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Politics of Disobedience. Ensuring Freedom of Movements in a B/Ordered World

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MARIBEL CASAS-CORTES

**POLITICS OF DISOBEDIENCE –
ENSURING FREEDOM OF MOVEMENTS
IN A B/ORDERED WORLD**

Acts of border crossing bring territory and body together in deeply contrasting ways. As such, the border constitutes the space where different visions of mobility clash on an everyday basis. This raises questions as to what kind and scale of politics might work in that contested territory. Current migration policies guarantee a system of privileges in which *a few* are allowed to freely move while *many* are under attack throughout their journey. Indeed, in order to sustain such a hierarchical system, a high-tech matrix of violent surveillance mechanisms and exclusionary bureaucracies has developed inside and outside borderlines. This unequal way of dealing with human mobility, is slowly being normalised and if contested, usually focuses on the humanitarian consequences affecting a concrete set of people. Outraged by the unnecessary and ongoing human suffering that is institutionally induced, certain pro-migration activist initiatives work on exposing and avoiding the structural logics and practices of arbitrary restriction enacted by this border matrix. Movements are able to do this by not taking two main axes of migration control ideology for granted: the space of the border and the condition of illegality.

Such questioning is an exception in conventional thinking about migration, which is based on a double assumption in both territorial and identity terms: First, borders are conventionally understood as clearly marked lines between countries, and second; the ingrained dichotomy of *citizen/illegal* is taken as a given, as two tattoos distinguishing who belongs to the assumed *us* and who, to the risky *them*. Even some scholarly literature on irregular migration and border management runs the risk of normalising those categories. On the one hand, studies focused on state-centered approaches to international relations ignore the growing policies

of border externalisation by the EU, US and Australia. On the other hand, empirical studies trying to quantify and qualify types of human mobility as well as map irregular itineraries in terms of origin, transit and destination, contribute to normalising and legitimising the controversial exclusionary logic of migration control policies.

In contrast, a growing literature of intertwined scholarly and activist analyses speak about migration control in “biopolitical” terms, genealogically exploring the social construction of policies, their corresponding practices of power/knowledge, and the intricate logics of visibility/invisibility. Thus, critical migration studies offer sharp deconstructive readings of borders,¹ citizenship,² and illegality.³ For instance, border control beyond territorial lines, points to how the act of bordering not only takes place at expected points of entry, but how practices of policing, interception and deterrence are carried out within and outside the border lines of the destination state’s territory. Also, the notion of legality is presented as a spectrum of different existential conditions, marked by paper work and bureaucratic encounters. Such notions take us not only to more complex territorial arrangements of migration control, but also to a broader understanding of migration policy as a producer and reproducer of hierarchies among people, in terms of access to entitlements, mainly the freedom to move. The lack of implementation of the historical and legally-grounded “Right to Migrate”⁴ allows for the normalisation of exclusionary practices, as the Nijmegen school puts it: “B/Ordering as Ordering and *Othering*.”⁵ Current forms of *migration management* – to use the neutral-sounding terms of policy – are indeed selectively restrictive, designating who is permitted to move, who is not, and under what conditions.⁶ When this approach to human mobility trickles down and gets materialised through an assemblage of laws, policies, bureaucracies, surveillance technologies, interceptions at sea, and military operations, the given result is the disproportionate distinction between populations. This is when certain international patterns of mobility that have occurred historically (e.g.

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- 1 Noel Parker and Nick Vaughan-Williams, “Critical Border Studies: Broadening and Deepening the ‘Lines in the Sand’ Agenda”, *Geopolitics*, 17(4), 2012, pp. 727–33. DOI: <https://doi.org/10.1080/14650045.2012.706111> [accessed June 14, 2017].
 - 2 Vicki Squire, *The Contested Politics of Mobility: Borderzones and Irregularity*, London/New York, Routledge, 2012.
 - 3 Nicholas De Genova, *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*, Durham, NC, Duke University Press Books, 2010.
 - 4 Ángel G. Chueca Chueca-Sancho, *Derechos humanos, inmigrantes en situación irregular y Unión Europea*, Lex Nova, 2010.
 - 5 Henk van Houtum and Ton van Naerssen, “Bordering, Ordering and Othering”, *Tijdschrift Voor Economische En Sociale Geografie*, 93(2), 2002, pp. 125–36. DOI: <https://doi.org/10.1111/1467-9663.00189> [accessed June 14, 2017].
 - 6 EU Council, “EU Strategy Paper on Immigration and Asylum Policy”, 1998. Available at: <http://archiv.proasyl.de/texte/europe/eu-a-o.htm> [accessed January, 31 2017].

between Morocco and Spain before Spain's EEC membership) are *illegalised*. They become targets of surveillance and policing, since they are reconceived as potential channels for criminal activity, such as terrorism and the trafficking of drugs (more so since the European Security Strategy of 2003).

Such a cross-disciplinary body of critical migration studies, calls for the recording of both the violent traces of borders on bodies⁷ and of the ways in which the act of b/ordering is designed and implemented, tracking down the material practices of migration policy representatives, security experts and border authorities. This is precisely what *WatchtheMed* and *AlarmPhone* are carrying out, a methodology of 'counter-mapping' the border regime, showing how a repressive system is operationalised from the inside out. In this way, particular operations of the EU's external border regime in the Mediterranean are tracked, mapped and dissected – not only to highlight and predict its lethal outcomes – but to try to efficiently intervene during a moment of distress within the ongoing biopolitical war on migrants, to ensure rescue, or clandestinity if that is what is needed.

Existing activist practices that support transborder mobilities and migratory acts of escape grow out of a complex take on b/ordering. Indeed, those biopolitical readings of the border – including approaches inspired in the *Autonomy of Migration*⁸ – materialise into a series of political practices for freedom of movement in times when representative democratic systems do not seem to represent many of its constituencies' needs and opinions. This question of migration is well captured by the UN High Commissioner of Human Rights in his public address in early 2017:

“Many ordinary people in Europe have welcomed and supported migrants, but political leaders increasingly demonstrate a chilling indifference to their fate. I am particularly disturbed by lurid public narratives which appear deliberately aimed at stirring up public fear and panic, by depicting these vulnerable people as criminal invading hordes.”⁹ (Geneve, March 8, 2017)

7 Jason De León, *The Land of Open Graves: Living and Dying on the Migrant Trail*, California Series in Public Anthropology, 36, Oakland, California, University of California Press, 2015.

8 Sandro Mezzadra and Brett Neilson, *Border as Method, Or, the Multiplication of Labor*, Durham, NC, Duke University Press, 2013.

9 UNOG, “UN High Commissioner for Human Rights Zeid Ra'ad al Hussein highlights current major human rights issues in more than 40 countries around the world in an address at the UN Human Right Council in Geneva, 8 March 2017”, UNOG. *The United Nations Office at Geneva*, 2017. Available at: [http://www.unog.ch/unog/website/news_media.nsf/\(httpNewsByYear_en\)/321DBF8562C5336BC12580DD003BF66E?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/321DBF8562C5336BC12580DD003BF66E?OpenDocument) [accessed June 14, 2017].

Given the political impasse regarding migration in Europe, grassroots and independent organisations such as *Sans-Papiers*, *Welcome to Europe*, *No one is Illegal*, *Precarious and Migrants Unite*, *NoBorders*, *Frassantio Network*, *WatchtheMed*, *Ferrocarril Clandestino*, *Boats4People*, *Afrique Europe Interact*, *Borderline-Europe*, *No Borders Morocco*, *FFM*, *Voix des Migrants*, and the *AlarmPhone*, have been acting under the same political logic of the abolitionist movement against slavery a century ago. Addressing a fictional ‘public opinion’ by denouncing the brutal violence of a repressive system that denies ‘freedom’ to many, was not enough. Rather, this mode of political action runs ‘underground’, permeating the everyday, through practices of mutual aid and social media, aimed at preventing further containment of mobility, ensuring safe escape, arrival and stay. Heller, Pezzani and Stierl’s account of struggles against the European border regime in the Mediterranean invoke the resistance by the Underground Railroad during the era of slavery in the USA. In a similar way, ‘disobedience’ emerges as a legitimate form of politics in advanced democracies, which discursively claim to represent but ignore their own supposed demos within their territories.

Border regimes attempt to distinguish and separate populations according to mobility rights. Yet, there is a possibility of finding a common ground between ‘populations’ via sharing a politics of disobedience towards that very border regime. These include those deemed as *EU citizens*, the ones allowed to move. Disobedient citizens are claiming and enacting the right to look (*WatchtheMed*) and the right to listen (*AlarmPhone*) to the hidden violence of the border, “turning surveillance against itself”:

“In its two years of existence, the phone project has gathered extraordinary momentum, supported about 1,800 boats in distress, and has thus proven to be one of the most important political interventions against the EU border regime in recent years”.

Also, those produced as *irregular migrants*, people on the move despite not being granted the right to do so, are also engaging in practices of disobedience. As Heller, Pezzani and Stierl point out:

“Illegalised migrants seize a right to move across borders which is denied to them, and contest through this very act, the dictatorial nature of all migration policies.”

These *illegalised* migrants can be morphed into security concerns as ‘irregular flows’, creating a need to trap them on time and contain them in space (Detention centres, Hot Spots, etc.), processed and categorised under a single legal status, and embodied by a non-white, male figure. An

autonomous/disobedient gaze on migration¹⁰ breaks with such a portrait of the ‘clandestine’ and offers a take on illegality as a fluid spectrum of legal statuses and diverse existential conditions that a person accused of ‘illegalized movement’ goes through. By crossing borders, this person is not only addressing a historical human need and desire – mobility and transportation – but is also acting politically against a restrictive system. In this way, disobedient practices reframe and update the current political repertoire of collective action and personal identities. The same person who jumped the fence, might soon disobey the border regime through other acts of ensuring further movement and access to goods and services.

Acts of disobedience under a regime that legitimises and implements obstacles to freedom of movement, are also practiced by holders of temporary work visas – including those highly skilled and with dependents – when ‘overstaying’ and taking their ‘illegal’ children to school and medical services, acting as a citizen without papers.¹¹ Thinking in terms of the irregular migrant as the extreme of total exclusion and unbearable suffering, does not allow seeing the long and changing spectrum of the machinery of exclusion. Moving away from the focus on the ‘illegal’ as a homogenous figure, broadens our horizon of political possibilities at the border zones. The border regime is not only producing and targeting those “irregular flows”, but also differentiating as *uneven mobilities* – temporary visa holders, refugees, deportees, asylum seekers, emigrants, etc. If we get stuck in the framework of two extremes – the totally excluded Other and the normal citizen – our gaze will turn to focus solely on suffering by a hard-to-relate-with Other, leading to forms of ‘top-down solidarity’, or its inversion, seeing every act of border crossing as a heroic act of resistance. While the witnessing of vast suffering created by the volumetric border regime is a must, *WatchtheMed* and *AlarmPhone* constitute exemplars of autonomous forms of intervention, which instead of homogenising and romanticising the figure of the clandestine,¹² sustain and call for a shared politics of disobedience.

Critical race studies and anti-racist organising have learned this lesson well, pointing to the inaccuracy and political disaster of thinking and

10 Sandro Mezzadra, “The Gaze of Autonomy: Capitalism, Migration, and Social Struggles”, in Vicki Squire (ed.), *The Contested Politics of Mobility: Borderzones and Irregularity*, London, Routledge, 2011, pp. 121–42.

11 Peter Nyers and Kim Rygiel (eds.), *Citizenship, Migrant Activism and the Politics of Movement*, Routledge Research on the Global Politics of Migration, 2, London/New York, Routledge, 2012.

12 Stephan Scheel, “Studying Embodied Encounters: Autonomy of Migration beyond its Romanticization”, *Postcolonial Studies*, 16(3), 2013, pp. 279–288. DOI: <https://doi.org/10.1080/13688790.2013.850046> [accessed June 14, 2017].

acting in dichotomies. Biopolitical readings of illegality draw from studies on racialisation processes and are aware of the multiplicity and unexpected overlapping of axes of oppression. In this way, the figure of the *emigrant* comes into play when talking about disobedient politics and the migration regime. Many who hold EU passports are going through long-term periods of short-term contracts, loss of benefits and increasingly uncertain livelihoods. *Prearity*, as the induced condition of instability under neoliberal globalisation, is leading to growing numbers of EU citizens to migrate to north-Atlantic areas, but also, and less important for governmental statistics and the media, to countries in Asia, Africa and Latin America. Engaging in no-border activism requires thinking in terms of both inward and outward migration, ensuring safe escape, arrival and stay to all those moving. Indeed, a shared politics of disobedience might well serve many of those EUropeans abroad who are going through situations of irregularity and *semi-compliance*.¹³

As an immigrant under the Trump administration, I recall the productive grassroots organising in Spain right after the *15M or Indignados* movement during the Occupy wave: Increasingly precarious young people with “no job/no house/no future” about to migrate themselves, were linking arms with migrants from non-EU countries. While marked by racialised differences, a shared politics of disobedience might lead to an effective common struggle for access to b/order territories and their correspondent entitlements. When recognising how precarious conditions are spreading temporary arrangements and a continuous indeterminacy of life, the solidarity call of “we are all migrants” becomes even more real.¹⁴ This is when a shared politics of disobedience makes sense in its assertiveness of contesting borders and ensuring freedom of movement for all.

13 Bridget Anderson, *Us and Them? The Dangerous Politics of Immigration Control*, Oxford, Oxford University Press, 2013.

14 Gregory Feldman, *We Are All Migrants: Political Action and the Ubiquitous Condition of Migrant-Hood*, Stanford, California, Stanford Briefs, 2015.