reintroduced border control within Schengen at its common border with Austria, while the Austrian army began to build a fence along the border with Slovenia, and Slovenia

⁵⁵ Triandafyllidou, “A “Refugee Crisis” Unfolding,” 202.

⁵⁶ Following the erection of the technical fences, the Hungarian-Serbian border was subjected to a major migratory pressure on the 15th of September 2015, as in just one day a record number of 9360 migrants attempted to cross the border.

⁵⁷ Before the fence this portion of the border was crossed by 1500-3000 people on a daily basis. After the erection of the fence this number dropped to 150-250/ day.

Juhász, “Assessing Hungary’s Stance on Migration,” 41-42.

⁵⁸ In unofficial English translation it would be *border hunter units*.

⁵⁹ Hungarian Government, „National Consultation on Immigration and Terrorism.”

⁶⁰ Practically the Hungarian government has declared Serbia as a safe transit country, automatically rejecting any asylum claims coming from third country nationals passing through Serbia. Furthermore, it has published a list of safe countries of origins and safe countries of transit. The newly amended Asylum Act enabled the accelerated processing of cases where a “safe” third country was available to the asylum seeker. The process of reviewing asylum claims had been shortened to 8 days. Under the umbrella of the *state of emergency* scenario the amended Asylum Act also enabled the police and the army to intervene in so called *mass migration crisis* situations, making possible their involvement in the asylum process.

⁶¹ The newly amended Criminal Code criminalized the crossing of a closed border on the Hungarian territory (unauthorized entry on Hungarian land) which became prohibited and punishable by up to 3 years in prison. Furthermore, damaging the fence or obstructing its construction is also punishable by imprisonment, as these are perceived criminal offenses as well.

⁶² Juhász, “Assessing Hungary’s Stance on Migration,” 40.

built a fence at the border with Croatia, due to the massive flow of immigrants.⁶³ Poland, the Czech Republic and Slovakia had also taken into account the possibility to seal their borders in front of the migrants. In August 2016 over fears of an influx of immigrants coming from Turkey, the Bulgarian government also followed the example of its Hungarian homologue, starting to build a fence along its border with Greece and Turkey.⁶⁴

The *erection of fences* became a recurring practice in the case of Macedonia as well, which constructed fences with both Greece (the construction of the first wire fence with Greece started in November 2015, while the second line was constructed in February 2016) and Serbia (after the closure of the Balkan route the desire to stop the illegal border crossings, a 3 meter high barbed wire fence was erected along the border of Macedonia with Serbia.⁶⁵

Even though, the number of people crossing through the Western Balkan route seriously dropped, in 2016 to 130.325, in 2017 to 12.179 and in 2018 to 5869, the Hungarian government still upholds the *state of emergency* declared in 2015 at its southern border. It is labelled as a necessary preventive measure, as according to the Hungarian governmental apparatus there could be an increase in the number of irregular entries any time.⁶⁶

THE UNITED STATES OF AMERICA AND THE 'GREAT WALL' OF TRUMP

Since Donald Trump's dynamic burst into the American and global political scenery and consciousness, the 'Let's Make America Great Again' and "I will build a great great wall on our southern border and I'll have Mexico pay for that" became recurrent catchphrases in his rather ambiguous rhetoric. Contrary to such seemingly public-spirited pledge, we must underline the fact that there already exists a fence between the U.S.A. and Mexico with the purpose of halting illegal immigrants from Mexico and Central America. So, hardly will Trump reinvent the wheel.

Back in 19th century, in 1848 the region that we are examining was part of Mexico, thus even today the Mexican culture makes its presence felt in the aforementioned area. Today, the border has 3145 kilometres, comprising also the Rio Grande River as a natural barrier that passes through Western Texas and divides Mexico from the USA. According to the statistics, it is also the world's busiest and most overcrowded border, as on a daily basis it has to monitor the transit of approximately 1 million people and of goods worth more than 1.5 billion dollars. Furthermore, the US-Mexican border is also the site of the single busiest land port in the world, where more than 50.000 vehicles and 25.000 pedestrians cross each day between San Diego, California and San-Isidro-Tijuana.⁶⁷

The idea to establish a permanent physical barrier between the USA and Mexico across the southern border was proposed at the end of the 90s', and the motivation behind it was the desire to curb the flow of illegal immigrants and of drugs.⁶⁸ In this period for example, the number of agents patrolling the Southern border was doubled and new enforcement strategies were also tested. Even though, a few short sections of an actual physical barrier were built, bolder border security projects did not come to materialize due to the lack of enough political and public support. Following the terrorist attacks from 2001, the need to enhance border security further increased.

⁶³ Deutsche Welle, "Austria begins erecting fence on border with Slovenia."

⁶⁴ Oliphant, „Bulgaria builds 30km fence on Turkish border to keep migrants out.”

⁶⁵ Oliphant, „Bulgaria builds 30km fence on Turkish border to keep migrants out.”

⁶⁶ Frontex, „Western Balkan Migratory route.”

⁶⁷ Mazza, „The US-Mexico Border and Mexican Migration to the United States,”33-34.

⁶⁸ Jones, *Security and the War on Terror in the United States, India, and Israel*, 6.

Approved in October 2006, the so called **Secure Fence Act** bill could be considered as the legal base for the erection of a wall, as it authorized the construction of 1000 kilometres of fence along the southern borders of California, Arizona, Texas, and New Mexico.⁶⁹ However, due to the lack of funding, until Trump taking over the presidency of the USA, no concrete steps were taken in this regard. Nowadays, the fence barrier along the US-Mexican border stretches only on 1046 km, and since the arrival of Trump, the US Customs and Border Protection agency has replaced 22.53 kilometres of scrap metal barrier with a bollard-style⁷⁰ wall in San-Diego, adding to the already existent anti-immigrant infrastructure 3.21 kilometres of wall in California and 32.18 kilometres of new wall in Santa Teresa, New Mexico. The president believes that the existent border infrastructure is not enough to stop the flow of immigrants from Mexico, which represent a threat to the wellbeing and security of the American people, aspiring to build of wall of 1609 kilometres, as according to him “All Americans are hurt by uncontrolled, illegal migration” [...] and “We are out of space to hold them and we have no way to promptly return them back home to their country.”⁷¹ Besides security reasons, he claimed humanitarian motives as well, saying that the wall “would save the lives of Central American migrants, many of whom are women and children.” In Trumps’ view “Walls work” [...] “They save good people from attempting a very dangerous journey from other countries.”⁷²

Contrary to the initial claims that Mexico is going to pay for wall, now Trump is expecting the necessary funding from his own government, a total amount of 5.6 billion dollars, this causing him serious backlash with the Democrats, who oppose such megalomaniac plans. According to data, he does not have the support of the majority of the population neither, 59% of them disagreeing in this matter with their president.⁷³

Completely disregarding the opposition of the Democrats and the disapproval of the population, on the 27th of July 2019, the US Supreme Court allowed the Trump administration to redirect 2.5 billion dollars from military funds for the construction of the wall, a decision that was presented by the president as a landmark victory and a “big WIN for border security and the rule of law.”⁷⁴

CONCLUSIONS

Undoubtedly, since Antiquity borders/frontiers have gone through major transformations, and if after Westphalia their main purpose was to delimit the legal jurisdiction and sovereignty of a state, by the 21st century frontiers have turned into social constructs with both inclusionary and exclusionary features. Thus, we may conclude that the current status of borders is in contradiction with the realist perceptions dominating for centuries, which conceived them as military defended strategic lines protecting from external dangers. Nowadays, borders/frontiers are rather diffuse social constructs, capable of continuously moving and changing, also accommodating to the myriad of current transnational threats. One cannot overlook the fact that borders can have an inclusionary/inclusive role as well, acting as bridges, connecting people and cultures from the two sides of the border. However, the current research aimed at examining the exclusionary/exclusive feature of borders in relation to

⁶⁹ Villafuerte Solis, „The Southern Border of Mexico in the Age of Globalization.” 314.

⁷⁰ Bollards are defined as steel posts meant to stop vehicles from passing.

⁷¹ BBC, „Why does Donald Trump Wants to Build a Wall?”

⁷² Paynter, „Europe’s Refugee Crisis Proves Trump’s Border Wall Wouldn’t Work.”

⁷³ Paynter, „Europe’s Refugee Crisis Proves Trump’s Border Wall Wouldn’t Work.”

⁷⁴ The Telegraph, „US Supreme Court allows Trump to spend military funds on US-Mexico border wall construction.”

immigrants and refugees by investigating three specific case studies from the EU and from the United States of America.

As we've revealed through the case studies, the idea of a borderless Europe/world is nothing but utopian, borders being present more and more in our everyday lives. Furthermore, poverty, wars, persecution, water and food scarcity and climate change are pushing millions of people to move from their countries of origin to Europe/EU and the US. The truth is, that since the fall of the Berlin Wall, borders were transformed into securitized spaces, and the process of locking down and closing political borders have become a recurring practice even for the leading democracies of the world.

Ceuta and Melilla represent a controversial case of bordering, combining elements of *selective permeability* (which allows visa free entry for a limited time for certain desirable categories of people) with heavy securitization practices. In our opinion, the current seemingly humanitarian measures taken by the Spanish government to dismantle the third wall and to get rid of the barbed wire are nothing but pure window-dressing, as considerable amount of money was given to the Moroccan government to consolidate the fence on its side of the border. Thus, it will be barbed wire, but on the other side of the border. Concerning the technical fence in Hungary, it was deliberately erected as a response to the increased flow of immigrants through the Western Balkan migratory route, which has managed to live up to its expectations and curtailed the number of irregular entries. However, as in the case of Ceuta and Melilla and the US wall with Mexico, it did not eradicate the root causes of the phenomenon, thus it can be considered only as a shallow and temporary, but not a long-term solution. Statistics have shown, especially in the case of Ceuta/Melilla and the US-Mexico wall, that the erection of fences had immediate negative repercussions, only pushing people to look for alternative routes, which proved to be more dangerous and deadly. Thus, we can conclude that border walls and fences can only temporarily mask the problem of unwanted migrants and refugees, by not letting people in, but they do not offer genuine solution to migration, which today has turned into a problem of global magnitude, driven by the desire to correct the North-South gap and demanding a fair redistribution of the global wealth and resources. So answering the initial question: NO, borders and fences make no good neighbours, they make angry neighbours!

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