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 Registration until June 10, 2022
Free registration required
International study day in hybrid format



STUDY DAY



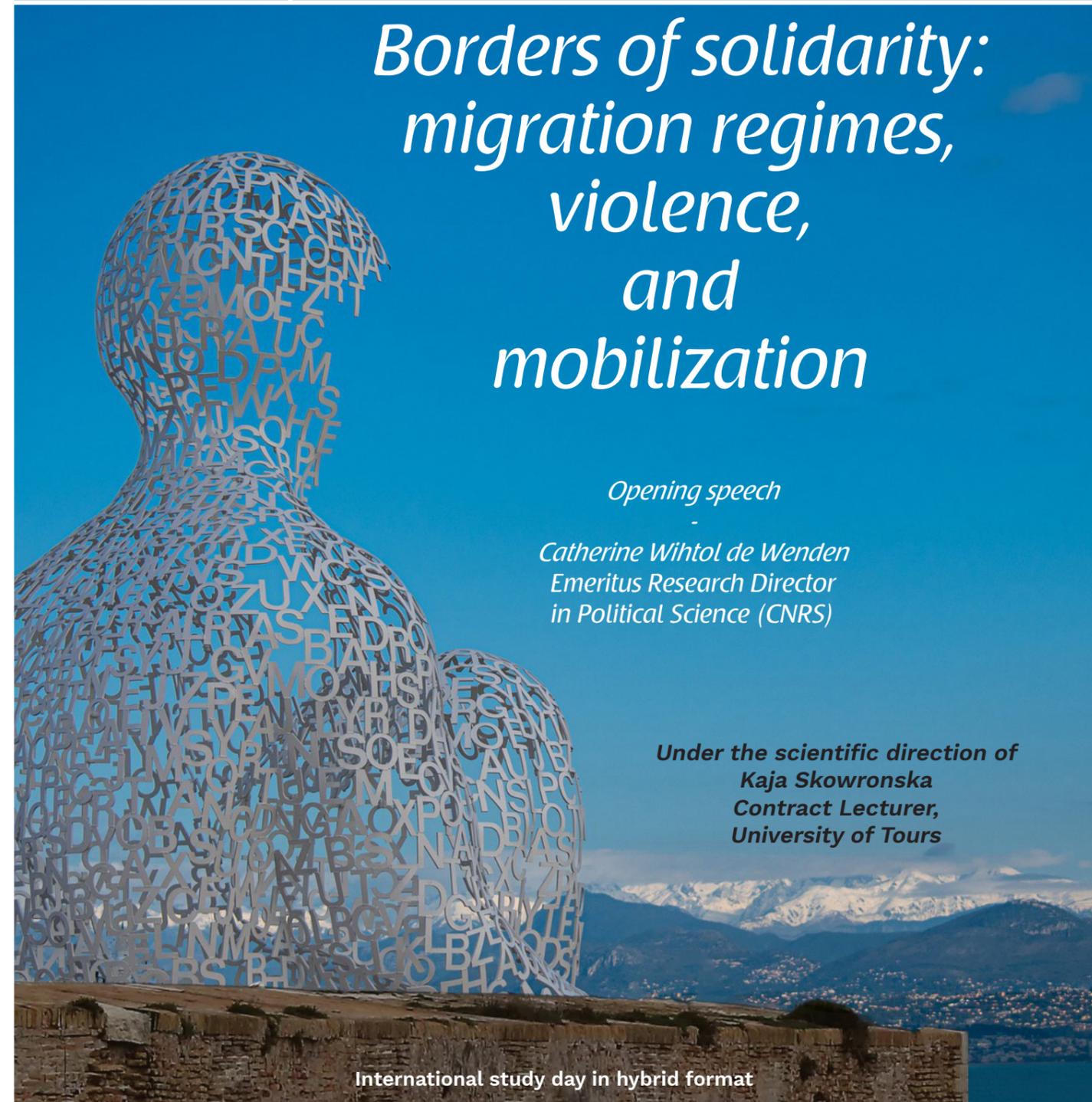
Institute for Interdisciplinary Legal Research
 François-Rabelais (EA - 7496)

Borders of solidarity: migration regimes, violence, and mobilization

Opening speech

Catherine Wihtol de Wenden
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 in Political Science (CNRS)

Under the scientific direction of
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International study day in hybrid format

Faculty of Law, Economics &
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PROGRAMME

Friday, June the 17th, 2022

Borders of solidarity: migration regimes, violence, and mobilization

Since the summer of 2021, the eastern border of the European Union (EU) has become the site of migration-related humanitarian crises, first concerning people crossing borders from Belarus and more recently those fleeing the war in Ukraine. While those recent events are in many ways reminiscent of events in other zones, such as the coast of the Mediterranean, the border regions of the Balkans, or the English Channel, they also illustrate in a particularly striking way the deadly potential of an encounter between migratory dynamics and interstate conflicts. The Belarusian regime has been trying to destabilize neighboring countries by instrumentalizing migrants seeking entry into the EU. Attracted to Belarus by promises of an easier access to European states, they are then subjected to mistreatment by Belarusian law enforcement, taken to the border and pressured to cross it. Faced with this challenge, the Polish conservative government employed a warlike rhetoric and people who arrive in Poland in this way are often denied the opportunity to apply for asylum. Many are driven back to the border and abandoned in an inhospitable forest. They find themselves stuck in a no man's land, forced to repeat the crossing over and over again in dire weather conditions. A state of emergency has been declared in the Polish regions surrounding the border, preventing access to information, but it is certain this policy has already claimed its first casualties. The army has been deployed to the area and the Polish parliament has approved the construction of a barrier along the border. At the same time, Polish civil society organized rapidly to provide assistance to migrants and asylum seekers in distress. Members of specialized NGOs, as well as local residents challenge the authorities and build networks of mutual aid, emphasizing the need to save lives. Meanwhile, the instrumentalization of migrants by the Belarusian regime also paves the way for political uses of this crisis in the EU, be it within the political arenas of member states or at the European level. In comparison, the reactions of both states and civil societies to the arrival of refugees from Ukraine have so far mainly been ones of solidarity and support, opening a series of questions about the varying porosity of borders.

This situation calls for a reexamination of questions concerning borders and migration management in Europe. It invites a comparison between different sites of what is sometimes qualified as a "migration crisis" or a "reception crisis" (Wihtol de Wenden, 2017, 2018), with the aim of grasping both their specificity and their underlying commonalities. It requires an inquiry into the articulation between the recent events in of Central Europe and the broader dynamics of "bordering" that have been observed in multiple other places (Yuval-Davis et al., 2019). Indeed, the situation on the Belarusian border in particular takes place in a specific geopolitical and national context – that of a conflict between the Belarusian regime and its neighbors, and of increasing attacks on the rule of law by the current Polish government. However, it also echoes events that have taken place more generally at the borders of the EU since 2015. The intensification of migration into Europe in recent years has been accompanied by the exacerbation of a border regime characterized by an externalization of borders, a rise in the levels of violence on the part of law enforcement, and a growing "encampment" (Agier, 2014) of migrants, as well as the criminalization of assistance. This can also be seen as part of a trend of multiplication of barriers and border walls observed at least since 2001 (Vallet, 2014). We are thus witnessing the generalization of a logic where borders, while they might not kill directly, expose to death (Khosravi, 2010). The deaths in the wild forest on the Polish border can thus be compared with those in the waters of the Mediterranean or the Channel, while the assistance provided by Polish citizens despite state measures of exception invites one to revisit questions related to rescue at sea and its criminalization. At the same time, this context of "crisis" also gives rise to new mobilizations and new forms of solidarity. State responses to these bottom-up initiatives sometimes reveal tensions in legal principles, resulting in a "judicial policy of criminalizing rescuers" (Miron and Taxil, 2019). These policies can also challenge the values proclaimed by the EU, especially when principles of human rights collide with the imperative of border protection. Meanwhile, migratory issues are fueling a rise in sovereigntist and populist movements, in the face of which the EU struggles to adopt a united position. At the same time, the difference in response to the two recent crises invites a reflection on the racial undertones of those processes as well as on the varying foundations of solidarity.

These recent phenomena – both on the EU's eastern borders since 2021 and on European borders more generally since 2015 – reinforce and confirm more profound and long-studied dynamics. Research in this area has gradually moved away from the idea of a disappearance of state borders to focus instead on their diffuse nature and conceptualize them as multi-situated processes rather than concrete places (Newman and Paasi, 1998). One is therefore led to think of the border as a network of interconnected mechanisms and institutions (Clochard, 2010). At the same time, physical barriers and military infrastructures are increasingly part of this network (Simonneau, 2017), and could be analyzed as the materialization of an asymmetry between the populations thus separated (Ritaine, 2009). These conceptualizations of the border also question the notion of sovereignty by drawing attention to the multiple modalities by which state control of territories and populations can be exercised. Existing research shows that the borders of contemporary states are places of categorization and production of otherness, of reconfiguration of identities, but also of resistance and solidarity. They analyze how border management participates in producing "bare lives" (Agamben, 1997) and "ungrievable lives" (Butler, 2010). The above-mentioned modalities of border control can thus be understood as an extension of policies that place migrants in what Danielle Lochak (1986) refers to as zones of "infra-droit" (below the law). Existing research thus also stresses the production of the illegality to which these policies give rise. Physical and external borders are analyzed as complementary with social borders, a perspective that can be described as the governmentality of immigration (Fassin, 2011).

Recent developments at the Belarusian borders both illustrate and renew these issues, prompting us to re-examine them in light of different national contexts. While it might be too early to provide an in-depth analysis of the migratory phenomena caused by the war in Ukraine, those events also require similar scholarly attention.

In this context, the study day aims to offer, over the course of one day, the space for an interdisciplinary reflection on the positions of the different actors vis-à-vis those areas of "infra-droit" produced by border management policies. It will provide an opportunity to examine the mobilizations and solidarities that are being built around borders, the ways the law is used both by the proponents and opponents of migrant reception, and finally the political uses of the border, on a national and international level. By putting the recent case of the EU's eastern borders into perspective with its wider European context, we will seek to understand both the particularity of each site and the continuities that may exist on a European scale. The study day will also be an occasion to foster dialogue between academics and civil society actors directly grappling with these issues.

Study Day

Borders of solidarity: migration regimes, violence, and mobilization

June 17th, 2022

MORNING

9:00 Registration

9:15 - 10:20 **Opening and keynote**
Catherine Wihtol de Wenden

10:20 - 12:20 **Session 1: Border regimes - differences, convergences, evolutions**

Karolina Follis

"A Tale of Two Borders: Lessons from the differential enforcement of the Polish-Belarusian and the Polish-Ukrainian frontiers"

Swanie Potot and Guilina Breda

"Hybrid war and humanist resistance at the EU's borders"

Marta Górczyńska

"Heroes or criminals? State response to the solidarity movements on the Polish-Belarusian and Polish-Ukrainian border"

Nina Boichenko and Natalia Judzińska

"Humanitarian Crisis on Polish-Belarusian frontier and Researchers at the Border [Badaczki i Badacze na Granicy]: current state of research, ethics, new descriptive categories and research perspectives"

12:20 - 13:45 **Lunch break**

AFTERNOON

13:45 - 15:15 **Session 2 : Discourses, practices and apparatus of border control**

Olivier Clochard

"En finir avec la rétention administrative"

Dariusz Niedzwiedzki

"To be or to be secure?» Poles towards migrants to the Polish-Belarusian and Polish-Ukrainian border in 2021-2022"

Damien Simmoneau

"The obsession of walling borders in the 21st century. Israel, United States of America and beyond"

15:45 - 18:30 **Session 3 : Emergent solidarities - mobilizations, grassroots organization, and resistance**

15:45 - 17:15 **Session 3.1**

Marie Bassi

"La construction de l'immigration comme enjeu militant en Sicile: Mobilisations locales et réseaux de soutien aux étrangers aux frontières de l'Europe"

Robert Rydzewski and Waldemar Rapior

"Building multi-actor coalition. The pro-refugee alliances in Poland"

Marta Pietrusińska

"Doctors as involuntary participants of the humanitarian crisis at the Polish - Belarusian border"

17:30 - 18:30 **Session 3.2**

Pauline Brucker

"Solidarities Under Threat. The Emerging Cause Of Migrants In Authoritarian Egypt (2000-2020)"

Dominika Michalak

"Forms of solidarity with asylum-seekers crossing the Polish-Belarusian border beyond humanitarianism and legal activism"

18:30 - 19:00 **Closing remarks**