The Valletta Process and the Westphalian Imaginary of Migration Research

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Abstract: In this intervention, I aim to unsettle a geopolitical imaginary of sovereignty that seems to dominate European (Critical) Migration Studies' accounts of the externalisation of the EU border regime. In the wake of the so-called refugee crisis, the EU has intensified its efforts to outsource and displace the control of its borders. In relation to Africa, this is today taking place within the Valletta process and the related Migration Partnerships. I briefly introduce some aspects of these policy frameworks in the first section of the text. I then point to an omission in the scholarly analyses of externalisation. The geographical displacement of European borders tends to be presented as a new phenomenon, even as an unprecedented or ›post-Westphalian‹ transformation of territorial sovereignty. Hereby Europe's colonial past is ›forgotten‹. Drawing on authors committed to decolonisation as well as on migrant and citizen movements' critiques, I argue that we should question the Westphalian imaginary of (Critical) Migration Studies. This imaginary of sovereignty tends to produce flawed analyses and reproduce imperialist complicities. I also briefly suggest some alternative lines of analysing the current ›drawing of European borders‹ on the African continent.

Keywords: border externalisation, sovereignty, critical migration studies, colonialism, EU-Africa relations

> »We hear, including from French government sources, that the solution would be to eradicate the causes of immigration; that is to say, to help developing countries in such a way that the people of these countries can find the jobs they need where they are. It's a good idea. But it is not at all what France is doing in Africa.« (Cissé 1997)

To illegalise and deport those who arrived and to keep others out who possibly plan to come to Europe – these have been the EU's proposed solutions to a problem it perceives as a refugee or migrant crisis. Africa is in a special focus for the EU for several reasons. In migration policy, the EU perceives Africa as a principal origin of ›irregular‹ migration to Europe (European Commission 2015a, 2015b). In November 2015, the Union launched a negotiating process at the EU-Africa summit in Valletta

on Malta in an attempt to outsource the policing of its southern border and containment of would-be migrants to African countries.

In this so-called Valletta process, continuing the Rabat and Khartoum processes, and in the related Migration Partnerships, announced in June 2016, the EU blackmails African governments with development aid to accept the European externalisation agenda. In doing so, the EU pledges to eradicate ›the root causes of irregular migration‹, to fight ›criminal networks‹ and ›smugglers‹ and promises development as an antidote for migration.

The vacuity of this discourse has long been obvious. As early as the 1990s, the Sans-Papiers in France denounced Europe's neo-colonial investments in Africa and the increasing criminalisation of migration and mobility by the EU border regime (Cissé 1997, 1999). Today, African civil society actors restate that »the deep causes of irregular migration lie in restrictive migration policies developed by the EU over the last years« and question the kind of ›development‹ the EU is really after in Africa (West African Civil Society Organisations 2016; Diarra 2016). It seems as if the EU never stops talking of the urgency to fight the »root causes of irregular migration and forced displacement« (European Council 2015; European Commission 2015a), yet creates these at every corner. The attempts to move EU border controls to Africa but also the trade and investment policy objectives of the EU seem to treat lightly the sovereignty of its Southern ›partners‹.

In migration research, there is a growing body of scholarship on the outsourcing and displacement of the EU border regime. In this text, I point to a certain geopolitical imaginary of sovereignty that seems to dominate this research. Many accounts of the current EU border externalisation in Africa portray it as something new. The attempt to ›draw European borders‹ on the African continent tends to be presented as some sort of unprecedented transformation of territorial sovereignty. This is certainly not limited to academic research: the narrative of newness is reproduced in critical journalism and NGO reports. However, it is European (Critical) Migration Studies' colonial ›amnesia‹ and its implications that are my focus in the second section of this text. In the first section, I summarise elements of the political economy underpinning the ongoing Valletta process and the Migration Partnerships, in as much as these are embedded in neo-colonial international and economic relations with historical predecessors.[1] Lastly, I briefly suggest some alternative or complementary lines of analysis.

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1 | European journalism has covered the current Euro-African deals in much more detail than I can do in this text. See particularly the online platform of the German newspaper die tageszeitung (2016) and the many articles published in die tageszeitung on the topic. Der

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> »All the Powers exercising sovereign rights or influence in these territories pledge themselves to watch over the preservation of the native populations and the improvement of their moral and material conditions of existence, and to work together for the suppression of slavery and the slave trade.« (Article VI of the General Act of Berlin 1885; cited in Grovogui 1996: 79)

The maze of different policy processes, ›partnerships‹, ›compacts‹, summits and new networks associated to EU's new Africa strategy seems confusing. For African critics the big picture of EU policies is however clear: The Union wants to secure its share of Africa's resources and markets. It wants to keep borders open for its capital and its goods, but close them from people travelling in the ›wrong‹ direction – with the exception of a desirable kind of ›human capital‹ (Diarra 2016; Cissé 1997, 1999; Amin 2011: 136–138; Organisations de la societé civile africaine 2016).

The European migration policy debate of the last years, under the lead of Germany, has centred on the question of asylum. This seems to have strengthened a binary classification of migrants into ›economic‹ and ›political‹ ones. People migrating to Europe from third countries for ›economic‹ reasons have been increasingly casted as ›irregular‹ in relation to people ›in need of protection‹ for ›political‹ reasons (European Commission 2015a, 2015b). This EU Commission schema puts African nationals generally in the first category and has made their deportation from the member countries a priority. Worries about the particularly low ›rate of return‹ of African migrants underpin these efforts. According to the Commission, less than 30% of deportation orders for African nationals result in an effective ›return‹, either forced or ›voluntary‹ (European Commission 2015b: 10–12). This racist calculus conceals a circularity: the progressive illegalisation of African migrations.

Whereas the EU has used economic incentives to push for readmission agreements in the past (Rigo 2007), in the Valletta process and the related deals, bargaining seems to have become the overall strategy. Negotiations for ›tailor-made‹ ›migration compacts‹ with individual African countries include a bundling of different interests and instruments of leverage in order to put pressure on ›partners‹ to readmit deportees and contain (potential) migrants. Development assistance, foreign policy,

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Spiegel also published several articles on externalisation deals in 2016 (e.g. Dahlkamp/Popp 2016). See also URL: afrique-europe-interact.net.

trade and security are now all arenas of migration control (European Commission 2016b, 2015b: 13–14) in which the mobility of African citizens can potentially be exchanged against other goods. Whether the ›partners‹ rule their populations in a more or less democratic way, or even constitute a coherent state, is not important for the EU (Dahlkamp/Popp 2016; die tageszeitung 2016).[2] Deals to contain migrants and build detention camps have been made or are under negotiation across the continent with countries such as Libya, Tunisia, Sudan or Niger.

The flagship of the Valletta process, the Emergency Trust Fund for Africa funds with EUR 1.8 billion of initial capital projects which look like conventional development projects, but also others, which are more close to policing, such as the biometric identification of citizens, repatriation of deportees, police and border guard training, and anti-›smuggling‹ as well as anti-›trafficking‹ operations.[3] The problematic coupling of development and border control objectives was tested for instance in the Spanish Plan Africa in West Africa in 2006–2008 (Andersson 2014) and now appears attractive for the EU as a whole.

The External Investment Plan (EIP), introduced as part of the EU's strategy to manage migration and bring development to Africa, seems equally questionable (European Commission 2016a). With support from the EU budget and the European Development Fund, the EIP aims to mobilise up to EUR 44 billion or even up to 88 billion of private investments in Africa (European Commission 2016b, 2016c). To provide public incentives for European companies and investors and to »improve the business environment« in Africa (European Commission 2016d: 16), or to give the European Investment Bank a greater role in a combined migration and development package do not seem first and foremost aimed at improving African populations' lives. The ›rate of return‹, which private investors put over everything else, in fact acquires a double signification in these hybrid programs (see Jeune 2016; Antonowicz-Cyglicka et al. 2016).

In the 19th century, Europe went to Africa to organise a new regime of labour compulsion, this time to colonise directly instead of kidnapping and shipping Africans to European colonies elsewhere (Mamdani 1996: 37–38). Thereby, Europe also tapped into invaluable natural resources on the African continent, which it would soon be exploiting nearly without competition. The Berlin Conference 1884–1885 provided the institutional and legal framework for this plundering, agreed upon exclusively

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2 | It would of course be wrong to suggest that the European indifference to democracy in Africa is new.

3 | See the website of the EU Emergency Trust Fund for Africa: URL: ec.europa.eu [31.01.2017].

among members of the European club, who decided how to best cut the African continent into ›protectorates‹. The fight against the slave trade, the European duty to liberate Africans, was used as a legitimation. According to Europeans, slavery was an unfortunate Arab-African practice (Grovogui 1996: 79–81).

Today's fight against ›smugglers‹, ›criminal networks‹ and the ›root causes of irregular migration‹ is not too different as an ideological operation. Concerning the geopolitical situation, however, the EU finds itself in a new situation of competition over African resources and markets with the so-called BRICS countries, particularly China, in what has been called the New Scramble for Africa (Carmody 2015). Yet, the EU still wishes to see Africa as its backyard and as a solution to its crises, as it did in the 19th century, and after the formal decolonisation of Africa (Hansen/Jonsson 2014; Diouf 2016; Cissé 1997, 1999; Fietz 2017).

Interestingly, after years of dominance of French interests in Africa, Berlin has acquired a new significance in Europe's African policy. Angela Merkel's Germany is both the dominant economic power, the export ›miracle‹ of the Union, and a leading architect of its asylum and migration policy – also in Africa. In military terms, the Germans are now increasingly joining the French, having augmented their presence in Mali and building a base in Niger. What is the role of European armies ›eradicating the causes of immigration‹? »They are there to protect the very real economic interests which are at the same time the interests of French neocolonialism and of the African bourgeoisies« (Cissé 1997).

And in trade policy, where competition for African markets, particularly with China, is prevalent, the EU is pushing for Economic Partnership Agreements (EPA) with African states. When entered in vigour, the EPAs will guarantee the duty free entrance for European products to African markets. This will significantly reduce African states' budgets and threaten the survival of local agriculture and small and medium-sized enterprises in West Africa. The deterioration of living conditions on the countryside could produce ›economic migrants‹ en masse in a manner comparable to the migration wave following the experiments with structural readjustment policies of the 1980s and 1990s (Korvensyrjä 2017).

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>»Westphalia, Vienna, Versailles, Potsdam, Maastricht … if the history of Europe's formation as, and within, a space of territories, sovereignties, economies, and cultures can be evoked in terms of such symbolic

> place names then perhaps we can add to that series the name of Schen-
> gen.« (Walters 2002: 561)

Both African critics of the Valletta process and African-diasporic migrant movements
in Europe tend to refer to the Berlin Conference 1884–1885 when they criticise Eu-
rope's more recent agendas for Africa. Indeed, without suggesting any simple con-
tinuities of domination, the way in which the EU today attempts to control African
mobility even in Africa bears resemblance to colonial schemes of mobility control.
The latter restricted Africans to certain areas yet allowed for Europeans to circulate
freely between colonies and continents (see also Rigo 2007).

   The Valletta plan divides Africa into countries of ›transit‹ and ›origin‹ of migration
in an unapologetically Eurocentric manner. At first, Niger, Nigeria, Senegal, Mali
and Ethiopia were chosen as ›priority countries‹ (European Council 2015). Later
on, collaboration was intensified, also with Libya, which even if internally in chaos,
should now prevent migrants from taking the Central Mediterranean route to Italy, for
instance by putting them under detention. Other North African countries have been
pressured, such as Tunisia, to hold migrants in camps. Niger has been casted as a sort
of clearing house for repatriates and transit migrants. Existing ›processing centres‹
in Agadez have been enlarged with EU and IOM funding (M'Bow 2015).

   African civil society has denounced the increasing restrictions of inter-African mo-
bility in the wake of the new EU policies as a chain reaction of border controls or
outcome of direct European demands to a certain country. Border checks between
neighbouring countries, deportations, and detention violate the space of free circu-
lation within the West African ECOWAS (Diouf 2016; Diarra 2016; Touré 2016;
M'Bow 2015). Massive deportations of Sub-Saharan Africans have ensued also from
Algeria. Even if the overall effectivity of the deals might be questionable (Siegfried
2017; Dünnwald 2015), the violation of both migrants' and states' self-determination
is evident. The standard European travel document for deportation (European Com-
mission 2015b: 9, 10) has been criticised by African governments. The EU is pushing
for the general acceptance of this so-called *laissez-passer*. This travel document for
deportation can be issued by any EU member state for a supposed national of an
African country, identified by the EU member state. It clearly puts the sovereignty of
African states in question. Mali has categorically refused to readmit persons travel-
ling with it (Allincluded 2017; see also Eberl 2016; Diarra 2016).

   All of these policies belong to what European migration scholars have studied since
the mid-1990s as border externalisation (Bigo 1995). With this term, research more or
less refers to the outsourcing of border control tasks to other actors than EU member
states, such as third states' agencies as well as to institutions not normally responsi-

ble for policing, such as consulates or embassies, or private actors such as airline and shipping companies. Externalisation is understood to imply a geographical displacement or territorial expansion of border controls beyond (the EU's) territorial limits. This is suggested for instance by terms such as ›remote control‹ (Zolberg 2001) or border ›police at distance‹ (Guild/Bigo 2003).

Many of these accounts understand the current externalisation of (European) borders as an unprecedented transformation of territorial sovereignty of the nation state: The border is no longer a dividing line between two sovereign states (e.g. Guild/Bigo 2003). Sometimes this supposed transformation, connoted as or explicitly called ›post-Westphalian‹, is related with other post-war developments of the international state system (Guild 2001: 3). Staging externalisation as ›post-Westphalian‹ or otherwise genuinely unprecedented development seems to require that European colonialism is not mentioned. Indeed, both the analytical or theoretical formulations as well as empirical contributions of European (critical) migration scholars are characterised by a ›forgetting‹ of Europe's colonial past as they employ a narrative of novelty in accounting for the expansion of the European border regime towards the south.

> »By rethinking borders beyond the dividing line between nation states and extending the idea of the border into forms of dispersed management practices across several states, externalisation is an explicit effort to ›stretch the border‹ in ways that multiply the institutions involved in border management and extend and rework sovereignties in new ways. In this way, the definition of the border increasingly refers not to the territorial limit of the state but to the management practices directed at ›where the migrant is‹.« (De Genova/Mezzadra/Pickles 2015: 19)

Casas, Cobarrubias and Pickles also discern a novel »stretching of the border« without mentioning European colonialism and ask:

> »If borders are what we have come to assume as the limit of legal sovereignty in international law, with border externalisation and the shift to seeing borders as itineraries, where does state jurisdiction and sovereignty begin and who exercises each? Or as Sidaway suggests, ›what is sovereignty?‹« (Casas/Cobarrubias/Pickles 2011: 77–78)

Siba Grovogui has exposed a particular imaginary of sovereignty that dominates the discipline of International Relations (Grovogui 2002). This ›Westphalian common sense‹ is situated close to the interests of the Northern states. It represents the world or the international system of states as consisting of homogenous, equal and uniform

units, sovereign nation states limited by their respective borders. The common sense argues or implies that this system emerged in the 17th century West Europe and afterwards gradually expanded over the globe. The essentially colonial, imperialist and violent dimension of state building is thus concealed, so are imperialism's contemporary forms.

A quick survey of border externalisation scholarship makes evident that Grovogui's critique is relevant also for migration researchers. Particularly when presenting diagnoses of alleged transformations of territorial sovereignty, the analyses of externalisation seem completely unaware of the fact that African colonisation was in fact a crucial context for the formation of the international system of states as well as for formulating the very concept of sovereignty in International Law. The latter was defined against ›others‹ who by definition were not sovereign and thus could and should not be ruled by themselves but instead by members of the European club of sovereigns. If sovereignty was never meant for Africans, in the postcolonial international order, according to Grovogui, things do not look all that different (Grovogui 1996, 2002; Anghie 2004; Koskenniemi 2004).

In particular, the population policy of the territorially delimited 19th century sovereign European nation state is not fully comprehensible in isolation from the colonial context. National citizenries were formed, not only by separating them from ›aliens‹, but also from the ›natives‹. The continuous ›inside‹ of European national borders could only be constructed with the help of colonial racial hierarchies and dual legal systems. In this process, the modern-colonial state in fact transferred its borders onto a global scale (Rigo 2007; Nagl 2007; El-Tayeb 2000).

These historical critiques complicate migration researchers' assumptions of a past of neatly limited territorial nation states contrasting with a current transformation that confuses the ›inside‹ and the ›outside‹, or in which borders are detached from geographical state boundaries (for instance Bigo 2005: 69; Guild 2001: 3).

The narrative of novelty is often enabled by the chosen time frame. With the exception of Rigo (2007), the most distant reference point for these analyses is the tightening of West-European policies in the 1970s following the oil crisis and economic downturn (Paoletti 2011). Many see a shift after the 1970s in European governance of migration from a national to an international frame (Paoletti 2011: 269; Lavenex 2006; Boswell 2003; but also e.g. Karakayali 2008) hereby neatly leaving the colonial complexities of territorially delimiting the ›national‹ out of the picture. The role of the Schengen Agreement and the harmonisation of visa regulations in displacing the control of the external community border are a focus for many, whereby some emphasise the Eastern enlargement of the Union (Bigo/Guild 2003; Guild 2001; Rigo 2007). Some accounts begin as late as in the mid-2000s with the Spanish-Moroccan

and Spanish-Senegalese collaborations (Carrera et al. 2016), or with the Italian government's collaboration with Libya (Paoletti 2011).

This time frame of analysis tends to more or less neatly fit the dominant narrative of official EU historiography. The EU is portrayed as an initially benevolent local economic actor which only later starts to acquire trans-regional or even imperialist influence. That the EEC first emerged as a colonial player in 1957 with a substantial part of its territories located in Africa, is systematically ›forgotten‹ (Hansen/Jonsson 2014). The official EU historiography omits the central objective of the Treaty of Rome founding the EEC, namely the collective European management of the colonised territories, which was a key motive also in the post-colonial association treaties with the newly independent African states of Yaoundé in 1963 and Lomé in 1975 (Hansen/Jonsson 2014). After formal decolonisation, Europeans thus in no way did stop taking the control of African resources and labour for granted.

The disturbing narrative of novelty in accounts of European borders expanding to Africa is in fact not limited to academia but also reproduced in European journalism and activism.[4] Some aspects of the Westphalian imaginary and its functions should be questioned within these fields, too. On the other hand, when we pursue this critique within (Critical) Migration Studies, we should not stop at the most obvious topics such as externalisation. A general tendency of (Critical) Migration Studies towards colonial – and postsocialist – ›amnesia‹ has been pointed out repeatedly in the recent years (El-Tayeb 2011; 2016).

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4 | For instance, the online platform of the German tageszeitung, migration-control.taz.de, otherwise a very timely contribution of investigative journalism on the European border regime, barely mentions Europe's colonial past when describing »Europe's new contours« drawn in Africa. A report on externalisation for the Italian NGO Arci condemns EU's and Italian government's intent to »draw up our borders in Africa« (Prestianni 2016: 5), but does not mention Rodolfo Graziani's camps in Libya or colonialism in general. The German pro-refugee organisation Pro Asyl names the externalisation deals with African dictators as a »betrayal of European values«, seemingly ignorant of the dominant historical uses of ›European values‹ in Africa (Pro Asyl 2016).

WHAT KIND OF ANALYSES DO WE NEED?

> »Indebtedness drives Africans to exile. And with a charter plane the rich creditors send back their debtors who had arrived here [in Europe] in search of work, in order to nourish their families who stayed at home.«
> (Cissé 1999: 47; translated from French by the author)

Unsettling the Westphalian imaginary in migration research does not mean demanding that migration sociologists and anthropologists should start writing historical treaties on European colonialism in Africa, much less should journalists or NGOs. Nor is this critique about asserting any simple historical continuities. My objective is simply to point out some of the stakes in a history politics that prefers to omit all references to the colonisation of Africa and its legacy when analysing the displacement of European borders to Africa. First, presenting this as an unprecedented situation is simply not correct. Diagnoses of presupposed transformations of European or African sovereignty remain partial, or rather flawed, when the colonial genesis of contemporary sovereignty is not at least acknowledged. Second, the dominant geopolitical imaginary of sovereignty reproduced in the accounts of border externalisation risks following EU's official historiography, which in turn serves the current interests of European imperialism (El-Tayeb 2011; Hansen/Jonsson 2014). It effaces the past of imperialism and makes its present look new, accidental or exceptional – or often as not imperialist at all (e.g. Paoletti 2011). The narrative of European innocence is reproduced.

Recently, there fortunately have been calls for revision, not only in Postcolonial and Critical Race Studies (e.g. El-Tayeb 2011, 2016), but even within Critical Migration Studies, if we should stick to the disciplinary definitions (e.g. Walters 2015 has shifted his perspective from Walters 2002). Particularly valuable in this regard is Enrica Rigo's rereading of the modern continental theory of sovereignty from a postcolonial perspective and her analysis of the displacement of EU's external borders as reminiscent of colonial legalities (Rigo 2007).

The Westphalian imaginary of sovereignty matters because it keeps us from seeing that European borders were never neat geographical lines (cf. De Genova/Mezzadra/Pickles 2015: 19) but in fact instruments to produce asymmetric relations, even after decolonisation. This imaginary prevents us from understanding how borders and the state control the movement not only of people but also of goods and capital in global racial capitalism (Robinson 2000 [1983]). This imaginary is rather insensitive to ways in which the development of certain regions has been inseparable from the

underdevelopment of others, as Southern political economists used to put it in the 1960s and 1970s.

In the mid-1990s, it was clear to Madjiguène Cissé that accounting for borders between Africa and Europe was not possible without accounting for the global economic downturn with the so-called oil crisis, for the increased indebtedness of the South to Northern or Northern-dominated financial institutions, for the structural readjustment policies dictated by these, for the subsequent destruction of national economies and public sectors, as well as for the crisis of agriculture and climate change (Cissé 1999, 1997). European capital and industries kept using Africa as a resource for its own development, both African raw materials and markets, as well as African labour force until the 1970s after which European economies had been rebuilt. Europe then began to criminalise migration by making it ›illegal‹ (see also Diouf 2016). All of this can be understood in the context of a failure of decolonisation to attain practical sovereignty – or as the failure of an international order hinging on the colonial model of sovereignty.

There is in fact a whole line of critique of European policies in Africa after decolonisation, which has tried to account for this failure. It derives on the one hand from academic scholarship emerging in connection to decolonisation and as a response to the work of anticolonial critics and political leaders. On the other hand, a substantial critique has been formulated within self-organised migrant and citizens' struggles both in Africa and in the diaspora in Europe. Rereading the analyses developed by migrant movements of the European border regime during the 1990s or for that matter those of the anticolonial leaders and theorists such as Nkrumah or Cabral on European neocolonialism and imperialism, will not only bring us to a sharper analysis of the current externalisation of European borders to Africa, but also help us to build more powerful intercontinental alliances to fight this process.

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