

# **Ever Challenged Union: Exploring Ways Out of the Crises**

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## Abstract

This paper will seek to understand the way in which migration is currently being securitized by the United Kingdom and the European Union we must first understand the historical journey of both actors in context to migration. The key concept that I will address in this paper the progression of the trend of securitization and in what ways this changed the UK and the EU's migration policies. This paper will not be a chronological narrative of the past policies but an analytical overview of how the UK and the EU has engaged with migration over the past 60 years since the end of World War 2. I will discuss and analyse three key points in history that have changed the way in which migration has been managed. The first point will be Enoch Powell's Rivers of Blood speech, the Maastricht Treaty (1992) and the Amsterdam Treaty (1997). These 3 events are key to my research and were important to the changing relations between the UK and the EU in regards to migration control. In particular this paper will discuss the change in attitudes towards external migration into the region and how this change was reflected in policy development.

*Human migration in European history has a long tradition of volatility. From the Norman invasions of the mediaeval period to the expulsion of Jews from Briton in the 13<sup>th</sup> century to the mass Huguenot refugee movement from France in the 18<sup>th</sup> century; the UK and Europe have long experienced the mass movement of people. The advent of industrialisation gave birth to the vast empires of the West which in turn witnessed the emigration of thousands of intrepid Europeans off to experience the exotic adventures of the Far East and the Americas. However this quickly changed, the World Wars splintered the once dominant West and harshly drew territorial lines across plains of dessert. The dominant paradigm of us versus them still remained however it was now whole nations pitted against one another in a silent war that is played out by the small bands of migrants travelling over invisible lines.*

## Introduction

To understand the way in which migration is currently being securitized by the United Kingdom (UK) and the European Union (EU) we must first understand the historical journey of both actors in context to migration. The UK and Europe is a region historically dominated by the movement of people and this paper will not be a chronological narrative of the past policies but an analytical overview of how the UK and the EU has engaged with migration over the past 60 years since the end of World War 2 (WW2). In particular this paper will discuss the change in attitudes towards external migration to Europe and how this change was reflected in policy development. It will achieve this by examining the policy development of the UK and the EU. The key concept that I will analyse throughout this paper is the progression of the trend of securitization and in what ways this changed the UK and the EU's migration policies. Firstly I will discuss the post-WW2 guest worker policies

that encouraged mass migration to Europe after the war to aid regeneration. Secondly, I will discuss and analyse three key points in history that have changed the way in which migration has been managed. The first event will be Enoch Powell's *Rivers of Blood* speech. I have chosen this event not just because of the ramifications of the speech on UK migration policy but also as an exemplification of the changing attitudes across Europe. The second event will be the Maastricht Treaty (1992) as this was the consolidation of many years of integration in the European region and migration was one of the key areas of negotiation as the region pushed for higher integration. The third event is the Amsterdam Treaty (1997) which consolidated the Schengen Agreement and was the framework in which many current policies and directives have been based upon such as FRONTEX and Eurosur (which will be explored further in the chapter). These 3 events are key to my research because they are a reflection of the changing attitudes in member states or changing relations between the UK and the EU. Negotiations between these two actors has had a chequered history especially when it comes to human migration. There are many other points in the last 60 years that have attributed the securitization of migration such as the 1973 Oil Crisis and 9/11 however these were the social events that led to the changes in politics. Some would argue that securitization is a trend that has only existed since 9/11 (Moscoe, 2013) however what I will argue is that it has been steady and progressive since the breakdown of the guest worker programmes. These events will provide the context needed to create my fields of analysis for the rest of the thesis. Illustrating the historical trajectory of these fields is imperative to understanding their current securitizing actions.

## Pre WW2 – The Early Stages of Policy Formation

Historical trends in human migration across Europe vary from state to state. The early migration policies of Europe reflect a distinct difference in state formation. States such as the UK had a structured central government much earlier than its European counterparts such as France and Germany. The latter were still operating regionally with little or no central control of migration. This meant that migration control could vary even if it was in the same state and many of the differences related to the central industry of the region. For example the north eastern region of Germany had a very large agricultural industry thus required a large number of seasonal migrants to work on intensive crops. Saskia Sassen in her book *Guests and Aliens* (1999) deconstructs the multifaceted migration controls of Germany and France. She draws upon Foucault to analyse the consolidation of the paradigm of us versus them in European states such as France and Germany.

“Foucault argued that the powers of the modern state developed partially through the identification of minority or deviant populations, such as the enumeration and classification of prisoners or asylum inmates. Certainly this was true of the treatment of migrants, though German state controls over migrants did not aim, and certainly did not encourage, integration of these minorities in German society.”

Sassen, 1999, page 58

Once this paradigm was established in the late 19<sup>th</sup> and 20<sup>th</sup> century European migration controls centred on the notion of jus sanguinis and jus solis. Jus sanguinis is the principle that citizenship should be granted to those who share a common “blood” with nationally being centred on the principle that it is a biological inheritance rather than a cultural acquisition (Sassen, 1999). Jus solis is the granting of citizenship through the principle of birth and residence. Germany was an advocate of applying jus sanguinis whereas France and

the UK were more inclined to implement the principle of jus solis. The differences between the applications of the two principles differed on the nation building and sovereignty building practices of each of these states. France and the UK were more inclined to apply jus solis because of their colonial influences. It in turn effected the public and political perception of migration which will now be explained in greater depth in context to specific European states as well as the region as a whole.

## Post WW2 – Opening the Borders

As WW2 came to an end European governments were faced with the task of rebuilding their states. Crippled post-war economies coupled with populations that lost a significant proportion of their young work forces led governments to the idea of using workers they could “import” from abroad. Initial apprehension of guest worker policies meant that most migration was within the European borders, however as time went on governments looked further afield to North Africa and Turkey, particularly if that state had colonial ties. States negotiated cheap labour and created bilateral agreements that would guarantee the flow of workers. The working permits were not an offer of permanent settlement and were often handled by recruiting agencies that were partially controlled by governments. States such as France were keen to recruit from previous colonial settlements such as Algeria or Morocco as many of the migrants were already partially assimilated to the French way of life and had a good level of language. Large numbers of workers eager to increase their economic outlook took the journey across the Mediterranean.

The importance of migration control by European states became realised. The evidence of this was in the way in which the guest worker policies were written. Permits clearly stated

that any offer of work was temporary and it was not an offer of settlement or an offer for family reunification. The trend of nation state control of migration, especially in France and Germany, had begun. One reason for the heightened consciousness of many European politicians in controlling migration was the beginnings of the Cold War. Europe had been divided clearly between the East and West, capitalist versus communist and this division made many states comprehend that a security threat could come in many forms, migration became one of these threats. From the Cold War the number of refugees from Soviet states applied pressure to neighbouring states who wished to expand working populations whilst keeping the number of refugees to a minimum as they were/are less likely to contribute to the economy. Previously migration, in particular refugee movements, had not been controlled in a policy driven sense. People simply left or were displaced and neighbouring states adopted them.

In Robert Winders book *Bloody Foreigners* (2004) he maps the history of British reaction to migration. What is most interesting about his narrative is the public reaction to migration has always been one of mistrust and general hatred however the state reaction was ambiguous. The government certainly were aware of the economic positive of letting migrants “set up shop” in the UK and settle in the UK. Similar pictures can be painted of other western European states. Whether it was the Cold War that stimulated the control of migration or whether it was a fear of outsiders left over from WW2 guest worker policies were the first migration policies of Europe.

At first guest workers were a small stream of young male workers. As the policies progressed and contracts were extended the numbers of guest workers increased, Germany at its peak had just over 2 million guest workers (Hansen, 2003). It was a double edged

sword of migrants from under developed states seeking great opportunity and European states being hungry for cheap workers that could fill the gap in the ageing working market. There was also a drive from countries of origin the increase the emigration of their population because of the remittances that were supporting their economies. Soon temporary ghettos turned into more permanent fixtures, individual male workers married or brought family members over from their country of origin. What were supposed to be a “quick” fix to worker numbers became a more stable population. This happened for a number of reasons. Firstly, the controls that were put in place were not stringent enough to stop illegal overstaying. Secondly, states such as Germany offered family reunification as the contracts that were extended became indefinite. Thirdly industries became dependent on the cheaper workers especially in areas such as the service industry and agriculture. Owners of factories preferred to keep guest workers on permanently because they would not have to spend the money retraining new, more expensive local workers. For each state the reasons for keeping guest workers on as a more permanent fixture of the population were slightly different, however, what was not different was the growing animosity against migrant populations. Migrants were generally seen as criminals, uneducated and uncivilised. The ghettoised areas in the suburbs of major European cities such as Berlin and Paris, became a worry for governments.

The UK did not have a clearly structured guest worker policy that reflected the same structures that were being created on the continent however they did have a similar influx in numbers. The mass migrations from abroad came from many directions following the war. Unlike its European counterparts the UK did not recruit migrants through a specific guest worker program although many of the pull factors remained the same, such as higher wages



and better living conditions. “Migration took off on a different scale after 1945 due to a wide range of factors rooted in the international strength of the British economy and imperial connections” (Panayi, page 310, 2010). Migration to the UK was viewed as more prosperous as it still retained an international reputation for a good destination for migrants to travel to. A number of the migrants to the UK at this time were from Europe, from soviet states such as Hungary or Poland. This migration was not unusual as white migration from Europe had been a historical trend for the UK. Some migrations occurred from the prisoner of war camps following WW2 to facilitate this movement the UK created the European Volunteer Worker (EVW) scheme. “It might be flattering to the national ego to assume that in resettling these Poles Britain was engaged in a great humanitarian venture... The fundamental influence over official policy was the economic policy in which the government had to operate.” (Holmes, 1988, page 212). The economic context that Holmes alludes to is the post war slump in which Britain was in need for workers across the manual labour market. However the numbers that took part in the scheme were a fraction of what states such as France and Germany were witnessing with their schemes. What did differ was the mass migration from the Commonwealth states. It was the first large movement of non-white migrants to the UK. The largest groups were from the Caribbean and Asian sub-continent. This surge occurred after the British government created the *British Nationality Act* (1948). The Act stated that “Every person who under this Act is a citizen of the United Kingdom and Colonies or who under any enactment for the time being in force in any country mentioned in subsection (3) of this section is a citizen of that country shall be by virtue of that citizenship have the status of a British subject” (page 1, 1948). This was the most ground breaking act of government in context to migration control and citizenship in the UK, previous to this policies had centred on the removal of clandestine migrants. The

Royal Commission on Population even reported that immigrants of “good stock” should be welcomed “without reserve” (1949). Unlike its European neighbours the UK support did not limit family reunification from the very beginning of the program.

The next act that tied in with the nationality act was the *Commonwealth Immigrants Act* which was passed on the 1<sup>st</sup> July 1962. This was different from the nationality act because it did not automatically grant citizenship. The immigrants act was (to begin with) uncapped and would be migrants would have to apply for “vouchers” in order to travel, it was seen as a precautionary measure to ensure there was some control to who was allowed to travel. Alongside the creation of the act Prime Minister Macmillan created the Commonwealth Immigration Committee, (one of whom was Enoch Powell who will be discussed later) who deemed that uncapped migration to the UK was politically and socially dangerous. The committee voted to ration vouchers to 900 a week, a political move that softened the blow for British nationals but still equated to an annual intake of 46,800 migrants.

From both the European and the UK examples of “open door” migration policies are not as open as one would think, there were still elements of apprehension when admitting migrants in. These were the beginnings of securitization, but are almost unrecognisable when you consider the vast number of national and region wide polices that control migration today. The term “open door” must always be used with some caution as the policies and agreements in the UK and Europe at this time were still relatively restrictive. They could be viewed as almost liberal in comparison to the securitization that occurs in controlling migration today. However the sign of how future policies would be structured were within these acts. Within the *British Nationality Act* the term “alien” is used to describe a person who is outside of the act and does not qualify for citizenship. “In the

Aliens Restriction Acts, 1914 and 1919, and in any order made thereunder the expression “alien” shall not include a British protected person” (page 3, 1948). The existence of this language in the act is evidence of the beginnings of securitization through the social construction of us versus them. “British governments since the 1905 Aliens Act... had two basic motivating factors which have determined the level of migration which has occurred in the form of the needs of the British economy and the hostility of public opinion” (Panayi, page 308, 2010). Although physical evidence of securitization through policing and military actions is not evident, the factors that Panayi discusses were duplicated across Europe. The slow uptake of France and Germany to include family reunification to guest workers is all evidence of the difficult decisions that governments must make to control migration to placate national populations versus the economic benefits of cheap labour.

What has been discussed so far demonstrates the relatively liberal migration control policies within the UK and Europe. However it could be viewed as the calm before the storm. The race riots in Notting Hill and Nottingham in 1958 were evidence of a changing social environment. The race riots could be viewed in two respects. Firstly they could be seen as a culmination of many years of tension between national and migrant communities. Secondly they could be viewed as a catalyst for the tensions and changes that happened socially and politically following the riots. In hindsight they were an element of both historical tensions and newly developed animosity. It led to changes in the way in which migration control was created by governments and the government discourse began to change in the late 1960’s. In the UK this came in the form of Enoch Powell’s *Rivers of Blood* speech (1968). The tone of the speech was one of hatred to migration and the social changes that it had brought.

“We must be mad, literally mad, as a nation to be permitting the annual inflow of some 50,000 dependants, who are for the most part the material of the future growth of the immigrant-descended population. It is like watching a nation busily engaged in heaping up its own funeral pyre.”

Powell, 1968

Other quotes relay the “damage” that the Race Relations Bill would have on migrant integration;

“For these dangerous and divisive elements the legislation proposed in the Race Relations Bill is the very pabulum they need to flourish. Here is the means of showing that the immigrant communities can organise to consolidate their members, to agitate and campaign against their fellow citizens, and to overawe and dominate the rest with the legal weapons which the ignorant and the ill-informed have provided. As I look ahead, I am filled with foreboding; like the Roman, I seem to see "the River Tiber foaming with much blood."

Powell, 1968

The metaphor he uses depicts violence and rioting if migration was to be left at the same rate. Although the speech got him removed from his position as shadow Defence Secretary it did not dull the public support of the speech. As the shadow Defence Secretary, Powell viewed migrants as a security threat to the “British” way of life and he was the voice for many citizens who also felt the same towards mass immigration to Britain. For the UK this was a cross roads in migration control. No longer was migration an element of population control but a security threat that would not only damage the social fabric of UK society but also the economic and political stability of the state. The feelings and opinions expressed by

Powell were not dissimilar to those being discussed about in Europe. Germany for example were feeling the strain of a number of guest workers that took up permanent residence, even though a large proportion of guest workers returned at the end of the schemes that they took part in (Moscoe, 2013). Powell's speech was a turning point in migration history as it emulated the social unease over the level of migration. The connotations of the speech still has influence in the way in which migration is controlled and thought of both socially and politically in the UK as well as across Europe.

## From Welcome Workers to Security Threat – The UK

Over the past few decades there have been significant shifts in the way in which migration has been controlled in the UK. A number of political, economic and terrorist events have caused the government to change the policies of migration control events. The cyclical nature of the economy as well as the party politics between the Labour party versus the Conservative party, alongside the 9/11 and the London July terrorist attacks have all been catalysts of policy change in relation to migration. The 1981 British Nationality Act was the final break from the colonial past and abolished the granting of citizenship under the premise of jus solis and colonial migrants had a right to abode however would not be granted full citizenship automatically. The act closed the gap between citizenship law and migration law which had until that point remained quite separate. During the 1970's and 80's migratory patterns generally centred on immigration as previously discussed, i.e. colonial migration. The 1990's however saw a change in the pattern that had dominated for twenty years. The early 90's saw asylum over take other forms of migration in the UK which was due to the large number of refugees leaving Eastern Europe as the Soviet Union dissolved. In 1993 the Asylum and Immigrations Appeal Act consolidated the "new" form of

migration as something that needed to be controlled, previous to this act asylum had not been differentiated as a form of migratory movement. It was the first act in British history that consolidated rule and regulations over the admittance and settlement of asylum seekers in the UK. “The act demonstrates a trademark of British migration policy, namely that the liberalisation of some measures is often countered with restrictiveness towards other aspects in one and the same act” (Cerna and Wietholtz, 2011, page 199). After the act was enforced the government’s preference over the kind of migration that they were keen to encourage changed. The Asylum and Immigrations Act aimed to restrict asylum whilst seeking highly skilled migrants to fill gaps within the labour market. After Labour’s landslide election in 1997 the actively sought to revitalise the job market with the latter.

Between 1997-2008 highly skilled migration alongside student migration accounted for 52% of migration during this period (Cerna and Wietholtz, 2011). “Over the last decades, the UK has undergone a profound shift from a ‘zero immigration country’ to one that adheres to the paradigm of ‘managed migration’ (Cerna and Wietholtz, 2011, page 199). The “management” really boils down to an extremely restrictive policy towards asylum seekers and illegal immigrants however relatively open to highly skilled migration and student migration. The level of openness to this kind of migration can be greatly argued and is contested. The level of “openness” is dependent on the politician, his/her political affiliation and how the media perceives any new migration policy which in turn effects the social reaction to the current migration policy. The UK has adjusted it migration laws eight times in the past 20 years with new acts being introduced in 1993, 1996, 1999, 2002, 2004, 2006, 2008 and 2009, with the new Immigration Bill (2013) currently passing through parliament.

Some of these acts have been passed at strategic times for example post-election. However some changes in the acts have reflected a far wider global strategy.

Managed migration by the UK was a wider strategy to build the economy and make the UK globally competitive in influential industries. If it makes economic sense to attempt introducing more liberal migration laws to expand the economy then it is seen as generally beneficial for the UK. For example allowing a larger number of low skilled migrants could in fact reduce the amount of illegal immigration however public and press hostility to such an idea forced the hand of the government to pursue more restrictive controls under the heading of security. Therefore highly skilled and student migration were seen as less evasive.

Even before 9/11 the Terrorism Act (2000) inserted measures over migration and the Antiterrorism, Crime and Security Act 2001 coupled immigration discourse with security and terrorism. These two acts were also introduced at the time that the free movement area of Schengen was established, which created a 'borderless' regional area in which member states could move freely with little or no documentation checking. The UK chose not to join the Schengen area due to the fear of an influx of eastern and southern European migrants. However because of EU law (which will be discussed at length further in the chapter) EU migrants still could travel, settle and find jobs in the UK. With the EU expanding and a growing security discourse around immigration the UK consolidated its position as a state which securitizes against migration. In 2005 the government introduced a five year plan in relation to migration control. They firstly wanted to ensure that the UK benefited from economically from migration. Secondly they wanted to enforce stricter controls to stop abuse of the system and thirdly they wanted the system to be more responsive over public concerns regarding migration.

## From Welcome Workers to Security Threat – The UK and the EU

So far the UK and Europe have been discussed separately however during the time scale that has been examined the two actors were also joining together to control migration in the region. The European Economic Community (EEC) was the first economic community of its kind and it had strong principles in relation to the movement of people as a way of regenerating Europe after WW2. It believed that “the abolition, as between Member States, of obstacles to freedom of movement for persons, services and capital” (Treaty of Rome, 1957) was the key to a successful regional economy that would benefit all its members. The first signatories were France, West Germany, Belgium, Italy, Luxembourg and the Netherlands. The UK however were at first against joining the community. Initial attempts by the UK in 1963 and 1967 were halted by the French President Charles de Gaulle, who believed that the UK was not politically willing to join whole heartedly into the community (his apprehension was perhaps completely justified given the relationship the UK has with the EU now). In fact one of the most prominent factors were the UK’s hesitation over the freedom of movement of people (Winders, 2004). In 1973 the UK (under the Conservative government led by Edward Heath) joined the EEC. The first negotiations at this point were the beginnings of what we know as migration control in the EU now. In comparison to previous legislation from individual member states the idea of free movement was a right rather than a privilege bestowed on those that had colonial or guest worker ties with a member state.

Fast forward another 20 years and European migration control begins to take a far more prominent position in the politics of the EEC. Before this point migration control was a part of political life that had been left to national governments, protecting your own territory



came higher on the political agenda than protecting the borders of a state that was the other side of the region particularly during the Cold War. The Maastricht Treaty (1992) was the introduction of the third pillar of Justice and Home Affairs which shifted the EEC being a predominantly economic institution to a political institution that also handled the political affairs of Europe and its member states. This is not to suggest that member states lost all control over their own political affairs it simply added another level of relations between member states and the newly established European Union. One of the biggest changes that turned the EEC into the EU was the idea of open borders.

The Treaty of Rome had laid the foundations for free movement of people however the free movement was often stunted by member states immigration policies. What the EEC wanted to achieve, through the Maastricht Treaty, was an abolition of internal borders. Such an idea received mixed reaction from member states, especially the UK under the conservative government of John Major. The political and territorial logistics of such a shift in the ideology that surrounds a state's border was something to be aware of but also something to tread carefully towards. The UK saw it as an infringement on the sovereign territory and the loss of too much political sovereignty. Underlining these main concerns was the loss of security. If migration control was even partially given to an external actor it would mean member state governments would not have full control over the measures taken to ensure clandestine migration was controlled appropriately. Another consideration for member states was the extension of the EU into the eastern region of Europe, which occurred a decade later. At this point in history, migration and refugee displacement was high because the dismantling of the Soviet Union took its toll on internal Eastern European politics, events

such as the Kosovo War had an impact on the number of people in particular refugees displaced within the region. However the Maastricht Treaty was unanimously adopted.

In the Treaty a very specific article was inserted under the heading of *Common Rules and Competition, Taxation and Approximation of Laws*. Unlike previous treaties, Maastricht was building an institution and the introduction of the third pillar of Justice and Home Affairs was the consolidation of the vision of making the EU a political as well as an economic bloc. It also constructed a complex web of policy makers. Instead of the EEC existing as one institution the EU became a trio of institutions namely the Council, Commission and the Parliament as well as the Court of Justice of the European Union. The roles of all the branches of the EU are different. The council is the helm of the EU, it points the EU and its member states to general political directions and dispel any issues that cannot be dealt with at level intergovernmental level. The parliament is the institution in which laws are debated and passed it also creates and agrees the EU's annual budget. The parliament also performs checks and balances on the Commission and the Parliament. The Commission is made up of 28 commissioners (and there staff) that deal with varying areas of the EU's remit, one of which is internal and external migration in the region. It is the institutions which upholds and implements the policies that have been over seen by the Council and the Parliament, it also controls the allocation of the budget and enforces European law as well as being the international "face" of the EU. All these varying facets of the EU have a direct impact upon the way that they create, implement and maintain policy directives, especially in areas of high importance such as migration. In one particular article that the EU created within the Maastricht Treaty, changed the way in which migration was viewed and handled by the EU and individual member states.

Article 100 c (1992) is one of the most interesting articles in relation to the securitization of migration in the region. Paragraph one, two, three and five of the article outline very specific laws for member states to adhere to.

“1. The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, shall determine the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States.

2. However, in the event of an emergency situation in a third country posing a threat of a sudden inflow of nationals from that country into the Community, the Council, acting by a qualified majority on a recommendation from the Commission, may introduce, for a period not exceeding six months, a visa requirement for nationals from the country in question. The visa requirement established under this paragraph may be extended in accordance with the procedure referred to in paragraph 1.

3. From 1 January 1996, the Council shall adopt the decisions referred to in paragraph 1 by a qualified majority. The Council shall, before that date, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, adopt measures relating to a uniform format for visas.

5. This Article shall be without prejudice to the exercise of the responsibilities incumbent upon the Member States with regard to the maintenance of law and order and the safeguarding of internal security.”

The Maastricht Treaty, 1992

These four paragraphs are evidence of a shift in the way in which the EU and particular member states deal with migration such as the UK. In one sense it draws together member states and is the first attempt of unifying migration control and on the other it signifies a distinct lack of unification. In previous decades migration control had been distinctly a member state issue evidence of which can be seen in the varying different programmes that were maintained throughout Europe. Both these scenarios will now be broken down to understand how this new article changed migration control and how it simultaneously did not effect it.

Migration control was one of the key areas in which member states fought hard over. However the changes that were being made were having a residual effect on the outer edges of the region. Many states on the periphery knew that the dismantling of the internal border would be good for economic growth however it would mean a strengthening of the external borders. Many of these concerns were reflected in proxy discussions or events surrounding other areas of negotiation. In the early 90's one of these was the building of the Channel Tunnel. Whilst the business and construction industries welcomed such an evolution in the infrastructure of Europe the political and public opinion over the potential unwanted exchange of migrants and asylum seekers grabbed the headlines. Images of migrants hidden in trucks and bands of asylum seekers waiting at Calais splashed across the headlines. At first glance it could be viewed as simple scare mongering amongst the tabloids however reading between the lines it reflected a much deeper political rift in the EU. On the one hand peripheral states wanted to gain everything the EU could offer whereas core states understood the economic and social ramifications of adopting region wide migration policies such large influxes of low skilled migrants.

During this period the UK and the EU transitioned into a new period of negotiation and the political landscape changed. Ultimately the EU and the UK control the push and pull factors of migration as well as the ability for states to control whether migrants can settle including the terms of any settlement. Europe has had a number of changes in the past few decades to both migration flows and the way migration has been controlled. Pre-1950's Europe had been an emigration region. "Between 1985 and 2000, the European continent experienced a steep increase of resident immigrants, from an estimated 23 million in 1985 to more than 56 million or 7.7% of the total European population in 2000" (Zincone et al, 2011, page 7). Although the change in population was marked the change in the geography of migration was also greatly different. Previous and historically emigration states, in particular Spain and Italy, saw a rise in the number of immigrants reaching their shores during this time period.

As already discussed the origins of migration prior to 1985 had been colonial, labour or refugee migrations, whereas current migration patterns are more blurred. Alongside these changes there has been a shift in the way the EU, states and governments are making efforts to influence migration and settlement patterns. Pre-nation state the regulation of admission was down to local authorities and cities, the building of nation states greatly influence the way migration is controlled, however it was the introduction of the welfare state systems that changed the way states controlled migration. It led to questions of who should be allowed access to welfare and how can "outsiders" slot into the nation based on developed patterns of welfare. "Within Europe, the making of migration policies developed unevenly in terms of both time and place. Depending on national trajectories and experiences, such policies have also been articulated in various ways and at different points along the way" (Zincone et al, 2011, page 11). States such as the UK, the Netherlands and

France had to redefine colonial relations and migrants coming from colonial states. They also had to create very specific instruments to control these flows.

The Amsterdam Treaty (1997) consolidated and progressed many of the decisions that were undertaken under the Maastricht Treaty. The Maastricht Treaty was evidence of the EU's want to politicise the region, the Amsterdam Treaty was an illustration of the want to securitize the region. "The Union shall define and implement a common foreign and security policy covering all areas of foreign and security policy, the objectives of which shall be: to safeguard the common values, fundamental interests, independence and integrity of the Union" (Amsterdam Treaty, 1997, page 7). The Amsterdam redefined the geographical area a large number of the eastern European states ascended to EU membership. The ascension of these states triggered widespread fear of the exodus of migrants from Eastern Europe, a movement which was exaggerated by the media and right wing politicians of Western Europe. Enlargement effected the way in which migration was viewed within the region, particularly in the context of security. The borders of the EU were now reaching the edges of the region which not only increase the length of the border but who the border was with. Many of the new states that bordered the EU were politically unstable and culturally different to that of the EU pre-enlargement. This caused member states to be concerned over who now had access to the external borders. These concerns were evident in the way in which the Amsterdam Treaty was written.

Title IIIa, Article 73i,73j,73k,73l,73m and 73n outlined a five year plan of introducing measures that were "aimed at ensuring the free movement of persons in... conjunction with directly related flanking measures with respect to external border controls, asylum and immigration" (Amsterdam Treaty, 1997, page 26). The five year plan included the creation

of FRONTEX which will be discussed further on in this chapter. Within Article 73 there is a strong sense of a need for collaboration towards controlling migration within the region but also the control of external migration which had been the realms of the nation state prior to the treaty. This is not to say that full control of external migration and actions such as visa issuing would be the sole responsibility of the EU however it was a large step towards the idea and early conception of a region wide migration policy that controlled the movement of people over the external borders of the EU.

Migration is still controlled through the traditional policies and channels that have been created by governments and institutions like the EU, but some control has now been assigned to other institutions. Quasi autonomous institutions that have been given the power to securitize migration such as FRONTEX (whose official name is European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) are fast becoming the mode of choice to control migration, particularly within the Euro-Med region. The idea of FRONTEX was first discussed during the negotiations for the Amsterdam Treaty in 1999. It created an intergovernmental instrument to frame policies around a regional directive of migration control and securitization. The European Council on Justice and Home Affairs have taken dramatic steps in the past 15 years to reinforce region wide cooperation on internal and external migration, asylum and security. FRONTEX was the culmination of a number of strategies such as the External Border Practitioners Common Unit which was a group that was constituted of the members of Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) and the executive officers of national border control services. Firstly the Council created a number of pilot projects across the EU which it called ad-hoc centres. They created six centres:

- Risk Analysis Centre (Helsinki, Finland)
- Centre for Land Borders (Berlin, Germany)
- Air Borders Centre (Rome, Italy)
- Western Sea Borders Centre (Madrid, Spain)
- Ad-hoc Training Centre for Training (Traiskirchen, Austria)
- Centre of Excellence (Dover, United Kingdom)
- Eastern Sea Borders Centre (Piraeus, Greece)

<http://frontex.europa.eu/about-frontex/origin>

From the establishment of these centres the council decided upon a wider reaching institution which eventually became FRONTEX by the Council Regulation (EC) 2007/2004. “FRONTEX promotes, coordinates and develops European border management in line with the EU fundamental rights charter applying the concept of Integrated Border Management.” (FRONTEX, accessed 13<sup>th</sup> January 2014). Integrated Border Management (IBM) is a structure in which member states are urged to coordinate and cooperate border management through institutions such as FRONTEX. IBM promotes larger (more financially stable) states to support less developed states with funding and personal to develop their border protection. IBM is especially important in the Mediterranean as many of the states that process the largest proportion of the migratory volume from North Africa are lesser developed than their Northern European counterparts. Such funding is illustrated in the budget of FRONTEX. The 2013 budget is €93, 950 000 million an, €8 million more than was first estimated for last year. Contributions from Schengen associated countries was €5, 730



000 million and from the UK a sum of €1 million. The budget of FRONTEX has slowly increased over the past 5 years, there was a high spike in spending in the year 2011 which was directly linked to the Arab Spring. Although the securitization of migration in the region is not simply illustrated through the spending of one institution. More practically FRONTEX controls the joint effort of EU states to protect the EU's southern border, by land, sea and air. Although FRONTEX is not a policy maker its existence and its actions are evidence of the EU's trend of securitization of migration. This is illustrated through their publication of quarterly and yearly reports on their missions and current projects through the Euro-Med region.

There are other institutions which act out the orders of policy making institutions. FRONTEX is an example of a regional migration control institution whereas the UK Border Agency (UKBA) is the nation state level migration control institution in the UK. The UKBA controls the UK borders, consulates and visa processing centres as well as internal visa processing and clandestine detention. The UKBA is far more about the prevention on illegal immigration, the coordination of labour migration and the protection of refugees. It has largely been criticised for the way in which it runs its detention centres with groups such as Amnesty International and the UNHCR claiming that they are more like prisons than places of shelter for refugees. The most important function of the UKBA is border manipulation. Controlling the border gives the officers of the UKBA a role of understanding where the border exist and the ability to adjust according to the migration control that is advised by the UK government and the EU. One such function that the UKBA has developed is its overseas network. The network was restructured in 2007 and it operates as 'hub and spoke' model. "In each region there are a number of visa application centres ('spokes') where

people can submit their visa applications, supported by fewer decision-making centres ('hubs') where we decide those visa applications.” (UKBA, 2013). These centres are design for a more efficient process that is able to be more responsive when there are increased numbers of migrants due to political instability or natural disasters. The UKBA is an interesting field of analysis because of its recent expansion to the Euro-Med region. ‘Standalone’ processing centres in Rabat and Tunis alongside commercial processing centres run by VFS global<sup>1</sup> in the region. The ‘hub and spoke’ policies of the UKBA were developed around the same time as FRONTEX. The developments in border protection are no coincidence it illustrates the UK and EU’s interest in developing migration control in the Euro-Med region.

## Conclusion

The historical trajectory that has been discussed is the context to which the fields of analysis for this research have been set in this chapter. Rather than giving a chronological list of events this chapter has aimed to contextualise the securitization of migration in the region since the end of WW2 up to the present time. Major events in relation to migration in the region are important to understand as they have contributed to the way in which the EU and member states have built migration policies. Major events as illustrated in this paper have been political and social, with social events such as war or terrorist attacks greatly influencing policy formation and implementation. However now the UK and the EU’s recent migration history has been examined we can understand how these moments in history have led to the securitization of migration as we know it today.

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<sup>1</sup> VFS Global is a private company that specialises in the outsourcing of particular diplomatic services such as visa processing. It is used by 45 states across 107 countries, it particularly advertises its security operations as a key objective of the company. ([www.vfsglobal.com](http://www.vfsglobal.com))

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