Borders as Places of Control: Fixing, Shifting and Reinventing State Borders; An Introduction

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Borders as Places of Control. Fixing, Shifting and Reinventing State Borders. An Introduction

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Abstract: *»Grenzen als Kontrollorte. Staatsgrenzen fixieren, verschieben und neu erfinden«.* The globalizing forces of trade, capital movement, the circulation of information, and human mobility have challenged conventional understandings of borders as entry gates that are under the firm control of nation states. Some scholars have even assumed that nation states would eventually lose control of their borders due to new challenges. However, borders have proved to be resilient institutions as states have adapted and reinvented border controls in several ways. First, states have responded to new challenges by hardening their territorial boundaries through border fortifications. Second, governments have shifted border control to third countries by using tools such as visa policies or readmission agreements. Third, nation states have designed "smart borders" through biometric passports, shared databases, and digital surveillance technologies. Lastly, de-facto borders show that clearly delimited boundaries can be attractive to countries, even in regions with limited statehood.

Keywords: Borders, shifting border, border walls, smart border, de-facto borders, globalization.

1.   Globalization and "Vanishing Borders"

In summer 1987, the U.S. president, Ronald Reagan, visited West Berlin and gave a speech in front of the Brandenburg Gate, addressing the leader of the Soviet Union: "Mr. Gorbachev, tear down this wall!" Two years later, as a

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result of the peaceful uprising of people in the former GDR, the Berlin Wall, a monument of division and block confrontation, came to the end of its existence. After the fall of the Berlin Wall, there was a widespread illusion that hard borders could become more porous and ultimately lose their significance. At the same time, the trend of globalization was unfolding, with an unprecedented increase in cross-border mobility and transactions.

During the 1990s, there was an intense and overly optimistic debate on the dismantling of hard or closed borders due to the forces of globalization. Catchphrases such as "vanishing borders" (French 2000) or "borderless world" (Ohmae 1990) alluded to an imagery where goods, money, ideas, and people could cross borders with growing ease and where the capacity of nation states to close borders or to install rigid measures of control or containment was diminishing. Not surprisingly, globalization was – at its very core – understood as transcending national borders and producing heightened interconnectedness across borders.

In fact, most globalization indicators point to a continuing trend of increased transnational interconnectedness and cross-border flows (Gygli et al. 2019). Today, the world is not only spanned by a dense network of cross-border trade and communication technology but also by transnational human mobility (Deutschmann 2016). For instance, the number of tourist journeys tripled between 1990 and 2018, when 1.4 billion arrivals were recorded (Roser 2017). However, international borders are also crossed by a growing number of refugees displaced by violent conflicts, famines, persecution, and other events. In 2019, roughly 1 percent of the global population was forcibly displaced, while the number of refugees approximately doubled, from 10 to 20.4 million between 2010 and 2019 (UNHCR 2020). Although the majority of displaced persons stay in the close proximity of their country of origin, migration has become a decisive issue on the domestic and international political agenda (de Haas, Castles, and Miller 2020).[1]

Given the growth in cross-border movements, it is questionable whether one can still conceive territoriality in terms of closure and containment. One of the strong criticisms raised in this context is that considering the state as a fixed unit of territorial space, which neatly separates the inside from the outside, is a conceptual trap – or, more precisely, a "territorial trap" (Agnew 1994). We may have never actually lived in a "container society," but under conditions of globalization this assumption becomes even less tenable. An offshoot of this debate was a reframing and a different understanding of the role of the state as gatekeeper and border guard. The loss-of-control thesis suggests that the traditional attributes of state sovereignty and national territory are coming under pressure in the wake of globalization, transnationalization, and internationalization. In addition, the forces of global markets and

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[1] Countries that host a large numbers of refugees include Turkey, Pakistan, Lebanon, Iran, and Ethiopia (de Haas, Castles, and Miller 2020, 7).

the rise of international codes and institutions contribute to a reshuffling of sovereignty and territoriality as fundamental principles of statehood (Sassen 1996). Moreover, technological developments and innovation have ultimately facilitated the view that connectedness is one of the signs of our era, leading to statements such as "the world is flat" (Friedman 2006).

2.   Waning Sovereignty?

With an eye on borders and border control, a similar story could be told. It has been claimed that governments have an increasing inability to curtail migration and mobility, and that the flow of people cannot be effectively controlled. In other words, "borders are beyond control" (Bhagwati 2003). Even when states seek to restrict and constrain migration, they often fail (Castles 2004). Migratory processes have their own momentum and are linked to economic globalization and global inequalities, so that regardless of the aim of states, policies often miss their political objectives. The growing skepticism about the effectiveness of border enforcement is rooted in the multiplication of transnational actors – migrants, corporations, and international organizations – that challenge state borders (Brunet-Jailly 2011; Andreas 2003).

A case in point is the so-called "summer of migration" of 2015, when Syrian refugees established a route from the Greek mainland along the Balkans toward Western Europe. After becoming stranded in Hungary, the refugees "reappropriated their own mobility to collectively and defiantly leave Budapest" (Kasparek 2016, 5). Despite subsequent efforts to restrict "secondary movements," Schengen member states still struggle to implement a "future-proof" migration governance (Geddes 2018). In this perspective, the walls, fences, and barriers erected by states such as Greece, Hungary, or the USA have been understood as symbols of eroding state power. Although border fortifications are imposing structures, some claim that they might signify waning sovereignty rather than strength (Brown 2017).

In addition, more immediate threats to international borders have occurred through territorial conflict, state instability, and illicit markets. In recent years, several world regions have been affected by persistent internal conflicts that have proved difficult to resolve. In Syria and eastern Ukraine, non-state actors took control of disputed territories and established de-facto borders. In addition, the territorial integrity norm (Zacher 2001), which prohibits territorial conquest, has become fragile (Altman 2017). In the wake of a political crisis in Ukraine, the Crimean Peninsula was annexed by Russia in 2014. Similar developments can be observed in Syria, where Turkish forces control foreign territories, thus bringing into question the territorial sovereignty of a neighboring state.

In addition to overt territorial disputes, clandestine actors also challenge international borders by subverting border controls through illicit trade routes (Simmons 2019, 262). Although by nature difficult to assess, the trade of illicit goods is likely to have benefitted from globalization and digitization. For instance, the trade in counterfeit and pirated goods grew between 2013 and 2016, despite an economic slump (OECD/EUIPO 2019). A related issue relates to human trafficking and the smuggling of migrants. In Europe, the smuggling of refugees across the Mediterranean Sea involves life-threatening journeys with high mortality rates (Steinhilper and Gruijters 2018).

The complexity of cross-border flows and conflicts has challenged traditional understandings of borders and border controls. In response, states have continuously expanded their toolkit of border control measures. In this process, governments reconfigure borders by shifting, fixing, and reinventing border controls. In the following, we address some of the recent trends in border control.

3. Borders that Stay, Emerge, Move, and Transform

Today, more than two decades after the fall of the Berlin Wall, we know that borders have neither disappeared nor lost their significance. Instead, we see that they have been reinforced, shifted, and reinvented (Mau 2021). Certainly, in some parts of the world – for example the Schengen area – borders have been dismantled and internal border controls have been removed, but in other places, borders have become even stronger infrastructures of separation and control. On the one hand, new fortifications are emerging all around the world at an accelerating pace (Hassner and Wittenberg 2015; Vallet 2021). On the other hand, border control has also shifted away from the border line, extending control to the exterior as well as to the interior (Shachar 2007, 2020; Zaiotti 2016; FitzGerald 2020). Part of the externalization of control is the issuance of visas that takes places far from the border in consulates or embassies. This is a well-established practice but has become more selective over time (Recchi et al. 2021; Mau et al. 2015). Further, the involvement of third countries and transit countries in aspirations for control constitutes a significant trend, as does the increasing role of carrier sanctions (Laube 2013). Lastly, states have developed "smart borders," which combine surveillance technologies and biometric data to monitor and regulate cross-border flows (Amoore 2006).

As places of border control are multiplying, some researchers have suggested moving the focus away from borders as locations and treating bordering more as a social process (Yuval-Davis, Wemyss, and Cassidy 2019). From this perspective, control is not only multiplying in space – as it can take place at various locations such as airports, control posts, or in the streets – but is

also multiplying in time, as people are subjected to acts of everyday bordering at any time in daily life (Yuval-Davis, Wemyss, and Cassidy 2019). While the traditional notion of border control refers to the demarcation and delimitation of territories, bordering as a process is linked to sorting, othering, and categorization, which are in turn linked to the mobility opportunities of people (Newman 2006). As a consequence, borders and border practices are considered as becoming more complex, ambivalent, and paradoxical (Laine 2021; Brown 2017; Balibar 2017; Mezzadra and Neilson 2013).
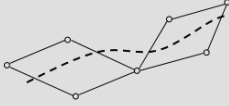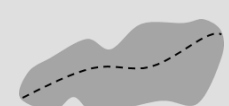
4.   Borders as Places of Control

Our special issue seeks to trace the transformation of international borders and border control. This involves a functional perspective on borders – one that allows us to move away from considering the border line at the edge of a state's territory (Salter 2004, 80). Though borders still relate to a territory and erect dividing lines between states, they are much more than that: they are apparatuses, types of interventions, and infrastructures that are not necessarily territorially fixed. As a response to the upheavals of globalization, states started to detach the bordering function from the actual border line (Shachar 2020). However, the global diffusion of border walls and fences demonstrates that the fixed territorial border is not disappearing but is multiplying, as "other border locations are being added" (Mau 2020, 143).

In our perspective, borders are specific modes of control that combine a physical infrastructure, personnel, policies, and digital technology with the aim of regulating mobility and cross-border transactions. Accordingly, we focus on the border as a form of control. We do not, however, put all issues surrounding borders and bordering at center stage, but instead focus on the way border control is organized and exercised.

Table 1 highlights the trends and developments in borders and border controls. In particular, we investigate the following trends: First, the fortification of border lines through border walls and fences. Second, the externalization of migration control and management. Third, the increasing use of "smart borders" to gather biometric data for mobile persons. Lastly, the occurrence of de-facto borders in areas of limited statehood. In the following, we describe adjustments that states have made to reconfigure their borders. In addition, the respective contributions to this special issue are introduced.

Table 1 Trends in Borders and Border Control

Trend	Description	Special issue contributions
Border fortification	Growing use of physical obstacles (e.g., walls or fences) at border lines	- Gülzau & Mau (Ch. 1) - Korte (Ch. 2)
Externalization of control	Border controls beyond a country's territory (e.g., visa policies and joint migration management)	- Laube (Ch. 3) - Zaiotti & Abdulhamid (Ch. 4)
Smart borders	Digital surveillance of mobility through (biometric) data	- Shachar & Mahmood (Ch. 5) - Amelung (Ch. 6)
De-facto borders	Border controls in in areas of limited statehood and at ceasefire lines	- Kolosov & Zotova (Ch. 7) - Sasse & von Löwis (Ch. 8)

4.1   Border Walls

Border walls have forcefully returned to the global scenery (Vallet and David 2012). They are imposing infrastructures of demarcation and separation as well as signs of symbolic power. In general, states erect border fortifications by "installing impassable obstacles through the use of cumbersome seemingly inert materials of stone, earth, concrete, and metal" (Denman 2019, 232). As border control sites have multiplied, such border fortifications are often "the *last* point of encounter" (Shachar 2020, 5) with the bordering function. Yet the growing fascination with border barriers shows that fixed borders are far from becoming obsolete. On the contrary, it is known that the construction of border barriers has accelerated since the 1990s (Hassner and Wittenberg 2015; Vallet 2021). In fact, around half of all the border barriers that have been built since the 1950s were erected between 2000 and 2014 (Hassner and Wittenberg 2015).

The reasons behind the trend toward hardened borders are, however, still being debated (Simmons 2019). Scholars argue that fortified borders resemble military installations in their appearance, but instead of being directed against opposing armies, they reinforce "discontinuity lines" between affluent and poor societies (Rosière and Jones 2012). Research also explains the surge in wall building as being due to increased security concerns in times of

global terrorism (Avdan 2019). Nevertheless, states most often refer to unwanted migration in order to justify their border fortifications (Vallet 2021). Examples of this include the border barriers in Greece, Hungary, and North Macedonia that were rapidly built during the "flurry of wall building" (Brown 2017, 16) following Europe's migration and refugee crisis of 2015–16. Lastly, research indicates that border barriers might be more common in specific regions such as Asia (Jones 2018).

With regard to the effectiveness of border fortifications, research broadly agrees that heavy border fortifications are costly and inefficient measures (Gulasekaram 2012; Vallet 2017). A case in point is the expansion of the U.S. border fence between 2007 and 2010 that is estimated to have involved costs of roughly $7 per person living in the USA (Allen, Dobbin, and Morten 2018). In addition, border barriers have a negative effect on cross-border trade (Carter and Poast 2020). Less is known about the effect of border barriers on other cross-border flows. However, a study of the Israeli barriers reports that smuggling has decreased in protected areas but has also been diverted and increased in not-yet-protected towns (Getmansky, Grossman, and Wright 2019). Recent studies also report that border fences may lower transnational terrorism and insurgencies (Avdan and Gelpi 2016; Staniland 2005). Lastly, the effect of border walls on the local populations has not yet been sufficiently explored.

Two contributions in this special issue investigate border fortifications. *Fabian Gülzau and Steffen Mau* introduce a new dataset, the Border Infrastructure Data, which measures how states design their territorial border lines through the physical border infrastructure. Their typology distinguishes –
from relatively open to completely closed – "no-man's-land" borders, landmark borders, checkpoint borders, barrier borders, and fortified borders. While barrier and fortified types account for a fifth of all global borders, particularly in Asia and Europe, checkpoint borders remain the most prevalent design across continents. Further, fortified borders are predominantly used by affluent states when there is a significant wealth gap with neighboring countries. The contribution enriches the debate on border infrastructures by considering different ways in which states design their international borders.

In her contribution, *Kristina Korte* explores the effect of border fortifications on mobility. Using in-depth qualitative material from four case studies in Algeria and Morocco, Hungary and Serbia, India and Pakistan, and the USA and Mexico, she shows that fortified borders either operate as filter or deadlock borders. Filter borders reinforce the global gap in mobility rights by blocking migrants, whereas deadlock borders also lead to increasing inequality within a country (between the capital and the border population) by cutting economic, social, and familial ties across the border line. Filter and deadlock borders also differ with regard to power relations between neighboring states. While filter borders are characterized by clear gaps in power and

wealth, the relations across deadlock borders are ambiguous and more con-
tested.

4.2   Shifting Borders and Externalization of Control

Under the conditions of globalization, border functions and border lines are
increasingly becoming decoupled. As a result, Shachar (2020, 7) argues that
research on territorial borders needs to be complemented by studies that in-
vestigate "the *movement of borders to regulate the mobility of people*." This
change in perspective is only logical when thinking of borders from the view-
point of mobile persons. For them, borders are interventions in mobility: the
authorization and enabling or the hindering of mobility that influence the
movement of people through territories. Points of embarkation, transit
points, international airports – all have become sites of control (Yuval-Davis,
Wemyss, and Cassidy 2019; Laube 2013).

  The shifting border involves, first and foremost, the "remote control"
(Zolberg 2006) of mobile populations. In particular, states are pushing the
border outward by requiring travelers to apply for a visa before embarking
on a journey. Together with carrier sanctions, visa fees, and consular ap-
pointments, they create a considerable barrier against unwanted mobility
(Collinson 1996; Czaika, de Haas, and Villares-Varela 2018). At the same time,
states selectively implement visa waiver agreements to lift the requirements
for anyone with a "trustworthy" passport. The unequal distribution of visa-
free travel opportunities creates a "global mobility divide" (Mau et al. 2015).

  Agreements with third countries are part and parcel of the externalization
of control. In this regard, the Danish government recently passed a bill that
enables the relocation of refugees to third countries in order to assess their
asylum claims abroad (The Guardian 2021). Although international organiza-
tions such as the African Union (AU) subsequently condemned the Danish
proposal, the "offshoring" of asylum procedures is only the latest step in a
longer chain of developments concerning the involvement of third countries
in migration governance (African Union 2021).[2] For instance, the European
Union (EU) has implemented multiple readmission agreements with transit
countries. Together with the "safe third country" rule, such agreements sup-
port the deportation of unwanted migrants (Laube and Müller 2015). At the
same time, states are also shifting the border line inward by creating internal
zones with limited constitutional rights. Cases in point are the "constitution
free" zone in the USA, the "excision" zone in Australia, and transit zones in
European airports. In these spaces, undocumented migrants and asylum
seekers are subject to special procedures, such as expedited removal (Sha-
char 2020).

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[2]   Australia is the only country that currently relocates refugees to third-countries – Nauru and
    Papua New Guinea – in order to process their asylum claims (Shachar 2020, 46-7).

In this special issue, *Lena Laube* shows that the involvement of transit states in migration governance has opened up new space for "migration diplomacy." She explores how the EU's externalization of border control has affected the power balance between destination and transit countries. In particular, transit countries such as Turkey, Morocco, and Moldova have increased their bargaining power by becoming involved in EU migration governance. A case in point is the EU-Turkey-Statement of 2016, which illustrates that transit states can negotiate considerable concessions in return for assuming border control tasks. The agreement also highlights that EU member states can be exposed to political blackmail when externalizing their border control.

The contribution by *Ruben Zaiotti and Nafisa Abdulhamid* investigates how EU member states have reconfigured exterritorial border controls during the ongoing COVID-19 pandemic. The authors argue that core components of Europe's externalized border management, such as visa policies, have been adjusted and re-imported inside the EU's territory – a development that they term the "internalization of externalized border controls." The chapter concludes that the re-purposing of externalized border controls has limited the mobility rights of both EU and non-EU citizens.

4.3 "Smartification" of Control

Driven by technological innovation and the availability of new tools for the identification and monitoring of people, there has been a significant shift in the form of border control. On the one hand, technology allows for the detection (and deterrence) of border crossings without border guards being present at the location (border surveillance systems, drones, acoustic devices, light detection, etc.); on the other hand, new technology-based entry/exit systems, automated border control (e-gates), and biometrics to identify people are now being used for screening and selectivity purposes (Amoore 2006; Elden 2013).

The development of smart borders under conditions of globalization is a significant step, as this allows states to not only facilitate and block mobility at the same time, but also to target their control measures at "unwanted" people classified as "risky travelers." Since the attacks of 9/11, the development of digital technologies has accelerated due to the growing salience of global terrorism (Ackleson 2003; Amoore 2006). Today, governments routinely gather biometric data through fingerprints and facial recognition in order to monitor cross-border travel (Sontowski 2018; Vukov and Sheller 2013). Systems such as the European Travel Information and Authorization System (ETIAS) that require people to provide information before traveling to a destination country are used by multiple states (e.g., ETA in Australia, eTA in Canada, and ESTA in the U.S.; Vavoula 2017). Further, data is also exchanged

between states to check entries against other databases (Amelung and Machado 2019).

Crises are often a driving force behind changes to the "bordering function" of states. The U.S. Smart Border Declaration was launched as a response to the 9/11 attacks (Salter 2004). Similarly, the European migration and refugee crisis of 2015–16 motivated several European countries to erect border fences, but also to use digital technologies for border control. In this special issue, *Ayelet Shachar and Aaqib Mahmood* investigate recent changes to the global mobility regime that have been made following the COVID-19 pandemic. The authors show how the shifting border has become the new norm for the management of mobility. Mobility is tightly monitored through testing requirements, vaccination passports, and the digital surveillance of quarantine regulations. As a result, the control function of the territorial border is shifted onto mobile bodies. The authors argue that it may be difficult to rollback to a pre-crisis travel regime, as "bio-surveillance [...] provides governments unprecedented technological 'see-all' eyes to monitor and track *everyone's* mobility *everywhere*" (Shachar and Mahmood 2021, 147, in this special issue).

The contribution by *Nina Amelung* investigates the case of the Eurodac system, which is used by EU member states to collect and share fingerprints from asylum seekers and irregular immigrants. In particular, the work studies the Eurodac database through the lens of "crimmigration"; that is, the convergence of crime control and immigration management. The chapter shows that the scope of Eurodac has been continuously expanded by making it interoperable with policing databases. In this process, asylum seekers are routinely exposed to suspicion when their fingerprints are accessed by law enforcement. As a result, asylum seekers are considered as potential lawbreakers without the option "to 'opt out' or exert control over their data" (Amelung 2021, 17, in this special issue).

4.4   Contested Border Control

The final section looks at instances where the state's ability to maintain border functions is undermined or weakened. In such cases, "loss of control" may become a significant feature of the border. In areas of limited statehood, such as in the Donbas region, Abkhazia and Ossetia, Syria, and Libya, state borders are not always under the control of a central government. However, separationists and armed groups have an interest in claiming legitimacy through state-building and border delineation (Bakke et al. 2018). Accordingly, when conflicts freeze, ceasefire lines emerge and de-facto borders are established (Dembinska and Campana 2017). In such circumstances, we can identify functional equivalents to a state's bordering functions.

Two contributions in this issue investigate the dynamics of de-facto borders. *Vladimir Kolosov and Maria Zotova* compare six non-recognized states in the post-Soviet space. They study cross-border relations between de-facto states, parent states, and patron states. Although these relations vary, the authors find that the borders between de-facto and patron states are often contact points with frequent cross-border mobility. By contrast, the borders between de-facto and parent states that do not coincide with former boundary lines are regularly places of hostility and blockades. The analysis highlights that the COVID-19 pandemic has magnified the barrier function of de-facto borders.

The contribution by *Gwendolyn Sasse and Sabine von Löwis* scrutinizes the cross-border dynamics at the ceasefire line between Ukraine and the non-government-controlled areas in the Donbas region. The work uses novel ethnographic and survey data to shed light on evolving border practices across the contact line. The survey data, which was collected in 2016 and 2019, provides insights into the attitudes and practices of the borderland population. The chapter shows that the ceasefire line has disrupted social ties, but that it also guarantees a minimum of security and enables cross-border exchange.

5. Conclusion

This introduction started with the observation that borders and border controls are challenged by globalizing forces. In light of the transnational flows of goods, people, and information, territorial border controls were expected to lose significance and become less feasible. Although the far-reaching loss-of-control thesis has ultimately been rejected, it is clear that states have needed to adapt their border controls to new realities. Accordingly, we trace how states have adjusted their border regimes by fixing, shifting, and reinventing border controls. In particular, we identify four developments in border control. First, states buffer their fixed territorial boundaries by installing border walls and fences. Second, the border function is detached from the actual border line by externalizing controls. Third, "smart borders" are installed to gather biometric data on mobile persons. Such data is increasingly stored and exchanged between states and agencies, and it also plays a crucial role in the fight against the COVID-19 pandemic. Lastly, de-facto borders are included in order to investigate border dynamics in areas of limited statehood and at ceasefire lines.

The special issue investigates trends and developments in borders and border controls. Given the new complexity of borders, it is clear that the notion of borders as territorially fixed has become less tenable. Accordingly, we proposed studying border functions instead of predefined border locations. This perspective reveals how states are digitizing, reinforcing, and externalizing

border controls in response to new challenges. It can only be surmised that the developments highlighted will be exacerbated by the global pandemic.

The individual contributions demonstrate that borders are constantly reinvented and are readjusted to changing circumstances. Borders are by no means obsolete, but are forceful "sorting engines" in a globalized world (Mau 2021). Shifting borders and the excessive use of digital technology are significant developments and are part and parcel of new forms of border control. However, even "ancient" technologies such as border fortifications resurface as high-technology fences. Most recently, we see that border strategies that had been devised to externalize migration controls are being repurposed to limit movement in times of a global pandemic. Relatedly, passports have been expanded to include the vaccination status.

In summary, the contributions provide an overview of current developments regarding state borders and border control. Future research should build on the findings to examine the extent to which the individual developments interact. For example, border crossings at fortified borders are ideal places for capturing and matching biometric data. The same is true for any checkpoint along a journey, whether at a consulate or an airport. The tension between economic globalization and personal mobility will ensure that states are forced to constantly adapt and reinvent their borders.

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