

Racializing freedom of movement in Europe

Experiences of racial profiling at European borders and beyond

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Abstract: Justified by increased movements of migrants in Europe, checkpoint procedures have recently been reestablished at intra-European borders, which have led to the intensified use of racial profiling. In this article, I reflect on the racial profiling I witnessed during my fieldwork on unauthorized migratory mobility both at intra-European borders and inland. The article discusses racial profiling as a technique to interrupt the right to freedom of movement and traces the racist categories as they follow people – regardless of their legal status – moving through Europe. Experiences of racial profiling will be analyzed at various local layers: (i) at the border (ii) inland and (iii) during everyday life im/mobilities. Moving beyond institutionalized border practices, the article demonstrates how the racialization of freedom of movement accompanies people in their daily lives. This paper argues that contrary to the ideals of Europe as a locus for free movement and solidarity, the application of ‘racist knowledge’ has created a ‘racialized mobility regime’ in Europe that stretches well beyond institutionalized border areas and is supported by xenophobic sentiments in the larger population.

Keywords: freedom of movement, racialized mobility regime, racial profiling, intra-European borders, extended borderzones

In July 2015, returning from fieldwork in Italy, where I (re)visited people on their migratory trajectories through Europe, I took a train from Milan to Zurich. As I reflected on the life-stories and experiences of the predominantly unauthorized migrants I met, I sat down in a group that included a young chef on his way to Lugano, where he worked in a Swiss restaurant, and a trainee at a Swiss health care program. After we chatted about who was heading where for what reason, we turned our attention to our books and cell phones, and I started to complete my field notes. When we reached the Italian-Swiss border at Chiasso, the train stopped and Swiss border guards walked through the train. They scrutinized documents and escorted out those who were unable to produce valid ones.

The trainee as well as the young chef, both people of color, had to show their documents whereas I, as a blond female, like other ‘white’ co-travelers, was not asked for mine. The chef, in particular, became the victim of an intense and degrading security procedure. His personal data was called in and his belongings were searched in front of his co-travelers. Since he was able to prove that his Italian documents were valid and that he was contracted to work in Switzerland, he was allowed to stay – unlike three other young men of color, who were escorted out of the train car because they could not produce valid travel documents. The procedure upset him immensely. After the border guards left the train he turned to me and bitterly said that this was not the first time he had been checked like this. Regular security checks on his daily commute to work are a constant reminder that his physical appearance engenders discrimination.

During my fieldwork with unauthorized migrants in Italy, France, and Germany, I all too often witnessed forms of racialized exclusion. The situation at the Italian-Swiss border, however, is yet another side of racist discrimination since it demonstrates that racialized border practices hinder the free movement of people despite their legal status and make no distinction as to whether someone might be desirable or unwelcome by the system s/he is discriminated by. The present article highlights racist discrimination as experienced by people moving through Europe. It argues that racist security practices within the European border regime create a system of checks and control that not only hinders people of color to move unimpeded throughout Europe, but also contributes to racist sentiments currently on the rise in Europe.

The article asks how practices of border control are experienced by people on the move and whether racial discrimination and the resulting restrictions on movement serve or contradict the neoliberal intentions of the European border regime, which is highly dependent on a “global reserve army of labor” (Bauder 2006: 5, following Bourdieu 2002). Going beyond institutionalized forms of racial profiling, it will track experiences of racial discrimination and analyze different local settings as they are encountered by people moving through Europe. By taking a closer look at experiences of racial discrimination at national borders and inland, it will become obvious that the process of negotiating who is allowed the right to move freely is based on fundamentally racial categories. Social transactions and interactions are just as much a part of these processes as institutionalized border practices and thus contribute to the creation of a highly racialized mobility regime within Europe.

The empirical data used here stems from my fieldwork on the ill/legalization of migratory mobility in Europe in the summer and autumn of 2015. In this article, however, I focus on the implications of racially motivated discrimination of people on the move regardless of their legal status and whether or not those people are on

an (un)authorized migratory journey, a holiday trip, or moving through everyday life situations like commuting to work or going out to buy cigarettes. The methodological approach of “trajectory ethnography” (Schapendonk 2012) will be adjusted and used to interconnect those different forms of im/mobility along trajectories which proceed beyond geopolitical borders.

RACIALIZING FREEDOM OF MOVEMENT AT EUROPEAN BORDERS AND BEYOND

Freedom of movement is considered to be one of the basic pillars of the European Union and has been enshrined in the Charter of Fundamental Rights of the European Union. It states that: “Every citizen of the Union has the right to move and reside freely within the territory of the Member States.”¹ Free movement has not only been celebrated as a fundamental principle of European identity, but it also corresponds to the basic economic requirements of the Union. Central European states urgently need young international workers and rely on their free movement inside and beyond the EU. Indeed, the Union promotes educational and work-related mobility through a variety of international programs.² The current, ongoing closure of intra-European borders, which was justified by the increased migratory movements of people and the terrorist attacks in Paris in November 2015, has led, however, to the intensification of racialized border practices at external borders as well as inside Europe. It thereby fundamentally affects the accessibility of the right to freedom of movement within Europe. This raises some basic questions: Who enjoys freedom of movement? How is this right restricted? Do these restrictions serve or contradict the neoliberal intentions of the European border regime, which depends on the economic utility of unimpeded migratory processes (cf. Bauder 2006; Geiger/Pécoud 2010)?

Scholars of migration and mobility studies repeatedly stress the ongoing securitization of migration resulting in restrictions on movements and the

“emergence of a global mobility regime that actively seeks to contain social movement both within and across borders. The mobility regime is theorized as premised upon a pervasive ‘paradigm of suspicion’ that

¹ | Chapter V, Article 45 (2000/2009).

² | E.g. EURES, European Mobility and Erasmus, now Erasmus+, to mention the most famous projects on intra-European educational and work-related mobility supported by the European Commission.

conflates the perceived threats of crime, immigration, and terrorism, thus constituting a conceptual blueprint for the organization of global risk-management strategies.” (Shamir 2005: 197)

Based on this paradigm of suspicion, the resulting profiling practices are bound to basically ‘racist knowledge’, which is understood as socially accepted prejudices that construct the ‘other’ in everyday interactions and produce intrinsic marginalization (Terkessidis 1998; 2004). Thus, they intervene not only into unauthorized migratory mobility, but also into practices of mobility, which are favored and legally protected by European (inter)national law. As my fieldwork and direct observations show, freedom of movement in practice is not only tied to residency status, but restrictions on this right are instead based on racist knowledge.

Racial discrimination encountered while moving through Europe follows the definition by Noel Cazenave and Darlene Maddern, who describe racism as “a highly organized system of ‘race’-based group privilege that operates at every level of society and is held together by a sophisticated ideology of color/‘race’ supremacy” (1999: 42). Race, in this context, is not merely constructed through biological differentiations, but is closely tied to the stereotyped image of ‘the migrant’ as the other. The interconnection of so-called “neo-racisms” with the phenomena of migration has been shown by Étienne Balibar, who stresses the fact that racisms are not dependent on the disproved concepts of race and biological heredity anymore. Instead, forms of “racism without race” (Balibar 1991) are ascribed to cultural differences so as to differentiate between self and other. “The functioning of the category of immigration as a substitute for the notion of race” (*ibid.*: 20) is fundamental in this respect since it serves as the dominant category of othering in Europe. However, a separation of different forms of racism at the analytical level does not influence the lived experiences of people of color who are racially discriminated because of their external features.

The term racial profiling is typically used to describe forms of structural discrimination by which law enforcement uses a person’s skin color as the primary reason for suspicion. The legal regulations on racial profiling are different in European countries even though the Schengen Borders Code states that border control throughout Europe has to be carried out in a manner fully respectful of human dignity.³ In Germany, the case of a student who traveled from Kassel to Frankfurt in 2010 and was racially pro-

³ | Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006, Article 7: “Border checks should be carried out in such a way as to fully respect human dignity. Border control should be carried out in a professional and respectful manner and be proportionate to the objectives pursued.”

filed by federal police has become well-known. The administrative court of Koblenz declared the practice of racial profiling lawful in 2012⁴, arguing that it is based on random sampling, which constitutes a legal control mechanism. However, shortly thereafter, the higher administrative court overturned the decision declaring it out of line with the ban on discrimination in constitutional law.⁵ Despite this legal decision, racial profiling is still practiced in Germany as well as in neighboring countries and is repeatedly criticized by the Commission on Human Rights' Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and related intolerance. Especially in the border regions, trains, and at airports, members of the German federal police are still legally supported by article 22 of the Federal Police Law, which allows police to carry out random checks to “prevent and eliminate unlawful entry”. The criminalization of those who, from another perspective, use their “right to escape” (Mezzadra 2014) thereby goes hand in hand with a legitimization of institutionalized racialized security practices.

David Harris (2003) has analyzed racial profiling in the US-American context and stresses that along with formal, policy-driven racial profiling used in police checks and at national borders, informal racial profiling by means of personal discriminatory practices based on racist knowledge must be seen as equally important. Accordingly, controlling the borders of Europe by means of a racialized mobility regime will be discussed in the following sections by tracing trajectories from the actual border sites into everyday life situations. As we move through these different local layers, experiences of racial profiling will be analyzed (i) at the border (ii) traveling inland and (iii) in everyday life situations. The interdependence of racial discrimination and the border regime will be discussed in the following as it concerns institutionalized border practices and the ways they are entangled in the functional as well as the dysfunctional mechanisms of racial profiling.

Institutionalized racial profiling at intra-European borders

In June 2015, France intensified its security measures at the Italian border, which led to uprisings in the border town of Ventimiglia, where hundreds of people found themselves stuck. Switzerland followed subsequently to being blamed for letting people travel through to its northern European neighbors. In Germany, in September 2015, only a few weeks after Chancellor Angela Merkel unexpectedly allowed trains

⁴ | VG Koblenz, 28.02.2012, 5 K 1026/11.KO.

⁵ | OVG Rheinland Pfalz, 29.10.2012, 7 A 10532/12.OVG.

to carry refugees from Hungary through Austria and into Germany, security controls were intensified on train connections between Germany and Austria as well as on car traffic at the German-Austrian border. This growing trend to control intra-European borders has been justified by the rising number of asylum seekers and by the politics of security following the terrorist attacks in Paris in November 2015.

In fall, while writing this article, the politics and practices of securing Europe from within proceeded at a rapid pace. Hungary built a fence along the border with its EU-neighbor Croatia, which led to an immediate discussion of whether Croatia too should build a fence on its southern borders. Slovenia and Austria likewise considered following Hungary's example on their southern borders. Germany, in the meantime, started to control the German-Austrian border extensively and discussed building 'transit zones,'⁶ where incomers would be held in camps at the border while an accelerated procedure would verify their claim for asylum and deport those whose asylum petition for Germany was rejected.⁷

I witnessed the impacts of these tightened control procedures when I revisited people on their continuing migratory journeys in Italy. Initially, I met these migrants in Germany, before they were deported back to Italy because of the Dublin III regulation,⁸ went there to renew Italian documents, or to reconnect with their social networks. During my fieldwork, I witnessed several incidents of racialized border control at intra-European borders, whose existence is frequently forgotten by 'white' Central Europeans. On the Italian-French border as well as on the Italian-Swiss border, intense controls were carried out in trains entering the respective nations from Italy. At both sites, border guards strode through the trains and, using racial profiling, asked people of color for passports. Or, without even doing so, they just commanded, "Out!" to those who fell under their paradigm of suspicion. Phenotypic categories served as first order categories of suspicion in those cases and were accompanied by differentiation based on gender, class, and age. Young men of color thus became victims of the most intense scrutiny, whereas blond females like myself were on the opposite end of the spectrum of suspicion.

6 | Interior Secretary Thomas de Maizière (CDU – Christian Democratic Union) presented a respective draft law to establish transit zones in October 2015.

7 | At the same time, the German asylum law was tightened in October 2015 and the list of so-called 'safe countries of origin' was extended by adding countries like Kosovo, Albania, and Montenegro.

8 | The Dublin III regulation (Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013) obliges the countries of first entry into the European Union to conduct the asylum procedures of the respective newcomers.

Experiencing racial discrimination at intra-European borders, those affected find themselves confronted with the contradictory intentions of border regimes. Preferred mobility, like the young Italian chef commuting to work in Switzerland, is hindered by means of degrading border control practices. Unauthorized people on the move likewise find themselves caught in the middle of divergent national interests. One of my dialog partners, who was stuck for several weeks at the Italian-French border region close to Ventimiglia, reported that he had unsuccessfully tried to leave Italy by train several times to escape the inhumane conditions there and move on, but: “They catch you on the train. The French police take you out [...] then they call the Italian [police] and they bring you back to Ventimiglia but they don’t ask you any question. [...] They even tell you to try again [laughs]”⁹ (V/26 2015). While Italy stopped registering new arrivals and signaled them to move north as soon as possible, the French began to intensify immigration controls at their southern borders. Caught in the opposing national security concerns of individual European nation states, hundreds and thousands of migrants found themselves stuck at the ‘open’ borders inside Europe.

Intra-European borders thus constitute increasingly racialized spaces, constructed not only by border guards profiling according to race, but also by European citizens who witness these racialized control practices. Whereas national borders are potentially contested sites of differing political opinions, in all too many cases travelers are passive witnesses of racist discrimination and thereby actively contribute to the creation of affirmative conditions necessary for racist interaction. As I argued with the Swiss border guards in the train my co-travelers told me to sit down, saying that everything would be all right because, “They don’t have passports. They are not allowed to come here.” Pointing at people of color, the blatant and public racial discrimination, escorting people out of trains, all of this was deemed a mere logical consequence of legal circumstances. What disturbed the normalized system was not the racist border control or the immanent discrimination, but people intervening in the enforcement of law and order. Accepting racist knowledge as a legitimate basis for border control procedures paves the way for practices of racial profiling to be reproduced informally inland at the local level.

⁹ | Not asking “any questions” refers to the fact that in Italy, the police recently avoided registering newcomers. This produced a situation in which the Italian government, on the one hand, could not be held responsible for asylum procedures in case the respective person moves on and is first registered in another EU-country and on the other, the person lacked the ability to receive state support in Italy.

Racial profiling as a fellow traveler in extended borderzones

Racialized border practices reach far beyond the actual border sites and create extended “borderzones”, which are “conceived of as physical or virtual sites marked by the intensification of political struggles over the condition of irregularity” (Squire 2011: 14). They also affect the possibility of moving freely regardless of one’s legal status. This extension of the concept of the border in migration studies has been discussed in depth (Walters 2006; Perera 2007; Balibar 2009; Jansen et al. 2014; Heimeshoff et al. 2014: 15). Societal negotiations of border mechanisms follow people into everyday interactions and need to be considered as equally restrictive as institutionalized bordering practices.

In order to follow these negotiations of racialized demarcation lines beyond local or regional restricted sites, we need to adapt our methodological approach and focus on those on the move and their experiences as they head through extended borderzones. A subject-oriented trajectory approach offers a fruitful perspective from which to view people moving through, interacting with, and thereby shaping migration and border regimes (Lipphardt/Schwarz 2016) as well as inherent negotiations on freedom of movement. Inspired by George Marcus’ 20-year old exhortation, “Follow the people!” (Marcus 1995), Joris Schapendonk recently proposed the methodological design of “trajectory ethnography” to enable long-distance and long-term perspectives on migratory movements (Schapendonk 2012). In addition to reconstructing migration histories on the basis of in-depth interviews, the methodological concept aims to follow “the actual twists and turns of migration trajectories by way of translocal engagements (e.g., telephone calls and internet conversations) and follow-up visits to [...] respondents in different places and during different times of their trajectories” (Schapendonk/Steel 2014: 263). Moreover, a growing number of so-called “mobile methods” have evolved in the interdisciplinary field of mobility studies (Fincham et al. 2010; Büscher et al. 2011) and they can be fruitfully applied to empirical projects tracing migratory trajectories.

These methodological perspectives enable us to go beyond focusing on institutionalized border practices at militarized sites like national borders, and they shed light on how racialized border practices shape the routes of those moving or staying inside European nation states. Large-scale European joint operations allowing state officers to search people who have been denied the right to move or stay inside Europe have increased dramatically in recent years (Schwarz 2014) and have led to extensive security controls at train and bus connections as well as in the areas surrounding large train stations inland. This happens when one uses public transport for long-distance travel as well as on everyday journeys. For instance, an interview partner stressed,

“Train and bus... that’s not for us [people moving without state permission]. They are checking there and then you have to give your fingerprints and everything” (P/6 2015). Security controls in this context are not limited only to tickets as they would be for ‘white’ passengers. Instead, these extended security controls are carried out despite the fact that the tickets have been shown and paid for.

The already mentioned case of the student who traveled from Kassel to Frankfurt in 2010 and was racially profiled by federal police may serve as an example for those who are able to produce valid travel documents but are nevertheless hindered in their right to free movement because they fall under the paradigm of suspicion of moving ‘illegally’. Racially engendered discomfort suffered in extended border zones while journeying by plane, train, or bus travels along with people of color no matter whether, when, and how they interact with institutionalized border practices. Following such experiences along the lines of impeded trajectories leading through Europe is of utmost importance to demonstrate the fundamental influence of ‘racial knowledge’ on negotiating border mechanisms.

Being the border: Negotiating racial discrimination on the local level

Racial profiling practices and the concomitant experience of the border as a demarcation line of racial differentiation not only influences border crossings and traveling inland, but they interfere with everyday life mobility on the local level as well. In his book ‘Illegal’ traveller – An auto-ethnography of borders, Shahram Khosravi offers a dense description of his migratory journey from Iran to Sweden. He stresses the fact that an unauthorized journey continues long after the geographical journey has been completed. This is because “stateless, undocumented, failed asylum seekers are constantly caught in the position of being the border” (Khosravi 2011: 99, emphasis added). Even though Khosravi changed his status from illegalized traveler to asylum seeker, to recognized refugee and finally to Swedish citizen, he ended up internalizing the border. Evidently, achieving citizenship does not hinder the racial discrimination experienced while moving through local spaces.

Similarly, the burden of carrying the border within, the experience of being singled out and discriminated against because of phenotypical characteristics, was a basic component of the lives of people moving without state authorization that I met during my fieldwork. Going out to buy something in a store, to visit friends, or just to take a walk can put immense pressure on those who want to remain hidden from state control. This is how Khosravi describes his own case and those of his o-travelers: “every act of physical mobility was shaped by various ‘somatic modes of attention’ ” (Khosravi 2011: 16, 90, following Willen 2007: 17). One of my informants, recount-

ing *modes of attention* such as watching one's surroundings, choosing the right time and place, carrying a newspaper and a coffee cup, avoiding people's faces e.g., uses a metaphor to portray the inner tension that derives from mobility in environments that bear the constant possibility of deportation: "We say you feel 'like a wolf at daytime' – you are never free to walk the streets as relaxed as the wolf walks at night" (T/12 2014). For this dialog partner, moving like a wolf during the day became a defining motive for everyday life. No matter where he was he felt he must remain vigilant because only then he could cope with his ever-suspicious surroundings. He reported that every time he left his room he would turn to take one last look at everything because maybe this would be the day he wouldn't be able to return.

This vigilance is not only due to police controls and the constant pressure of "deportability" (De Genova/Peutz 2010), but it is also caused by the fear of those who assess their surroundings according to racial knowledge; people met on the streets in everyday life situations. "What made me nervous the most were people staring at me in the streets. Really staring without looking somewhere else [...]. I try not to look at them, but you feel it. They are staring at you. [...] In the beginning I thought maybe it's the police, maybe they will ask you something, but they are just looking at you without any reason" (F/18 2015). The theme of being stared at was repeated by many dialog partners when they spoke about obstacles to moving around and remaining in Europe without any legal authorization. Unauthorized migratory movements generate severe psychological anxiety because of the permanent social assessment process of racial differentiation. As the example of Khosravi demonstrates, the pressure of being constantly othered through racial discrimination in public is not dependent on the legal status of a person, but is tied to persistent physical characteristics. Thus, formal as well as informal practices of racial profiling move with people beyond national borders, legal status, and institutionalized border practices into daily life and function as a constant reminder of the border carried within.

DELOCALIZED BORDER PRACTICES: NEGOTIATING RACIALIZED MOBILITY REGIMES

Following migratory trajectories through Europe, it becomes evident that racialized border practices are neither restricted to specific national border sites nor bound to institutionalized politics of exclusion. Racialized border practices reach into various institutional, social, and personal strata, since they take place at national border sites, in transit situations, and in everyday life. They demonstrate the fact that in Europe, extended and delocalized demarcation lines of racialized exclusion have been created,

where racial profiling is used to intervene into the “contested politics of mobility” (Squire 2011). Policy-driven forms of racial profiling carried out by border guards are part of this system and adhere to racist knowledge just as much as informal forms of racial discrimination do on the local level. As the introductory example at the Italian-Swiss border illustrates, racial profiling in this context should not be seen as a merely functional practice to control unauthorized migratory movements. Instead, racial profiling contains dysfunctional elements for the regimes that apply it because it hinders desirable practices of mobility which are legally protected by European (inter)national law. Just because people match certain criteria of racist knowledge, they fall under the paradigm of suspicion of moving ‘illegally’. Border regimes are thereby not only reproducing racial demarcation lines, but they simultaneously hinder movements they depend on for their social, cultural, and economic wellbeing.

Focusing on experiences derived from various racial profiling procedures and restricted freedom of movement at border sites and beyond sheds light on racialized “regimes of mobility” (Shamir 2005; Glick Schiller/Salazar 2013). Mobility regimes and trajectories that lead through those regimes offer an analytical lens that highlights racially motivated demarcation lines on different local levels and the ways they intersect with border regimes. It has been demonstrated that social assessment processes contribute as much to racialized mobility regimes as institutionalized border practices and are themselves based on racist knowledge. The question of who enjoys the right to move unimpededly throughout Europe obviously does not only depend on one’s legal status, but on phenotypic differentiations, which are based on racist knowledge.

Deconstructing the racist demarcation lines between those allowed to move freely and those restricted in their right to free movement is of the utmost importance in times of intensified border security measures, which increasingly influence the daily lives of people in Europe. More than ten years ago, Schuster stressed the fact that “European states have developed regimes, sets of practices, that once would have only been possible in war-time, but that today are considered ‘normal’, part of the everyday experience of hundreds of thousands of people across Europe” (Schuster 2003: 246). The applicability of this statement to current conditions is not in doubt. Indeed, circumstances have become even more extreme due to current racial profiling policies that are embedding themselves inland. However, as has been demonstrated, it is neither necessary to cross a national border in Europe in order to feel the “bordered identities” (De Genova 2014) ascribed to people on the move, nor to interact with authorities to be reminded of the current racialized mobility regime. Experiences of racial profiling travel with people who fall under a phenotypic paradigm of suspicion. It must be understood as a kind of delocalized border practice because it extends

into different social and psychological layers in institutionalized as well as informal settings.

What we have to confront is not only the spurious arguments governments use to restrict intra-European and external borders. Along with structural forms of discrimination, informal, everyday border practices must be unveiled so that we may establish a basis for discussions on de-racialized human interaction not only at political border sites, but in local and transitional spaces as well.

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