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# The European Union External Border. An Epistemological Approach<sup>1</sup>

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**Abstract.** *The approach of the European Union external border has been made on the one hand through an analysis of the concepts of external border from the point of view of official documents and the concepts introduced by authors and specialists in the field; on the other hand, it has been made through an attempt to seize certain types of symbolic and ideological borders.*

*As far as the first category is concerned, resorting to documents and legal regulations of European institutions has been highly important. We have also paid attention to conceptual approaches on the border, as well as on the relations “open – close”, “inclusive – exclusive”, or “soft – hard” border.*

*For a long time, the concept of border has developed as an “intolerance axis” of nationalism and racism, of neighbours’ rejection. Beyond physical border, irrespective of the analysed conceptual approach, either within or outside the European Union border, we identify other types of “borders”. We consider these borders as symbolic and ideological considering that, more often than not, they are not palpable. From Europeanism to nationalism, from ethno-religious identities to social chasms, the wide range of approaches on symbolic and ideological borders may continue in the context of a new fight against terrorism or of the implementation of an effective European neighbourhood policy. The physical border at the external limit of the European Union may “open” in time. Yet other types of borders may exist between people and communities. For instance, immigrants live within the European Union; by preserving their identity, they can create a world that “refuses integration” due to the particularities they develop. Thus, we can identify a split that may take the form of a symbolic cultural border sometimes even turning into an “external” border.*

*The wide range of epistemological concepts on the European Union external border can continue by analysing other typed of approaches. Beyond the great conceptual diversity, there is a clear-cut difference between the official border with different degrees of openness for non-community citizens and borders actually separating people despite the fact that they are not physical. Even if it has a political, economic, social, cultural, mental, religious, or ethnical support, the border is a space separating people and territories. From another perspective, “the border is identified to a contact area where social, economic, and cultural particularities of two countries intertwine”.*

*The main conclusion of an investigation on concepts of external border is that the European Union has an external border that can be both stiff and flexible depending on the realities and challenges of the moment, on tensions or social and economic, political and legal openness, as well as on the complex internal reality of the European Union Member States.*

**Keywords:** external border, European Union, Europeanism, nationalism, cross-border cooperation, good neighbourhood

## 1. The concept of European Union external border

We can debate on the external borders of the European community considering a complex approach comprising the official point of view of the organisation, as well as that of different concepts as set out in literature in the field.

### 1.1. External borders from the perspective of the European Union official documents

Right from the beginning of our initiative, we have to point out that the debate has two categories of border areas that are considered to be external: the former results from the geographical boundaries of the European Union, while the latter from the territorial enlargement of the Schengen Implementation

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Agreement. Considering the double approach, the perspective of a debate on the external border is coordinated by clear legal norms. As a matter of fact, the community border legal status is conferred by: “all legal norms adopted by the members of a community of states concerning access and stay of citizens from another state (be it a member of the community or not), concerning crossing of internal or external borders by persons, means of transportation, goods and assets, as well as joint regulations referring to both internal and external border administration”<sup>2</sup>.

The border, defined by *Dictionnaire de géographie*<sup>3</sup> as a “limit separating two areas, two states”, a clash “between two manners of space organisation, between communication networks, between societies often different and sometimes antagonistic”<sup>4</sup>, represents the “interface of territorial disruption”<sup>5</sup>. Borders mark the limit of jurisprudence, sovereignty and political system. Thus, they can act as lines of division, as “barriers” or “landmarks”. On the other hand, they also mark the typology of political construction. The border – political system relationship is shown in an interesting manner by Jean-Baptiste Haurguindéguy, who sees „la frontière comme limite du politique” and „le politique comme limite de la frontière”<sup>6</sup>.

From the community perspective, the European Union external border represents the geographical boundaries settled by community agreements and treaties. From the Schengen Agreement perspective, external borders are defined as “terrestrial and maritime border, as well as airports and maritime harbours of the Contracting Parties unless internal borders”<sup>7</sup>. “By derogation to the definition of internal borders, ... airports are considered external borders for internal flights”<sup>8</sup>. These borders can basically be crossed only at “border crossing points according to their schedule”<sup>9</sup>. Moreover, the new European treaties stress and regulate the principles of individual freedoms amongst which free circulation of persons has a special place. The final dispositions of the Treaty on the European Union regulated after the reform of the old “European constitution” in Lisbon show in a clear-cut manner, despite the abrogation of article 67 in the text of the former treaty<sup>10</sup>, that the Union is a space of freedom, security and justice<sup>11</sup>. In order to reach these standards and to guarantee citizens’ rights, the protection and strict control of external borders have become compulsory. Moreover, all protocols on external relations making reference to external borders stipulate “the need for all Member States to provide effective control at their external borders”<sup>12</sup>.

## 1.2. External borders from the point of view of literature in the field

In the specific literature, external borders have a diverse and interesting conceptual approach. Without claiming to exhaust the list of points of view expressed, we intend to bring to the foreground some of the debates that, in the context of current research topic, may acquire and linger the substance and complexity of a deep analysis. Consequently, we select only some of the conceptual debates certain analysts in the field make reference to.

### a. Border and “open – close” concept

Such a vision on the border has undoubtedly resulted from the need to characterise certain border typologies. Such a conceptual approach can be made when attempting to characterise contemporary European space. The concept acquires new features precisely in such a community construction where regional or sectorial identities are still very powerful irrespective of their forms.

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<sup>2</sup> Vasile M. Ciocan, *Bună vecinătate și regimuri frontaliere din perspectivă europeană*, Editura Cogito, Oradea, 2002, p. 88

<sup>3</sup> P. Baud, S. Bourgeat, *Dictionnaire de géographie*, Hatier, Paris, 1995

<sup>4</sup> Apud Gabriel Wackermann, *Les frontières dans monde en mouvement*, Ellipses, Paris, 2003, p. 11

<sup>5</sup> *Ibidem*, p. 10

<sup>6</sup> Jean-Baptiste Haurguindéguy, *La frontière en Europe: un territoire? Coopération transfrontalière franco-espagnole*, L'Harmattan, Paris, 2007, p. 154

<sup>7</sup> *Convention of 19/06/1990*, published in Brochure no. 0 of 19/06/1990 to enforce the Schengen Agreement of 14 June 1985 on gradual elimination of common borders control, Schengen, 19 June 1990, art. 1

<sup>8</sup> *Ibidem*, art. 4, paragraph 4

<sup>9</sup> *Ibidem*, art. 3, paragraph 1

<sup>10</sup> The text of *Treaty establishing a Constitution for Europe*, title V, chapter 1, shows in articles 67-76 *General dispositions on liberty, security and justice*. See text of constitutional treaty in Marianne Dony, *Après la réforme de Lisbonne. Les nouveaux européens*, Bruxelles, 2008, pp 35-164

<sup>11</sup> *Charte des droits fondamentaux de l'Union proclamée le 12 décembre 2007*, chapter II, art. 6-19. Apud Marianne Dony, *op. cit.*, p. 270-277

<sup>12</sup> This can be found in *Protocol on external relations of the Member States with regard to the crossing of external borders* (1997), annexed to the *Treaty establishing the European Union*. Apud Marianne Dony, *op. cit.*, p. 235

An interesting survey on the topic entitled *Border in a Changing Europe: Dynamics of Openness and Closure*<sup>13</sup>, was published by Gerard Delanty, a Sociology professor at the University of Liverpool. The survey starts from the premise that societies are spatially organised through different “border” delimitations. From this perspective, each space may be characterised as open or close depending on the typology of the border delimiting it. Fabienne Maron speaks about “frontières barrières” (characterised by restrictions and visa) to design the opposite of “frontières ouvertes” whose crossing is authorised without restrictions<sup>14</sup>. However, in the context of the new geopolitical mutations in the European area, they all acquire a new significance under the pressure of changes generated by the process of European integration. The old borders fade away leaving room to new border structures resulting from new concepts and approaches on delimitations more or less spatial.

The numerous political borders tend to fade away to fully disappear in importance. In time, former borders turn into mere “symbols of singularity, of independence”<sup>15</sup>. At the same time, cultural borders, for instance, acquire an ever more visible functionality. The approach is not only internal, in which case one can identify cultural sub-components specific to the European area; there is also an approach characteristic of the European Union external governance system. Such a cultural border makes clear distinction between Europe and non-Europe. Beyond such a theory that might stress scepticism against certain projects for future enlargements of the European Union, we can notice the use of debates on the issue of actual borders of Europe, an issue raised by analysts for centuries.

The cultural perspective gives birth to debates on the notion of European civilisation unity and on the relationship between geography and culture. Can Europe be separated from Asia as a consequence of the cultural delimitation criterion? Professor Delanty approaches the concept of Christian Europe, as well as that of Europe as an heir of Roman and Greek civilisations<sup>16</sup>. Beyond the geographical, tectonic delimitation of the two continents, is European culture able to impose new borders? It is a question to which European analysts have very different answers. Perspectives are strongly influenced by current geopolitical subjectivism. In the same manner, in the Middle Ages, Europe was constrained to Catholic West clearly separated from expanding Islamism. Through his endeavours, Peter the Great included Russia in the European diplomatic system. Europe expanded as a concept. For the first time in 1716, the *Almanach royal* published in France put the Romanov on the list of European monarch families. This was undoubtedly due to the harmonisation of Russia with other powers in the European diplomatic system<sup>17</sup>. In 1715, the position of the Ottoman Empire was similar to Russia’s from several points of view. It entered the European diplomatic scene at the end of the 15<sup>th</sup> century. In fact, the entrance of the Turks in the relational system amongst European countries was mainly due to rivalries between France and the Habsburgs<sup>18</sup>. Nevertheless, the Ottoman Empire did not express as a European state and was never part and parcel of the European diplomatic system all through the 18<sup>th</sup> century. To Napoleon, the European space meant “French Europe” conceived as a space whose borders had to be settled after pressures on the Ottoman Empire<sup>19</sup>. The examples continue nowadays. Beyond all these, the hypothesis of cultural borders impose certain delimitations that we often assume whether we want it or not.

We do not aim at tracing such borders of the European area. We only point out the fact that our debate imposes rather a characterisation on European identity as a spatial notion protected just like a fortress. Is Europe not only politically, but also culturally a space imposing external borders clearly settled from a territorial point of view? Pursuing the evolution in time of the process of European construction, we can conclude by answering this question as follows: in the European Union, external borders are more and more important (more closed!), while the internal ones become more formal than real (more open!). Europe seen as a “fortress” is thus more open, more “hospitable” from the perspective of its members, and more closed, secure and less permissive for the rest of the world. In such a construction, we can identify not only the advantages of the high level of democracy and welfare the Community citizens may enjoy, but also the exclusivism imposed to others by closing the border. After removing internal barriers, Europe starts to become a super-state reinventing the “hard” border protecting states and politically associated people,

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<sup>13</sup> Gerard Delanty, *Border in Changing Europe: Dynamics of Openness and Closure*, in *Eurolimes*, vol. I, *Europe and Its Borders: Historical Perspective* (hereinafter *Eurolimes*, vol. 1), ed. Ioan Horga, Sorin Sipos, Institutul de Studii Euroregionale, Oradea, 2006, pp 46-58

<sup>14</sup> Fabienne Maron, *Les nouvelles frontières de l’Europe: repenser les concepts*, in *Eurolimes*, vol. 4, *Europe from Exclusive Borders to Inclusive Frontiers* (hereinafter *Eurolimes*, vol. 4), ed. Gerard Delanty, Dana Pantea, Karoly Teperics, Institute for Euroregional Studies, Oradea, 2007, p. 115

<sup>15</sup> Eriq Banus, *Images of openness – Images of closeness*, in *Eurolimes*, vol. 4, p. 139

<sup>16</sup> Gerard Delanty, *op. cit.*, p. 46

<sup>17</sup> Matthew Anderson, *L’Europe au XVIII<sup>e</sup> siècle 1713-1783*, Paris, 1968, p. 156

<sup>18</sup> *Ibidem*, p. 157

<sup>19</sup> Gerard Delanty, *op. cit.*, p. 46

excluding others that have not benefitted from such political decisions. In this context, do external borders of the community become expressions of national state border? It is a difficult matter entailing debates not only on the character and typology of the border, but also on aspects introduced by the fact that the Union does not have a border from within which the exterior may be seen. There are several territories that, from a geographical point of view, are comprised “within” the community while not being part of the European Union. Thus the attempt to trace community border to (physically!) separate the “Europeans” from the “non-Europeans” becomes impossible from a cultural point of view. Though recent, the historical heritage after the cold war imposes not only borders; they also impose actual barriers that cannot be crossed from the point of view of political decisions. Borders remain closed, irrespective of cultural heritage. On the other hand, the process of outlining external borders cannot be finished. Starting from such a remark, people and states that will belong to the “interior” are currently outside the borders. Thus the hard border whose construction is more and more obvious excludes the Europeans, not only the non-Europeans. Consequently, the European border is open or close depending on the exclusivist political interests and less from a possible cultural perspective. Hence, political discourses bringing motivations relating to the European cultural heritage concerning European integration of certain states such as Turkey are mere populist actions. It is a political decision of an exclusivist club. “Europe is and should remain *a house with many rooms*, rather than a culturally and racially exclusive club”<sup>20</sup>. Thus, the European Community becomes a close territory on political grounds based on identity motivations.

### **b. Border and “inclusive – exclusive” concept**

The debates on current European borders have often acquired the image of polemics on their place, role, shape, or consistency. Kalypso Nicolaidis considers that *Eurolimes* is „un paradigme qui lie l'integration a l'interieur et a l'exterieur, les liens intercultureles, interethniques et interclasses tisses au sein de l'Union d'aujourd'hui et les liens inter-Etats tisses avec ses nouveaux membres potentials”<sup>21</sup>. Beyond the image of national states’ borders, the definition of this paradigm is carried out in the survey entitled *Why Eurolimes?*<sup>22</sup>. According to the same pattern, the *Eurolimes* paradigm designs, according to several researchers in the field, what we understand by “inclusive frontier”<sup>23</sup>, that is, the borders to which the European construction tends. The main idea of the integration process is not to settle barriers, but to attenuate them. From this perspective, internal borders become more and more *inclusive* and less visible. Security and border traffic control are transferred to external borders that become more and more *exclusive*, more restrictive if we respect the logic above. Such a theory is valid up to a point. Internal borders do not simply become more open, more *inclusive*<sup>24</sup>; there is an integration process taking place in steps. On the other hand, we cannot consider as fully equal good and *inclusive/open*, or bad and *exclusive/close*. A simple example can confirm our hypothesis: in war areas, borders are relatively open to refugees<sup>25</sup>. However, we cannot conclude that we have an *inclusive* border “open just for pleasure” like European borders to which community integration tend as a model.

As a methodological and conceptual approach from the perspective of the topic, surveys published in volume 4 of the *Eurolimes* Journal, *Europe from Exclusive Borders to Inclusive Frontiers*, are very interesting. The debate focuses on possible interpretations on typology, form and structure of the new borders in central and eastern European space after the accession of the first communist countries to the European Union in 2004. The new Europe is made up of eastern territories on the continent. The external border of the EU has been pushed to the east, to the traditional limits of Europe<sup>26</sup>, which entitles us to wonder when and if this enlargement process should stop: before or after reaching these limits? European spaces and peoples might remain outside the more or less *inclusive* border. Then the European border cannot be only geographical with people living on both sides. Cultural distances between people can increase even within the community as the number of immigrants, refugees, and transnational communities is constantly increasing<sup>27</sup>. Moreover, immigrants’ integration is mainly crossing an *inclusive* community border<sup>28</sup>.

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<sup>20</sup> Robert Bideleux, *The Limits of Europe*, in *Eurolimes*, vol. I, p. 62

<sup>21</sup> Kalypso Nicolaidis, *Les fins de l'Europe*, in Bronislaw Geremek & Robert Picht (ed.), *Visions d'Europe*, Odile Jacob, Paris, 2007, p. 287

<sup>22</sup> Ioan Horga, *Why Eurolimes*, in *Eurolimes*, vol. I, pp 5-13

<sup>23</sup> Kalypso Nicolaidis, *op. cit.*, p. 275-290; Jan Zielonka, *Europe Unbund: Enlarging and Reshaping the Boundaries of the European Union*, Routledge Londres, 2002; Idem, *Europe as Empire*, Oxford University Press, 2006; Geremek, Bronislaw, Picht, Robert, *Visions d'Europe*, Odile Jacob, Paris, 2007

<sup>24</sup> Gerard Delanty, *op. cit.*, p. 51

<sup>25</sup> *Ibidem*, p. 50

<sup>26</sup> Ioan Horga, Dana Pantea, *Europe from Exclusive Borders to Inclusive Frontiers*, in *Eurolimes*, vol. 4, p. 7

<sup>27</sup> Kalypso Nicolaidis, *op. cit.*, p. 287

Beyond cultural and political perspectives, the situation in the past years has shown a new type of *inclusive* border resulting from states' economic interests, either belonging to the community or not. Business development bringing benefits to both sides has been able to provide a more flexible trend to political norms and regulations<sup>29</sup>.

All these and others can identify a process of community transformation developing with passing from *exclusive* to *inclusive* border.

### c. Border and “soft – hard” concept

Without greatly differing from others, such a conceptual approach suggests an image of the border from several points of view. The concepts of territory, border, or frontier are historically determined constructions to a great extent. This is how administrative, military, and cultural borders as well as the market focused in territory delimited by border constructions came into being<sup>30</sup>. Yet, in time, the concept of border has been diluting. This is also due to the process of European integration and construction. In certain cases, the physical border has even disappeared, while other “borders” that are no longer superposed over national states have appeared. The globalisation process has a considerable influence on the erosion of borders and barriers crossing the European continent<sup>31</sup>. In the European Union, there are several governing systems, cultures and administrative borders. Many of them do not coincide with national borders. At the same time, the multinational and transnational character of some organisations funded by community programmes lead to integrating huge areas devoid of barriers against communication, cooperation, working together, cross-border circulation.

In general, the concept of border is associated with the *hard* physical border, a concept related to the barrier that can be crossed provided certain special conditions and requirements (visa to enter that country is the best example of a restrictive requirement in the case of *hard* border). On the other hand, a state can have *hard* borders with a neighbouring country, while having *soft*, open borders with another neighbouring country<sup>32</sup>. A border can be both *hard* and *soft* at the same time. A state can eliminate visas for the citizens of a state while strengthening and reinforcing requirements in border control<sup>33</sup>. In the European Union, community institutions suggest that Member States should have *hard* external borders and *soft* internal borders. Visa, border police control on people and goods crossing the border are characteristic of *hard* border. Unlike this type of border, the *soft* border is characteristic of a more flexible transit system with no restrictions of circulation for goods and persons<sup>34</sup>. There are several steps to reach this type of border. They consist of the following: eliminating visa, reducing taxes for people and goods to zero, facilitating and strengthening human contacts on both sides of the border including cultural, educational, and training programmes, etc.

The enlargement of the European Union to the east, a process materialised by integrating several former communist countries, has led to changing the view on former community borders, to pushing the external frontiers to the border of these countries. The *hard* border that would provide protection to community citizens according to European institutions has thus become the concern of the newcomers. Nevertheless, within the community there are supporters of other European states: Poland constantly supports Ukraine, Romania supports the Republic of Moldova and Serbia, Hungary or Slovenia support Croatia and the examples can continue. Despite community restrictions, these states try to develop contacts and *soft* border constructions with their partners outside the community. These states' European integration has led to a certain isolation of Russia (associated with a *hard* type reaction), which was disturbed by the enlargement of the EU at the same time with the enlargement of NATO. They are all part of a complex process generated by community mechanism, geopolitical realities and macroeconomic strategies. Thus, European enlargement determines the outline of new models of neighbourhood relations somehow different from the former relations between nation states.

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<sup>28</sup> Chris Quispel, *The opening of the Dutch borders. Legal and illegal migration to the Netherlands 1945-2005*, in *EuroTimes*, vol. 4, pp 102-110

<sup>29</sup> Jaroslav Kundera, *L'Europe elargie sans frontiere monetaire*, in *Ibidem*, p. 69-77

<sup>30</sup> Charles S. Maier, *Does Europe Need a Frontier? From Territorial to Redistributive Community*, in Jan Zilonka (ed.), *Europe Unbound: Enlarging and Reshaping the Governance and European Union*, Routledge, London, New York, 2002, pp 17-37

<sup>31</sup> Nanette Neuwahl, *What Borders for Which Europe?*, in Joan DeBardeleben (ed.), *Soft or Hard Borders? Managing the Divide in an Enlarged Europe*, Ashgate, Hampshire, 2005, p. 24

<sup>32</sup> *Ibidem*

<sup>33</sup> See Olga Potemkina, *A „Friendly Schengen Border” and Illegal Migration: The Case of the EU and its Direct Neighbourhood*, in *Ibidem*, pp 165-182

<sup>34</sup> Joan DeBardeleben, *Introduction*, in *Ibidem*, p. 11

#### **d. Other concepts**

Without getting into details, we wish to show some concepts leading to the same interpretations in general lines. Besides, several authors consider that *hard, exclusive, close, sharp-edges* or *barrier* are equal. They are all associated with restrictions and strict control being characterised by the numerous conditions imposed to those intending to cross them. On the other hand, *soft, open, inclusive, porous, communicative* or *bridge* type borders remove transit restrictions by rendering traffic more flexible<sup>35</sup>.

From another perspective, Charles Maier identifies three possible conceptual approaches of the border<sup>36</sup>: the first, „*positive and constructive*”, considered as a border providing political order and good neighbouring relationships; the second, „*negative and revolutionary*”, seen as an illogical obstacle against normality, peace and unity; and the third approach, „*dialectical and evolutionary*”, characterised by the dissolution of a border and the inevitable settling of another, yet not necessarily at the same level of formality.

Another approach originates in the clear separation of people, institutions and organisations as compared to the European Union. The perspective is either internal, in which case the border does not constraint community expression, or external, in which case the border interferes as a barrier, as an obstacle against freedom of circulation. Thus, the European Union is the expression of a *fortress* protecting its citizens against external perils (immigrants, imports, insecurity, etc.)<sup>37</sup>. Such a perspective released again and doubled by the trend for world anti-terrorist fight has more and more supporters amongst political leaders of the European Union Member States. Joint or not, the security policy has provided new coordinates and even European neighbourhood policy despite the fact that many countries neighbouring the EU are not insecurity “exporters”. In this context, the issue of immigration turns more and more into a security issue<sup>38</sup> that has to be managed even through a reform of the border crossing system.

#### **2. Symbolic and ideological borders. Between external and internal borders**

For a long time, the concept of border has developed as an “intolerance axis” of nationalism and racism, of neighbours’ rejection<sup>39</sup>. Beyond physical border, irrespective of the analysed conceptual approach, either within or outside the European Union border, we identify other types of “borders”. We consider these borders as symbolic and ideological considering that, more often than not, they are not palpable. From Europeanism to nationalism, from ethno-religious identities to social chasms, the wide range of approaches on symbolic and ideological borders may continue in the context of a new fight against terrorism or of the implementation of an effective European neighbourhood policy. The physical border at the external limit of the European Union may “open” in time. Yet other types of borders may exist between people and communities. For instance, immigrants live within the European Union; by preserving their identity, they can create a world that “refuses integration” due to the particularities they develop. Thus, we can identify a split that may take the form of a symbolic cultural border sometimes even turning into an “external” border.

#### **a. European neighbourhood policy and the “new external border”**

The community perspective on external relations envisages as a support and starting point *the European Neighbourhood Policy* whose results have been noticed by the European Commission as positive<sup>40</sup>. This and the external policy of the European Union directly support two other general tools with impact on external border: pre-accession policy (potential candidates to accession are included) and the development policy for third countries<sup>41</sup>. In such a community construction both between members and in the direct neighbourhood relations at the external borders, stress has to be laid on dialogue and constructive cooperation amongst all parties. A special role in this equation is played by promotion of education and human capital through different programmes funded and supported by the European Union, such as the

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<sup>35</sup> *Ibidem*

<sup>36</sup> Charles S. Maier, *op. cit.*, pp 41-43

<sup>37</sup> Gerard Delanty, *op. cit.*, pp 52-53

<sup>38</sup> See Régis Matuszewicz, *Vers la fin de l'Élargissement?*, in Laurent Beurdeley, Renaud de La Brosse, Fabienne Maron (coord.), *L'Union Européenne et ses espaces de proximité. Entre stratégie inclusive et partenariats removes: quell avenir pour le nouveau voisinage de l'Union?*, Bruylant, Bruxelles, 2007, pp 103-117; Gabriel Wackermann, *op. cit.*, pp 63-84

<sup>39</sup> Gabriel Wackermann, *op. cit.*, p. 28

<sup>40</sup> See *Communication de la Commission. Une politique européenne de voisinage vigoureuse*, Bruxelles, 05/1272007, COM(2007) 744 final (hereinafter *Communication de la Commission...*)

<sup>41</sup> Annabelle Hubeny-Berlsky, *Le financement d'ela PEV- la réponse proposée (1)*, in Laurent Beurdeley, Renaud de La Brosse, Fabienne Maron (coord.), *op. cit.*, p. 313

partnerships under the TEMPUS programme and the convergence with the Bologna process and the Lisbon Agenda<sup>42</sup>.

Under the influence of the European neighbourhood policy, the concept of external border of the European Union tends to acquire new means of expression. On the one hand, we see a flexibility of contacts between the two sides of the border. Such a trend is enhanced by the means of cross-border cooperation through Euroregions and European instruments successfully implemented at the external border. On the other hand, the remarkable actions of the European Union through which they attempt to implement policies for regional cohesion at the current borders is, according to some analysts, the proof that the European Union is consolidating the current external borders, thus considering, at least for the moment, the option of slowing down the enlargement to the east without effectively closing the gates to this enlargement<sup>43</sup>. Irrespective of the reasons for the European neighbourhood policy, we can see that there is a change of attitude on external border due to its implementation. In such a situation, regions and people outside community structures can benefit from programmes and instruments of a policy bringing them closer to community citizens. Through its programmes for territorial cooperation at the external border, the neighbourhood policy significantly contributes to developing a more homogenous system<sup>44</sup> and the “integrated regional development”<sup>45</sup>. These policies are also required by the need to promote harmonisation of economic policies to contribute to achieving economic cohesion on a regional level. The attenuation of important commercial unbalance between EU and its neighbours by enlarging the common market beyond the external borders of the community is thus an imperative responding to the European policy for good neighbourhood<sup>46</sup>. We can conclude to pointing out that the implementation of the European neighbourhood policy leads to altering the perception of external border; moreover, the implementation of European instruments for cross-border cooperation tends to move current border to the outside by building a new symbolic one including a peripheral privileged area having the advantages of neighbourhood. Nevertheless, this policy has limits. For example, in spite of the “opening”, we feel in the discourse of European officials referring to a possible enlargement of the European Union by Turkey’s accession, that it would lead to some issues in managing the European neighbourhood policy – some of the new partners might be Syria, Iraq and Iran. At the time, the EU is not ready to face such challenges.

#### **b. Islamic diasporas and the unseen border**

The “insertion of Muslim presence” in Europe, in particular the management of the Islam, is a priority on the “daily agenda” of European nations<sup>47</sup>. One of the debated issues is the relation between “imposing” European traditional values and the alternative of giving the actors (in this case the Islamist community diasporas) the opportunity to build their own value system from a spatial-temporal point of view. This ability of conflicting (at least symbolically) diasporas identities to co-exist on local or global level with the majority is not only a positive reflection on contemporary society in Europe, it is also a dilemma of the time. Integration is not a solution proposed and supported by all society. Even if it were desired by the majority, is it accepted by the Islamist community? It is a difficult question that can only be answered by analysing local communities and concrete examples.

The Islamic community in the European area is currently undergoing a varied process of restructuring<sup>48</sup>. If we analyse it, we have the perspective to see the nature of external and internal borders including human relations. European Muslims are a postcolonial minority “provided” by colonised countries, or dominated by important European countries. In France, the numerical domination of Muslims coming from Maghreb is connected to the particularities of the colonial empire. The beginning of Islam in the United Kingdom is associated with the expansion of the British colonial empire in India. Starting with 1960-1970, immigration from Pakistan and India has become a mass movement. The history of Islam in Germany is related to the imperialist movement of the Kaiser, who had developed privileged economic and diplomatic bilateral relations with the Ottoman Empire in the 19<sup>th</sup> century. It is obvious that Germany cannot aspire to

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<sup>42</sup> *Communication de la Commission...*, p. 9

<sup>43</sup> Connecting the “orange revolution” in Ukraine, the European Commissioner for external relations and European neighbourhood policy, Benita Ferrero-Waldner, stated on the 1<sup>st</sup> of December 2004 that „*la question de l’Ukraine dans l’UE n’est pas à l’ordre du jour. Mais il est clair que nous ne fermons aucune porte*”. See Régis Matuszewicz, *op. cit.*, p. 109

<sup>44</sup> Annabelle Hubeny-Berlsky, *op. cit.*, p. 317

<sup>45</sup> *Ibidem*, p. 320

<sup>46</sup> Régis Matuszewicz, *op. cit.*, p. 110

<sup>47</sup> Chantal Saint-Blancat, *L’islam diasporique entre frontières externes et internes*, in Antonela Capelle-Pogăcean, Patrick Michel, Enzo Pace (coord.), *Religion(s) et identité(s) en Europe. L’épreuve du pluriel*, Presses de la Fondation Nationale des Sciences Politiques, Paris, p. 41

<sup>48</sup> *Ibidem*, p. 42



the “title” of colonial empire, but the relations with the Ottoman Empire explain the effect of Turkish immigration. As far as the origins of Muslims in the Netherlands are concerned, these are much more diverse and colonial history played an important role in “recruiting” people from Surinam<sup>49</sup>. Jean-Paul Gourévitch identifies “couple” relations resulting from colonialism. The couple France – Algeria is an emblematic example; yet other couples can be mentioned, such as France – Morocco, France – Tunisia, France – Mali, France – Senegal; UK – India, UK – Pakistan, UK – Nigeria; Belgium – Democratic Republic of Congo; Portugal – Angola; Netherlands – Indonesia<sup>50</sup>. At the beginning of the 1990s, two thirds of immigrants in Europe were Muslims, and the European concern about immigration is most of all regarding Muslim immigration<sup>51</sup>.

Europeans’ attitude concerning immigrants has not been steady in time. If in the 1970s the European countries were in favour of immigration and in some cases, such as the Federal Republic of Germany and Switzerland, they encouraged it to support labour force, things subsequently changed. At the end of the 1980s, due to the overwhelming number of immigrants and their “non-European” origin, the old continent became less hospitable. Yet Europe tried to provide a climate of openness and generosity. “It is fundamental to create a welcoming society and to acknowledge the fact that immigration is a two-way process supposing adaptation of both immigrants and society assimilating them. Europe is by nature a pluralist society rich in cultural and social traditions that will diversify in time.”<sup>52</sup> Could this European optimism identified by Maxime Tandonnet be a utopia? The presence of Islam in Europe is a certitude, but its Europeanization is still debatable. As French academician Gilles Kepel notices, “neither the bloodshed of Muslims in northern Africa fighting in French uniforms during the two world wars, nor the toil of immigrant workers living in lamentable conditions rebuilding France (and Europe) for next to nothing after 1945 have turned their children into... European citizens as such.”<sup>53</sup> If Europeans are not able to assimilate Muslim immigrants, or if a conflict of values is about to occur, it is still an open issue. Stanley Hoffman noticed that western people fear more and more “that they are invaded not by armies and tanks, but by immigrants speaking other languages, worshipping other gods; they belong to other cultures and will take their jobs and lands, they will live far from welfare system and will threaten their lifestyle”<sup>54</sup>.

By alternating negotiation and conflict, communication and doubt, the Muslims build little by little an individual and collective identity “that risk being at the same time pure and hybrid, local and transnational”<sup>55</sup>. The multiplication of identity vectors contributes to a fluidisation of symbolic borders and an individualisation of diaspora communities. There is a sort of division around the Islamist community as compared to the rest of the community. This chasm is sometimes expressed through an internal and external border at the same time. Such a reality is stressed by the creation of community models where identity features are transferred from ethnic or national sphere (Turks, Maghrebians, and Arabs) to the religious, Muslim, Islamic ones<sup>56</sup>. From this behavioural model, we can notice several behavioural reactions of Islamist communities between which there is a solidarity beyond ethnic or national differences. Such a reality is determined by the discriminating attitude of the majority. The several stereotypes lead not only to a generalised pattern image and to solidarity around Islamic values even of those who do not practice religion, some of them being even atheists. The phenomenon can be reversed: from an Islamic solidarity, they reach an ethnic solidarity. It is the case of Islamic community of Pakistani in Great Britain (approximately 750,000 people) regrouping ethnically (making up an ethnic border) on a religious basis<sup>57</sup>. Radicalisation of such communities’ behaviours can have negative effects in managing minority – majority relationship leading to the interruption of communication channels that provide balance and intercultural dialogue. Under the circumstances, fundamentalism and extremism may take the most radical form. These become manifest

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<sup>49</sup> Jocelyne Cesari, *Islam européen, islam en Europe*, in *Questions internationales*, no. 21, September-October 2006, Paris, 2006, p. 34

<sup>50</sup> Jean-Paul Gourévitch, *Les migrations en Europe. Les réalités du présent, les défis du futur*, Paris, 2007, p.43

<sup>51</sup> Samuel P. Huntington, *Ciocnirea Civilizațiilor și Refacerea Ordinii Mondiale*, București, p. 293

<sup>52</sup> Maxime Tandonnet, *Géopolitique des migrations. La crise des frontières*, Edition Ellipses, Paris, 2007, p. 50

<sup>53</sup> Robert S. Leiken, *Europe’s Angry Muslims*, in *Foreign Affairs*, July-August 2005, p. 1

<sup>54</sup> Hoffman Stanley, *The Case for Leadership*, *Foreign Policy*, 81 (winter 1990-1991), p. 30; Apud Samuel P. Huntington, *op. cit.*, p. 292

<sup>55</sup> Chantal Saint-Blancat, *op. cit.*, p. 42

<sup>56</sup> *Ibidem*, p. 44

<sup>57</sup> Konrad Pędzwiatr, *Islam among the Pakistanis in Britain: The Interrelationship between Ethnicity and Religion*, in *Religion in a Changing Europe. Between Pluralism and Fundamentalism* (edited by Maria Marczevska-Rytko), Lublin, 2002, p. 159

particularly in minority Islamic communities (significantly increasing on a European level) facing deep issues and identity crises<sup>58</sup>.

### c. Europeanism vs. Nationalism – ethno-cultural border

After 1992, standard Eurobarometer (measuring public opinion in European Union Member States twice a year) comprise questions focused on Europeanity (in relation with nationality). The answers to these questions have often related to both EU institutions success and the “answer”, the ability of states’ internal institutions to correctly manage in citizens’ interest all issues raised by internal and international challenges. Such a Eurobarometer may provide an image on fluctuation between Europeanity and national feelings. An important conclusion of these investigations (after 1992) has shown first of all that the European feeling exists. Moreover, after important moments relating to the process of European construction (e.g. Maastricht Treaty in 1992; the circulation of euro in 2002), we can see an exaltation of Europeanism<sup>59</sup>. Finally, as opposed to expectations, the intensity of the feeling of belonging to European values is not proportional to the number of years as a European Union member: in several states that have recently acceded to the EU, we can see that there is a high level of Europeanism as compared to exclusive nationalism<sup>60</sup>. On the other hand, this feeling of Europeanity seems to be idealised in some situations; in the case of other European states, Euro-scepticism has proved to be more obvious being encouraged more or less by a strong national feeling. The inhabitants of newcomers during negotiations have shown a strong pro-European feeling undoubtedly originating in their wish for a superior standard of living specific to Western Europe. In Turkey instead, against the background of postponing negotiations with the EU, public opinion has turned to Euro-scepticism and extreme nationalism<sup>61</sup> showing mental, cultural and ethno-religious “barriers”.

Our approach does not aim (although it could be the core of our debate) to discuss the relation European border – national (state) border. An approach of the symbols of the two categories of border could reveal interesting understatements. Does a citizen of a third country in Europe consider as a “strong” border (protecting them after all) the boundary of their country or the external border of the European Union? Freedom of circulation in community space and the Schengen Agreement have significantly contributed to outlining a perception on the European area leading to building a European feeling. Thus, the European citizens identify themselves with an area expanding over the territory of their own country. The Europeanism trend is the winner of the situation. In fact, things are not that simple. Crisis or exaltation moments may easily result in nationalist feelings diluting the “Europeanist” perception on the border. This happens together with strengthening identity-community cohesion, feeling of ethno-cultural appurtenance to a nation. Europeanism does not substitute the feeling of national appurtenance or the other way around. Ethno-cultural borders may, or may not, be superposed over the borders of a state: within majorities of European states, we can identify symbolic “borders” separating more or less human communities based on ethnic or cultural criteria.

EU policy has an impact on national minorities’ position in European countries. A key element of accession agreements of most countries in Central and Eastern Europe has been based on treatment of national minorities including the management of the “border” between minority and majority. In Estonia, for instance, a programme funded by the state on the issue of “integration to Estonian society” (programme implemented in 2000-2007) together with programmes funded by the EU, United Nations and other northern states had the task to promote interethnic dialogue and learning Estonian by Russian language speakers<sup>62</sup>. In Hungary, the Government was similarly concerned with improving gipsies’ treatment, which is a general issue in all states in Central and Eastern Europe. In its reports on accession negotiations with states in the area, the European Commission showed its concern regarding protection of national minority rights. In the report of 1999 on evolution in candidate countries, the Commission stated that “rooted prejudice in many candidate countries is still the result of discrimination against gipsies in social and economic life”<sup>63</sup>. There will still be difficulties despite the attempts of European institutions to improve the situation. Some countries in Central and Eastern Europe seek to redefine their national position after the influence of the Soviet era. In Estonia, for instance, according to their response to the recommendations of the Commissions concerning

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<sup>58</sup> Angelo Santagostino, *Haw Europe can Dialogue with Islam*, in *Religious frontiers of Europe*, Eurolimes, vol. 5, volume edited by Sorin Şipoş, Enrique Banús and Károly Kocsis, Oradea, 2008, p. 85

<sup>59</sup> Anna Geppert, *Quelles sont les frontières de l’Europe? L’apport de la géographie (et des sciences sociales)*, in Laurent Beurdeley, Renaud de La Brosse, Fabienne Maron (coord.), *op. cit.*, p. 331

<sup>60</sup> *Ibidem*, p. 332

<sup>61</sup> Jean-Pierre Colin, *Les paradoxes du voisinage dans l’Union Européenne*, in Laurent Beurdeley, Renaud de La Brosse, Fabienne Maron (coord.), *op. cit.*, p. 344

<sup>62</sup> Andrew Thompson, *Naționalism în Europa*, in David Dunkerley, Lesley Hodgson, Stanisław Konopacki, Tony Spybey, Andrew Thompson, *National and Ethnic Identity in the European Context*, Łódź, 2001, p. 68

<sup>63</sup> *Ibidem*, p. 69

minority protection, the Government speaks about “preserving the Estonian nation and culture” and the “development of people loyal to the Republic of Estonia”<sup>64</sup>. The case of Ukraine, although not a member of the European Union, is even more eloquent due to the fact that it has a privileged with the European Union at its external border. This is where we see what Samuel Huntington called “erroneous civilisation line” – a line dividing two cultures with distinct perception on the world<sup>65</sup>.

So, these are the difficulties of integration. Between ethnic and cultural groups, there are often communication barriers that often lead to cleavages thus entailing discrimination reactions and conflict situations. On the other hand, these cleavages are but expressions of other elitist political trends that are difficult to see in daily reality. From this point of view, ethnic borders are spaces of mutual understanding and insertion; from another point of view, they are divergence and exclusion spaces<sup>66</sup>.

#### **d. Social chasm and human borders**

Social borders become manifest by crossing the area of poverty and misery caused by social distortion. The issue of marginalisation is an issue frequently approached in contemporary debate. Whether we discuss about a space for democratic freedoms, or we deal with dictatorship, social chasm exists. Together with them, inter-community and human barriers are outlined<sup>67</sup>. Obvious expressions of such a reality can be found in the expression and behaviour of “peripheries”. Peripheries of western cities are places of immigrants’ and their children “frustrations”. Youth in immigrant families that are not socially and culturally integrated and have different origin associate in groups whose cohesion is provided by discontent and social cleavage as compared to the majority that “exploits” them. Several examples in the past years of violent actions in the peripheries of French cities are revealing in point: several young people, although born in France (having but French citizenship) are not accepted socially.

Social marginalisation is associated with political claims and the requests entail radical and extreme behaviours. In this context, risk areas and difficult and ill-famed neighbourhoods are redefined. The phenomenon is obvious when debating on exclusivist neighbourhoods of the rich (with barriers actually separating them from the public), or on mental delimitation associated with obvious social differences between rural and urban areas. Facing social discontent often violent in expression, the rich have almost always taken refuge behind some “fortresses” protecting them. These *high society* areas with political influence and financial means are often restricted and protected by armed guardians in face of poverty and/or misery<sup>68</sup>. These delimitations are genuine border areas. On the one hand, they are protected by security; on the other hand, by insecurity. The poor have no access to the exclusivist protected areas, while the rich do not venture in unsafe peripheries.

#### **e. Terrorist threat and the border of institutional security**

The 9/11 events marked not only the terrorist attack at World Trade Center; they were also a new approach on institutional security. Ever since, a whole anti-terrorist campaign led by the United States of America has been triggered<sup>69</sup>. The numerous subsequent attacks have shown the inefficiency of security systems, as well as the form of new challenges. The measures taken by Governments have led to the establishment of security strips in cities as well as to a strict control of citizens.

Several institutions of the European Union have implemented high-tech anti-terrorist systems and barricaded themselves in genuine fortresses that are no longer accessible to regular people. External borders control, particularly in airports, has often led to invading people’s privacy. Several material and human sources were meant to defend and provide citizens’ security. Military expertise has been transferred to civil field<sup>70</sup>. Illegal immigration, criminality and terrorist risks have been widely broadcast in western society media. Despite severe restrictions imposed to people, institutional security policy has acquired considerable proportions.

In the context of the failed attacks in London and Glasgow in 2007, after the reassessment of terrorist threats for crowded public places and key infrastructure, the British Government took some antiterrorist measures in November 2007 to protect airports, stations and other public places against possible terrorist attacks. A special unit was established; it was made up of policemen and secret services experts in

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<sup>64</sup> *Ibidem*

<sup>65</sup> *Ibidem*

<sup>66</sup> Marius I. Tătar, *Ethnic Frontiers, Nationalism and Voting Behaviour. Case Study: Bihor County, Romania*, in *Europe between Millenniums. Political Geography Studies*, edited by Alexandru Ilieș and Jan Wendt, Oradea, 2003, p. 159

<sup>67</sup> Gabriel Wackermann, *op. cit.*, p. 39

<sup>68</sup> *Ibidem*, p. 44

<sup>69</sup> Jean-Pierre Filiu, *Les frontières du jihad*, Paris, 2005, p. 140

<sup>70</sup> Michel Foucher, *L’obsession des frontières*, Paris, 2007, p. 114

charge with young Islamists surveillance. Security barriers, defence zones for cars, explosion proof buildings, luggage check in railway stations and airports are but a few examples of security measures taken by the Government in London. Prime Minister Gordon Brown explained at the time that the “antiterrorist policy will be strengthened in stations, airport terminals and harbours, as well as in other 100 places with sensitive infrastructure”<sup>71</sup>. “A series of new recommendations to install additional protection equipments and to increase the ability to identify suspect behaviours will be sent to people in charge with security of crowded places, amongst which cinemas, theatres, restaurants, gyms, hotels, department stores, hospitals, schools and religious establishments” stated the leader of the Government in London<sup>72</sup>.

All these and other measures intended to be implemented for citizens’ and institutions’ safety have led to limitations of individual freedom, including the freedom of circulation.

### 3. Conclusions

The wide range of epistemological concepts on the European Union external border can continue by analysing other typed of approaches. Beyond the great conceptual diversity, there is a clear-cut difference between the official border with different degrees of openness for non-community citizens and borders actually separating people despite the fact that they are not physical. Even if it has a political, economic, social, cultural, mental, religious, or ethnical support, the border is a space separating people and territories. From another perspective, “the border is identified to a contact area where social, economic, and cultural particularities of two countries intertwine”<sup>73</sup>.

The main conclusion of an investigation on concepts of external border is that the European Union has an external border that can be both stiff and flexible depending on the realities and challenges of the moment, on tensions or social and economic, political and legal openness, as well as on the complex internal reality of the European Union Member States.

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<sup>71</sup> Luminița Bogdan, *Marea Britanie, transformată într-o fortăreață*, in *Adevărul*, 16.11.2007, <http://www.adevarul.ro/articole/2007/marea-britanie-transformata-intr-o-fortareata.html> (accessed March 29, 2009).

<sup>72</sup> *Ibidem*

<sup>73</sup> Alexandru Ilieș, *România între milenii. Frontiere, areale frontaliere și cooperare transfrontalieră*, Oradea, 2003, p. 29

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