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Section III

Chapter 11

Euroscepticism, Nationalism and the Securitization of Migration in the Netherlands

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“The West is suffering from an autoimmune disorder (...) Part of our organism—an important part: our immune system, that which should protect us—has turned against us. We’re being weakened, undermined, surrendered in every respect. Malevolent, aggressive elements are being smuggled into our social body in unprecedented numbers, while true causes and consequences are kept hidden. Police reports about violent incidents at refugee centers are not made public. The attorney general’s office looks the other way when it runs into sharia courts.”

- Thierry Baudet, party leader of Forum for Democracy while addressing his party’s congress in January 2017.

1. Not just another “crisis”

These past two decades the European Union has been hit by two so-called “crises”: the financial or “Euro” crisis of 2008 and the 2015-2016 migration crisis. Whereas both crises have fed into euro-sceptic sentiments, it is safe to say that the response to the financial crisis at least seemed to be somewhat coordinated and uniform with EU member states coming together to reinforce the monetary union through powerful new instruments and sacrificed control over their banking systems to save the euro. The opposite has been true with regard to EU member states’ response to the so-called migration crisis. Driven by a logic of re-nationalization, combined with the rise of xenophobia and identity politics, member states chose to sacrifice part of the functionality of the Schengen Agreement, also known as the Schengen acquis, rather than limit their national decision-making on migration and asylum. By falling back on national measures, such as border controls or fences, to contain the inflows of migrants and asylum seekers, member states chose to limit and monitor the cross-border

[^] This work is part of the 5-year research project “Getting to the Core of Crimmigration” (project number 452-16-003), which is financed through the VIDI research scheme by the Netherlands Organisation for Scientific Research (NWO). The author is project coordinator and principal investigator.

mobility of people and pronouncements became commonplace asserting that the Schengen Agreement – widely considered to be one of the paramount achievements of European integration – was effectively dead.^{1,2} As Kmak describes it, a pressing urge was felt to being able to distinguish between “the Good”, “the Bad” and “the Ugly” immigrant.³ The group of migrants entering the European Union since 2015 would fall into the latter category: asylum seekers or undocumented migrants, a thoroughly unwelcome group of visitors “lumped together under one label, shunned by EU countries, which try to deter them by, among others, building physical obstacles at borders and introducing controls on their territory”.⁴ This lumping together of groups of migrants falls in line with the lumping together of migration and crime both in discourse, laws and practice. This process is also known as the process of crimmigration.⁵

Although the response to the 2015 “crisis” might seem extreme in terms of the measures that are taken and the duration of these measures⁶, concerns about the “open borders” between EU member states have been present from the very first moment in the deliberations about the Schengen Agreement. The viability of the principle of free movement was always questioned. While seeing the economic benefits of the lifting of border checks between

¹ Woude, M. van der and Berlo van “Crimmigration at the Internal Borders of Europe? Examining the Schengen Governance Package.” *Utrecht Law Review* 11, no. 1 (2015): 61-79.

² By November 2015 Germany, Austria, the Czech Republic, Slovakia, the Netherlands, Belgium, France, Italy, Spain and Sweden had all begun to reintroduce temporary border controls. De Genova, Nicholas (2017), *The borders of “Europe”. Autonomy of migration, tactics of bordering*. Durham, NC: Duke University, p. 11.

³ Magdalena Kmak (2015) *Between citizen and bogus asylum seeker: management of migration in the EU through the technology of morality*, *Social Identities*, 21:4, 395-409, DOI: 10.1080/13504630.2015.1071703

⁴ Witold Klaus (2017) *Closing Gates to Refugees: The Causes and Effects of the 2015 “Migration Crisis” on Border Management in Hungary and Poland*, Vol. 15: 11-34, p.14

⁵ Stumpf, J. “The crimmigration crisis: Immigrants, crime and sovereign power.” *American University Law Review* 56, no. 2 (2006):367-419.

⁶ For the latest overview of temporarily reintroduced border controls see: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control_en (last visited July 2019)

member states, countries were also wary about the security deficit this would create due to strong concerns about the ability to secure the external border Europe so that it indeed would become the protected and impenetrable fortress that it is often depicted to be. The migration “crisis” has painfully shown that it is not. Against a background of ever growing concerns about terrorism, transnational crime and its relation with migration, for many countries the “crisis” has provided national governments with a classical window of opportunity⁷ to implement a stricter migration policies, to implement a variety of measures to better monitor cross-border mobility or, in the case of the United Kingdom, to break with the EU all together.

As Lehne observed,⁸ despite the fact that the acute crisis seems to have ended - the EU received 43 percent fewer asylum applications in 2017 than it did in 2016,⁹ the sense of crisis around issues of migration is still deeply entrenched in public and political discourse and, most likely, will remain so for the unforeseen future. In many EU member states, nationalism and identity politics have gained ground, and views that used to be broadly criticized as xenophobic have become commonplace. Populist political forces—as well as some mainstream politicians and media outlets—are benefiting from anxieties about migration and doing everything they can to keep them alive. Can we conclude that with the erosion of the principle of free movement something has fundamentally been broken in the European

⁷ Kingdon, J.W. (1995), *Agendas, Alternative's and Public Policies*, New York: Longman

⁸ Lehne, S. (2018) *The EU Remains Unprepared for the Next Migration Crisis*, via: <https://carnegieeurope.eu/2018/04/03/eu-remains-unprepared-for-next-migration-crisis-pub-75965> (last visited on July 2019)

⁹ European Asylum Support Office (2017) *Annual report on the Situation of Asylum in the European Union 2017*, Luxembourg: European Asylum Support Office. The report can be obtained via: <https://www.easo.europa.eu/sites/default/files/Annual-Report-2017-Final.pdf>

Union, or are we just finally seeing what has always been present underneath the surface? If so, how do we move from here?

The aim of this chapter is twofold: First of all, it will argue that the principle of free movement in Europe was never meant to be all-inclusive and how this is illustrated by the ways in which member states can still police and monitor intra-Schengen cross-border mobility. Furthermore, illustrated by the case of the Netherlands as a country that is traditionally and internationally seen as tolerant, open and lenient, the chapter will illustrate how, over time, discussions on migration and the functioning of the European union have become securitized and politicized.¹⁰ This securitization and politicization of migration in Europe has contributed to the fact that the objectives of border control in many countries, both inside and outside the EU, are increasingly inscribed into discourses about crime and punishment and into everyday practices of contemporary penal regimes. By drawing from literature on globalization, nationalism and crimmigration, the chapter will reflect upon how (Western) European countries are trying to revitalize national identity and keep out the foreign and culturally different.

2. Globalization, nationalism and (new) racism in Europe

Globalization is seen to produce new sources of insecurity and challenges to the security of states in particular. Under conditions of globalization, the distinction between domestic and international is increasingly blurred, along with the line between internal and external threats. Irregular migrants are emblematic of the hybrid threat, characterized as a threat

¹⁰ Katja Franko, Maartje van der Woude & Vanessa Barker (2019) Beacons of Tolerance Dimmed? Migration, Criminalization and Inhospitability in Welfare States. In: Synnøve Bendixsen & Trygve Wyller (eds.) *Contested Hospitalities in A Time of Migration: Religious and Secular Counterspaces in the Nordic Region*. London: Routledge (*In Press*)

both to national security and sovereignty and to safety and order inside the state. Borders and mobility policing are therefore inextricably connected to state sovereignty. As will be discussed in the next paragraph, this reflection around the link between sovereignty and control of an individual's mobility is particularly striking in the case of the internal borders of the Schengen area. By policing the mobility brought about by the ongoing globalization of society, national – and even local - order and security regimes are created and shaped by national and or local notions of social order and belonging. And this is where matters of state's responses to globalization link with the notion of nationalism.

Nations and nationalism, propagate a sense of shared identity, solidifying a distinctive cultural heritage, and personality for a given named population. Consequently, nationalism is used to maintain distance from others. The nationalist community strives to preserve the “land, culture, language, political institutions and way of life. Cultural differences are being seen as a threat to the existing way of life, and it is thus seen as rational to preserve one's culture through the exclusion of other cultural groups. Supposed cultural similarities and norms are grouped, necessitating the separation of those who do not “belong” from those who do. According to Ibrahim,¹¹ it is as a result of this obsession with cultural homogeneity that immigrants are linked with “the demise of the nation”, an attitude that should be understood as racism. Whereas in many European countries – as a result of the atrocities of WWII – the term ‘race’ is not openly used, it is important to see and to acknowledge that it has been replaced by the term ‘culture’ and the fear of cultural heterogeneity and the wish to preserve cultural homogeneity – in particular by societies in the Global North.

¹¹ Ibrahim, M. (2005). The Securitization of Migration: A Racial Discourse. *International migration*, 43(5), 163-187.

The use of the “crisis” rhetoric in discussing the migration tragedy in Europe fits in seamlessly with the strong nationalistic sentiments in Europe, as it directly places an out-of-the-ordinary situation in a discourse that sees Europe as a continent under siege, a continent at war.¹² Within this discourse, refugees and other migrants are ambivalently, and sometimes interchangeably, portrayed as victims and dangerous invaders – posing a threat to 'our' safety, economic well-being, cultural identity, language and values.¹³ Also, it is precisely through the idea of an invading outside that a distinguishable and coherent inside is reaffirmed. Thus, the nation is brought forth as if it were a subject – a subject that must dramatically stage control over its borders in order to remain safe, prosperous and pure.¹⁴ Insofar as nationalism propagates a national identity and an ideal of a territorially bound community, it functions as an attempt to combine standardized notions of belonging with the desire to expel and exclude. It dictates terms of welcome into the state through establishing of imaginary and physical borders. Significantly, both Carrington (2006) and Lueck et al. (2015) suggest that nationalist ideals thus support the enforcement of borders as they demarcate sovereign space.¹⁵ Related to this, Sassen notes that to give up control of territorial borders is to relinquish one powerful instrument in the production of national cultures, as borders mitigate social pluralization and therefore a political challenge to the

¹² Baerwaldt, N. (2018) The European Refugee Crisis: Crisis for Whom?. Available at: <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2018/03/european-refugee> (Accessed July 2019).

¹³ Dhaliwal, Sukhwant; Forkert, Kirsten (2015) Deserving and undeserving migrants. *Soundings*, Number 61, November 2015, pp. 49-61(13); Gilroy: (1987). The myth of black criminality In Donald, J., & Rattansi, A. (Eds.), *Race, culture and difference* (Vol. 1). Sage.

¹⁴ Sara Ahmed. "Affective Economies." *Social Text* 22, no. 2 (2004): 117-139. <https://muse.jhu.edu/> (accessed July 6, 2019).

¹⁵ Carrington K (2006) Law and order on the borders in the neo-colonial antipodes. In: Pickering S and Weber L (eds) *Borders, Mobility and Technologies of Control*. Berlin: Springer Verlag, pp. 179–206; Lueck, K., Due, C., & Augoustinos, M. (2015). Neoliberalism and nationalism: Representations of asylum seekers in the Australian mainstream news media. *Discourse & Society*, 26(5), 608–629. <https://doi.org/10.1177/0957926515581159>

hegemony of state-sanctioned modes of national existence.¹⁶ Nationalism supports the protection of territorially bound national communities and justifies the physical as well as psychological exclusion of those perceived as different.

In discussing the influence of globalization on the relationship between states, non-state actors and the nature and meaning of territorial and temporal borders, the fact that globalization is serving both licit and illicit flows, including irregular migrants such as asylum seekers, refugees, ‘illegal’ workers and stateless people, is flagged as an important challenge for states. In pushing for stricter border control and migration measures, states tend to emphasize the illicit aspects of globalization in such a way that according to Andreas,¹⁷ “Illicit globalization has become the poster child for arguments that states are losing control”, and therefore that measures need to be taken as soon as possible. As the concerns for and risks of illicit globalization resonate with the popular imagination, are confirmed daily in media stories and policy publications, it might seem hard to be critical about the measures that are taken in response to these concerns and risks. “Traffickers *are* routinely defying borders, mocking law enforcement and sometimes violently challenging the state. (..) It is clear that the same global transformations in communication, transportation and finance that aid legitimate business also aid illicit business.”¹⁸ Nevertheless, in the light of the far-reaching implications of nationalism that will be discussed in this paragraph, it is important to realize that the temptation to simply blame globalization for increased feelings of insecurity and unease is much too easy and convenient and that it can fuel calls to further escalate rather

¹⁶ Sassen, S. (1999). *Guests and Aliens*. New York: New Press.

¹⁷ Peter Andreas (2015). "Illicit Globalization: Myths, Misconceptions, and Historical Lessons." In: Valsamis Mitsilegas, Peter Alldridge & Leonidas Cheliotis (eds) *Globalisation, Criminal Law & Criminal Justice*. Oxford: Hart Publishing, 45-64, p. 45

¹⁸ Id. p. 46

than re-evaluate flawed policies and policing strategies. And, if there is anything we need in Europe right now when it comes to dealing with issues of migration and border management, it is a sense of distance and a critical assessment of the various (supra)national measures that have been put in place from 2015 onwards. Rather, by looking at the outcomes of elections in various member states as well as on the EU level, it seems fair to say that the negative emotions and social fears of “the other” are still successfully exploited. European political populism is constantly growing, and manifests itself mainly in the general rejection of the principle of equality of treatment and in the more and more overt hostility towards migrants and refugees.¹⁹

The objectives of border control in many countries, both inside and outside the EU, are increasingly inscribed into discourses about crime and punishment and into everyday practices of contemporary penal regimes. This illustrates how countries are trying to revitalize national identity and keep out the foreign and culturally different, as well as fend off those who wish to take claim on the resources and protect welfare rights for citizens. The sorting between bona fide global citizens and the ‘crimmigrant others’ by means of legal measures and practice is central to the growing body of scholarship on crimmigration – the merger of crime control and migration control.²⁰ The notion of borders is frequently

¹⁹ A. Gliszczyńska-Grabias, W. Klaus, “Governmental Xenophobia” and Crimmigration: European States’ Policy and Practices towards “the Other”, “No-Foundations: An Interdisciplinary Journal of Law and Justice” 2018, vol. 15, s. 74-100; Delanty, Gerard. “Introduction: Perspectives on Crisis and Critique in Europe Today.” *European Journal of Social Theory* 17, no. 3 (August 2014): 207–18. doi:10.1177/1368431014530922.

²⁰ Aas, K. “Crimmigrant’ bodies and bona fide travelers: Surveillance, citizenship and global governance.” *Theoretical Criminology* 15, no. 3 (2011): 331–346; Aas KF (2013) *The Ordered and the Bordered Society: Migration Control, Citizenship, and the Northern Penal State*. In: KF Aas and Bosworth M (eds) *The Borders of Punishment: Migration, Citizenship and Social Exclusion*, Oxford, UK: Oxford University Press: 21-39; Barker, Vanessa. 2012. *Global Mobility and Penal Order: Criminalizing Migration, A View from Europe*. *Sociology Compass* 6 (2): 113–21; Stumpf, J. “The crimmigration crisis: Immigrants, crime and sovereign power.” *American University Law Review* 56, no. 2 (2006):367-419; Woude, M. van der and Berlo van “Crimmigration at the Internal Borders of Europe? Examining the Schengen Governance Package.” *Utrecht Law Review* 11, no. 1 (2015): 61-79.

discussed in the crimmigration literature. Scholars have pointed out that the merging field of crimmigration control functions as a clear gatekeeper in terms of membership and access. On the one hand, this has resulted in borders seen as 'being everywhere'²¹ as a wide range of non-traditional social control agents becoming pulled into the task of sorting between the deserving and undeserving migrant.²² On the other hand physical borders seem to become again viewed as major tools of exclusion "(...) that can be strengthened and fostered to protect a community and a society against a phantasmic threat of otherness that tends to become flesh in the demonized and abject figure of a migrant or refugee".²³

3. Free movement for the good, not the bad and the ugly

The previous section presents a theoretical lens through which one could observe and analyze the situation in the European Union, in which member states - driven by the fears of globalization and the loss of the nation state, its safety and its cultural homogeneity - increasingly tend to resort to restrictive hybrid measures of migration and crime control. Thus upsurge of nationalism and extreme right, anti-immigrant, sentiments may seem at odds with the spirit of the European Union, a spirit of . unity, solidarity and harmony. Yet, looking at the extent to which migration law has been harmonized²⁴, but also at the different

²¹ Balibar E (2002) *Politics and the Other Scene*. London: Verso; Mutsaers P (2014) An Ethnographic Study of the Policing of Internal Borders in the Netherlands. *Synergies Between Criminology and Anthropology, British Journal of Criminology*, 54 (5): 831-848

²² Guiraudon V and Lahav G (2000) A Reappraisal of the State Sovereignty Debate The Case of Migration Control. *Comparative political studies* 33 (2): 163-195; Ambrosini M and Van der Leun JP (2015) Introduction to the Special Issue: Implementing Human Rights: Civil Society and Migration Policies. *Journal of Immigrant and Refugee Studies* 13 (2): 103-115.

²³ Rajaram P.K and Grundy-Warr C (2007) *Borderscapes*. Minneapolis MN: University of Minnesota Press

²⁴ Florian Trauner (2016) Asylum policy: the EU's 'crises' and the looming policy regime failure, *Journal of European Integration*, 38:3, 311-325, DOI: 10.1080/07036337.2016.1140756; Marco Scipioni (2018) Failing forward in EU migration policy? EU integration after the 2015 asylum and migration crisis, *Journal of European Public Policy*, 25:9, 1357-1375, DOI: 10.1080/13501763.2017.1325920

ways in which member states have responded to the increased numbers of migrants entering the European Union since 2015, it seems safe to say that the continent is – rather unsuccessfully – trying to grapple with a new reality of increased mobility and the impossibility to control the expression of the freedom of movement of the human species on a global scale. The result is, a mish mash of national measures, practices and legal procedures that do not necessarily serve the broader purpose of the union. Also, when looking at the origins of the 1985 Schengen Agreement, it becomes clear that it is built on fears of crime and migration. Indeed, ironically, the establishment of an area without borders has effectively stimulated border control, since the notion that European integration via the opening of internal borders would lead to an increase in crime and more mobile criminal organized groups became the shared belief underpinning Schengen. In particular, third country nationals and irregular migrants are increasingly seen as potential safety risks.²⁵ So, in response to the lifting off border checks between two Schengen countries – further referred to as intra-Schengen border checks – the signatory countries pushed for compensatory measures to counter the perceived risks of uncontrolled irregular migration and cross border crime. Among these measures were the reinforcement of external border control as well as police and judicial cooperation, common visa and asylum policies and the use of databases such as the Schengen Information System (SIS) or the European Dactylographic System (Eurodac) to keep track of intra-Schengen mobility.²⁶ The call for

²⁵ Cholewinski, R. "Criminalisation of Migration in EU Law and Policy." in *Whose Freedom, Security and Justice? EU Immigration and Asylum Law & Policy*, edited by A. Baldaccini, E. Guild, and H. Toner, 301-336. Hart Publishing, 2007; Engbersen et al. 2007; De Giorgi, A. "Immigration control, post-Fordism, and less eligibility: A materialist critique of the criminalization of immigration across Europe." *Punishment & Society* 12, no. 2 (2010): 147-167.

²⁶ Bigo, D. (1996) *Polices en réseaux: L'expérience européenne*, Paris: Presses de la Fondation Nationale des Sciences Politiques, 1996; Morten Jarlbæk Pedersen (2015) *The intimate relationship between security,*

these compensatory measures seems to echo the more general sense of unease around immigration in Europe that can be traced back to the 1980s when immigration – and in particular asylum issues – started to become more and more politicized. It is from this moment onwards that migration is started to be identified as being one of the main factors weakening tradition and social homogeneity. These concerns were used to justify the need to protect the European community from the external enemy and build “Fortress Europe”, a project that from the very start was aimed at keeping migrants – refugees especially – at bay by implementing legal and physical barriers to obstruct entry to Europe and facilitate deportation from its territory.²⁷

A closer look at the intra-Schengen borders

Besides the aforementioned compensatory measures, the Schengen Border Code (SBC) sets out standards and procedures to be followed in controlling the movement of persons across internal Schengen borders. In other words, the SBC still acknowledges the necessity of mobility control between Schengen member states, which makes one wonder how “free” intra-Schengen movement was ever meant to be.

The most drastic way to “police” intra-Schengen cross border mobility is by temporarily reinstating permanent border controls and thus breaching the principle of free movement. In Article 2(2) Schengen Convention and Articles 25-27 SBC, the Schengen acquis includes a procedure for the temporary reinstatement of internal border controls for the duration of 30 days in case of a serious threat to public policy or internal security. In order to assess

effectiveness, and legitimacy: a new look at the Schengen compensatory measures, *European Security*, 24:4, 541-559, DOI: 10.1080/09662839.2015.1014808

²⁷ Huysmans, J. “The Politics of Insecurity: Fear, Migration and Asylum in the EU. *New International Relations Series.*” London, UK: Routledge, 2006.

whether there is indeed a serious threat, states must provide ‘all relevant data detailing the events that constitute a serious threat to its public policy’. Articles 28-30 of the Schengen Borders Code provides for the possibility of a temporary reintroduction of control at internal borders ‘in exceptional circumstances where the overall functioning of the area without internal border control is put at risk’. In this case, the internal borders can be closed for a period of up to six months. A period that may be prolonged, no more than three times, for a further period of up to six months if the exceptional circumstances persist. After September 2015, several Schengen countries - Germany, Austria, Slovenia, Hungary, Sweden, Norway, Denmark and Belgium - reintroduced internal border controls due to an alleged “big influx of persons seeking international protection” or “unexpected migratory flow”. All of the above-mentioned countries (except Hungary) initially invoked the procedure under Article 27 of the SBC in 2015 which allows a Member State to prevent foreseeable threats. In addition, two other Member States – France and Malta - reintroduced internal border controls in line with the procedure under Article 28 of the SBC, which can be used to prevent a foreseeable “serious threat to public policy or internal security”. Looking at the reasons that have been put forward by countries – and accepted by the European Council – to justify the reintroduction of border checks, it is clear that unexpected mass migration – described in whichever way - qualifies as an “exceptional circumstance” as referred to in article 29 of the SBC.²⁸

Although much of the international attention went to those countries that temporarily reinstated permanent border checks, it is important to realize that the SBC offers countries

²⁸ Woude, M. van der and Berlo van “Crimmigration at the Internal Borders of Europe? Examining the Schengen Governance Package.” *Utrecht Law Review* 11, no. 1 (2015): 61-79.

an alternative to this drastic measure. This alternative might be even more drastic in terms of monitoring mobility as article 23 of the SBC allows immigration and/ or police checks to be carried out by national law enforcement agencies in border areas. So by policing an area around the border, yet not performing checks at the physical border between two countries, these police or immigration checks are “Schengen proof”. As argued more extensively elsewhere, this leaves a lot of room for discretion not just for countries on how to interpret and implement article 23 SBC, but potentially also for street level officers that are tasked with performing these checks ²⁹. Article 23 SBC makes clear that lifting border controls does not mean giving up all forms of control and that there is a middle way between fully open and fully closed borders. Over the past couple of years, many Member States have introduced these types of checks, mostly identity checks, some more structurally than others. As a result of the use of these “scattered security checks”, one could state that the Schengen Border Code allows for the border to be everywhere and nowhere at the same time. Whereas this could be seen as even more problematic in the light of the principle of free movement, in an attempt to avoid countries to too easily reintroduce internal border controls by closing their intra-Schengen borders, the European Commission issued a recommendation in May 2017 in which it “(...) encourages Member States to better use their police powers and to give precedence to police checks before deciding on the temporary reintroduction of internal border controls”. Almost all European Member states are policing their intra-Schengen

²⁹ Woude, M. van der, Leun and J. van der. “Crimmigration checks in the internal border areas of the EU: Finding the discretion that matters.” *European Journal of Criminology* 14, no. 1 (2017): 27-45; Woude, M van der and Brouwer. “Searching for “Illegal” Junk in the Trunk: Underlying Intentions of (Cr)Immigration Controls in Schengen’s Internal Border Areas.” *New Criminal Law Review* 20, no. 1 (2017): 157-179; Colombeau, S. “Policing the internal Schengen borders – managing the double bind between free movement and migration control.” *Policing and Society* 27, no. 5 (2017): 480-493.

border zones in line with article 23 SBC nowadays.³⁰ Yet, one of the countries that has used this form of intra-Schengen policing since the very beginning of the implementation of Schengen in 1994, is the Netherlands. This is not a surprise: As shown by Dekkers, Van der Woude and Van der Leun in their discourse analysis of Dutch parliamentary debates, the opening of the internal borders had the Dutch parliament worried from the get go.³¹ As the last section of this chapter will illustrate, these worries seem to be indicative for the exclusive nature of the internationally renowned Dutch tolerance.

Rather than focusing on the legal and policy measures that have been taken in the realm of immigration, integration and border control, the next paragraph will focus on the way in which these matters were addressed in political discourse. By, over the years, framing migration and integration along the lines of risk, danger, crime and terrorism, political discourse has contributed to nationalist and nativist sentiments and the crimmigration laws and policies supporting these sentiments (for a discussion on crimmigration law and policy in the Netherlands see Van der Woude, Van der Leun & Nijland 2013). So, in other words, in order to understand the origins of crimmigration laws and policies, the *how* of immigration and border control, it is necessary to unravel it's underlying drivers, the *why*.

4. Reflections from the Lower Countries

Several countries in Northern Europe have the international reputation of being leading examples on inclusion, equality and tolerance. With strong welfare systems in place, countries such as Norway, Sweden and the Netherlands, are seen as countries that in general

³⁰ EMN Ad-Hoc Query on Intra-Schengen border monitoring and border control Requested by NL EMN NCP on 4th June 2018, via: <https://ec.europa.eu/home-affairs/sites/homeaffairs/files/2018.1303 - intra-schengen border monitoring and border control.pdf>

³¹ Dekkers, T., Woude, M van der., and Leun, J van der. "Exercising Discretion in Border Areas: On the changing social surround and decision field of internal border control in the Netherlands." *International Journal of Migration and Border Studies* 2, no.4 (2016): 382-402.

are taking good care of their citizens. Besides the aspect of social welfare, having relatively mild and humane penal climates also seems to be part of this grand narrative of hospitality and inclusion. Dutch criminal justice polices have long been characterized as “tolerant”, lenient and liberal: permissive towards many vices, foreigner-friendly and blessed with a mild penal climate and perceived to be a beacon of moderation.³² The centrality of tolerance and humanity in matters of criminal justice in the Netherlands seems to coincide with a strong emphasis on human rights. With Norway and Sweden, the Netherlands is often depicted as a so-called *gidsland* (“guiding country”) and thus seen as the ‘conscience of the world’ by setting moral standards in international relations and guiding other countries in the proper direction.³³ Whereas, compared to other countries, the Dutch prison and criminal justice system might appear to be more human, when looking at the public and politic discourse around criminal justice, but in particular in relation to migration, the famous Dutch tolerance seems to be long gone. In the following section I will illustrate how, ever since the turn of the century, migration and crime, but also Europe’s ‘open’ borders started to appear as key topics the agendas of newly established and very successful populist – and nationalist – political parties in the Netherlands. In so doing, I do not intend to present a fully-fledged and in-depth case study of the Netherlands but rather will paint in fairly broad strokes the consistency in anti-immigrant sentiments and concerns about intra-Schengen mobility in

³² Downes, David. 1988. *Contrasts in Tolerance: Post-war Penal Policy in the Netherlands and England and Wales*. Oxford: Clarendon.

³³ Dahl, Ann-Sofie. (2006). Sweden: Once a Moral Superpower, Always a Moral Superpower?. *International Journal: Canada's Journal of Global Policy Analysis*. 61. 895-908. 10.1177/002070200606100408.; Engh, S. (2009). The Conscience of the World?: Swedish and Norwegian Provision of Development Aid. *Itinerario*, 33(2), 65-82. doi:10.1017/S0165115300003107; Herman, Joost. "The Dutch Drive for Humanitarianism: Inner Origins and Development of the *Gidsland* Tradition and Its External Effects." *International Journal* 61, no. 4 (2006): 859-74. doi:10.2307/40204220.

Dutch political discourse (for an in depth case study of the Dutch discourse on integration and migration see Lucassen & Lucassen 2015).³⁴

Post-war political correctness around integration and migration

In describing policy making in the Netherlands, Lijphart highlights stability and calmness as some of the distinguishing features.³⁵ This, according to Lijphart and others³⁶ could be explained by the coalition structure of Dutch governments, that create a necessity to bargaining and compromising. As Pakes notes, as a result, Dutch politics did not tend to be crisis driven, nor was it likely for radical shifts in policy to occur.³⁷ With politicians operating more or less “distant” from the electorate, partly because members of parliament only represent their party, and not a town or region, and also because of traditional restraint in press reporting, they tended to be consensus-oriented and relatively shielded from criticism. As, again, Pakes observes: “Those circumstances in the post-war decades gave politicians a certain amount of breathing space that has served as a safeguard against radical populist changes in policy in the area of law and order”.³⁸ Whereas this image of Dutch politics and policy making might have been accurate in the 1970s and even still the 1980s, several authors have described how from the 1990s onwards, crises in governance and in criminal

³⁴ Lucassen, Leo; Lucassen, Jan. The Strange Death of Dutch Tolerance: the Timing and Nature of the Pessimist Turn in the Dutch Migration Debate. *The Journal of Modern History*, Vol. 87, No. 1, 01.04.2015, p. 72-101

³⁵ Lijphart, Arend. 1968. *The Politics of Accommodation: Pluralism and Democracy in the Netherlands*. Berkeley: University of California Press.

³⁶ Andeweg, R.B. en Irvin, G.A. (2009), *Governance and Politics of the Netherlands*, Hampshire: Palgrave Macmillan; Haan, W.J.M. de (1990), *The Politics of Redress. Crime, Punishment and Penal Abolition*, London: Unwin Hyman

³⁷ Pakes, Francis. 2004. The Politics of Discontent: The Emergence of a New Criminal Justice Discourse in the Netherlands. *Howard Journal of Criminal Justice* 43 (3): 284–98.

³⁸ Pakes, Francis. 2004. The Politics of Discontent: The Emergence of a New Criminal Justice Discourse in the Netherlands. *Howard Journal of Criminal Justice* 43 (3): 284–98, p. 285

justice and matters of immigration in particular became highly politicized.³⁹ The mid 1980s also seem to mark a shift in the political correctness around matters of integration and migration, matters that in the previous decades were not problematized at all. This dominant ideology of equality and antiracism in the 1960s and 1970s originated in the growing awareness of the atrocities of the Second World War, especially the Holocaust, the full weight of which was only acknowledged, after a considerable time lag, from the 1960s onward. Many people simply deemed it morally wrong to make migrants a plaything of political strife and societal discontent. Yet, although obviously a very important factor, it is not just the influence of the Second World War that stimulated this inclusive political climate in which any discussion along the lines of race or ethnicity was shunned. As Lucassen and Lucassen rightfully observe:⁴⁰

“Added to this was indignation about apartheid in South Africa and—again belatedly—about the war crimes committed by European states in the postwar decolonization process by France in Algeria, the Netherlands in Indonesia, Belgium in the Congo. This created moral indignation and prompted international awareness, at least in the West, of the grave dangers of racism and discrimination and led to the wish to ban such barbaric behavior once and for all. In the Netherlands this “ethical revolution” was more intense than in other countries - with the exception of Germany,

³⁹ Downes, David, and René van Swaaningen. 2007. *The Road to Dystopia; Changes in the Penal Climate in the Netherlands*. In *Crime and Justice in the Netherlands*, ed. Michael Tonry and Catrien J. Bijleveld, 31–72. Chicago, IL: Chicago University Press.

⁴⁰ Lucassen, Leo; Lucassen, Jan. *The Strange Death of Dutch Tolerance: the Timing and Nature of the Pessimist Turn in the Dutch Migration Debate*. *The Journal of Modern History*, Vol. 87, No. 1, 01.04.2015, p. 72-101, p. 80.

partially owing to the realization that the survival rate of Jews in the Netherlands had been much lower than that in neighboring countries.”

From the mid-1980s onwards, slowly but securely there is a shift in the debate on integration and migration. Both scholars and politicians are openly – yet very cautiously – critical about the integration policies at the time. It had become clear that the guest workers from Italy, Spain, Greece, and Yugoslavia, as well as Morocco, Tunisia, and Turkey, that were brought to the Netherlands to temporarily help with the excess work as a result of the post-WWII booming economy would not return to their countries of origin at all. In fact, from the 1970s onward they used their worker rights to bring their families to the Netherlands, thereby quintupling the original number of guest workers. The lacking integration policies at the time are said to have caused the children of these first generation guest workers to grow up torn between different cultures, which was said to contribute to delinquent behavior. With the political and public debate focusing on the criminal behavior of the “second generation”—the children of former Turkish and Moroccan guest workers—and to a lesser extent on lower-class colonial migrants from the Dutch Antilles, in the mid-1980s a turn is visible in which not only crime was placed within a law and order discourse over a penal welfarist/rehabilitation discourse, but that also explicitly seemed to link migration – or the lack of integration – and crime. Crime and migration are also no longer seen as concerns exclusively for professionals within the institutions of the criminal justice and immigration system, but rather as important matters of public concern that therefore needed to be addressed openly. In so doing, migration and crime are increasingly becoming politicized and placed within what can be called a cultural security complex. “Whereas crime in the previous wave was

seen particularly to endanger personal security, in this discourse it is seen to threaten the cultural fabric of society. Over-offending minority groups are regarded to not only endanger victims, but also to violate the permissive and tolerant Dutch society as a whole. Their offending per se is part of that danger, but their perceived failure to adopt a Dutch tolerant way of life has increasingly become part of the same threat.”⁴¹ It was not until the mid-1990s and early 2000s that it became clear that anti-immigrant sentiments in the Netherlands were, for an important part, anti-Islam sentiments. With a large percentage of the former guest workers being Muslim, immigration and Islam were easily lumped together as one and the same.

A multicultural drama and the rise of anti-Islam sentiments

When tracing the history of more openly and more populist anti-immigrant, or better said anti-Islam, debates in the Netherlands, a key moment seems to be the publication of an article in one of the countries national newspapers at the turn of the millennium with the title “A Multicultural Drama”.⁴² The article can be seen as a culmination of fears and concerns that were sparked by the publication of Rushdie’s “The Satanic Verses” in 1984 and the outrage Rushdie’s work sparked among groups of Muslim immigrants in the Netherlands and other European countries. In calling for the banishment of Rushdie’s work on religious grounds, immigration – and especially Islam - critics on both the political Left and Right were keen to point out that by protesting against Rushdie immigrants were showing their true ‘intolerant’ faces.⁴³ Whereas the Left’s discomfort with Islam can be found in the threat Islam

⁴¹ Pakes, Francis. 2004. The Politics of Discontent: The Emergence of a New Criminal Justice Discourse in the Netherlands. *Howard Journal of Criminal Justice* 43 (3): 284–98, p. 293.

⁴² Paul Scheffer, “The Multicultural Drama,” *NRCHandelsblad*, January 29, 2000

⁴³ Lucassen, Leo; Lucassen, Jan. The Strange Death of Dutch Tolerance: the Timing and Nature of the Pessimist Turn in the Dutch Migration Debate. *The Journal of Modern History*, Vol. 87, No. 1, 01.04.2015, p. 72-101

was seen to the liberal and anti-religious values that were fought for and over for so long, the Rightwing discourse on Islam was framed along the lines of assimilation and the impossibility of Muslim immigrants to integrate. Despite not openly wanting to admit this to each other, their concerns seem to come together around the threat that the different cultural background of Muslims – as well as the process of European integration – would pose for “Dutch national identity”.⁴⁴

In ‘A Multicultural Drama’ publicist Paul Scheffer expresses his grave concerns about the effectiveness of Dutch integration politics. According to Scheffer, by not taking integration seriously, the Dutch government has created dangerous disparities between different groups within society, with people from an ethnic minority background being clearly in a disadvantaged position. Scheffer warns for these disparities to lead to a deep polarization of Dutch society and thus to greater tensions between people from different ethnic backgrounds. Although debates over the alleged overrepresentation of ethnic minorities – in particular Moroccan youth and youth from the Dutch Antilles - in some of the petty crime statistics date back to the mid-1980s, this article and the debates it spurred can be regarded as the keystone of the fierce criticism of political correctness and the few remaining defenders of multiculturalism found themselves in the dock.⁴⁵ As various scholars have pointed out, this breeding ground with increasingly openly voiced apprehensions about the Dutch multicultural society and concerns about immigration, integration and crime, in

⁴⁴ Paul Scheffer, “Nederland als een open deur,” NRC Handelsblad, January 7, 1995.

⁴⁵ Lucassen, Leo; Lucassen, Jan. The Strange Death of Dutch Tolerance: the Timing and Nature of the Pessimist Turn in the Dutch Migration Debate. *The Journal of Modern History*, Vol. 87, No. 1, 01.04.2015, p. 72-101

particular in relation to the Muslim population, became only further fertilized by the unease that occurred globally in the aftermath of 11 September 2001.⁴⁶

Whereas, as mentioned, crime was already creeping up the list of priorities in the 1990s, crime and security were the principal issues in the May 2002 general elections in the Netherlands. The key figure of those elections, Pim Fortuyn, was a minor public figure for years, but rose to prominence in 2001 as the leader of a political party called *Leefbaar Nederland* (Liveable Netherlands), a party he left in February 2002 following controversy concerning public statements on immigration. Soon after he founded his own party, the *List Pim Fortuyn*. Fortuyn acquired notoriety for his fulminations against the Muslim faith and culture that he called backward.⁴⁷ He juxtaposed traditional Dutch values of tolerance to that of the Muslim culture and argued that Muslim immigration would jeopardize essential values of Dutch society. He called for a stop on immigration from Muslim countries and at one time called for a change in the Constitution to amend the ban on discrimination that is guaranteed in Article 1. His stance against Muslim culture, which for several years largely fell on deaf ears met with increased public approval in the aftermath of 11 September 2001. Fortuyn primarily campaigned against the government in office – a coalition of labor (PvdA), liberals (VVD) and progressive democrats (D66) – that he accused of complacency, lack of ambition and a failure to provide for governance in the areas of health and social care, education, and most particularly in the areas of immigration, integration, crime and security, issues that

⁴⁶ Buruma, I. (2006), *Murder in Amsterdam, Liberal Europe, Islam and the Limits of Tolerance*, London: Penguin Books; Woude M.A.H. van der (2012), *Dutch counterterrorism: An exceptional body of legislation or just an inevitable product of the culture of control?*. In: Ellian A., Molier G. (red.) *The state of exception and militant democracy in a time of terror*. International studies library nr. 36 Dordrecht: Republic of Letters Publishing. 69-95.

⁴⁷ Fortuyn, P. (1997, 2001), *De islamisering van onze cultuur. Nederlandse identiteit als fundament*, Rotterdam: Karakter/Speakers Academy.; Fortuyn, P. (2002), *Puinhopen van acht jaar Paars*, Amsterdam: Uitgeverij Balans.

Fortuyn regarded as inseparable. He criticized their 'regentesque' attitude that estranged the government from the population and served to perpetuate the position of those in power whilst enforcing policies that had gone stale. Fortuyn's persona and style of debating constituted a novelty in Dutch politics traditionally characterized by prudence, serenity and compromise. With regard to immigration and asylum seekers Fortuyn advocated a withdrawal of the Schengen agreement and the reinstatement of border controls. He also advocated a re-examination of the UN charter on refugees from 1951. The aim was a reduction in the number and capacity of asylum seekers and a firmer policy on integration. Fortuyn, in passing, called Bush and Chirac's war on drugs idiotic, and Bush's war on terrorism brainless.⁴⁸

The anti-immigration and anti-Muslim feelings that Fortuyn had appealed to certainly did not disappear after his death in 2002, when he was shot dead by an animals rights activist. The country's first political assassination since the 17th century. Whereas Pakes pondered that it was perhaps "(...) quite possible that List Pim Fortuyn will prove to be a flash in the pan.", it has become clear that Fortuyn has introduced a new style of politics.⁴⁹ By openly voicing discontent on issues such as migration, immigrant crime, failed integration and immigration control policy and multi-culturalism Fortuyn would have significantly – and permanently - moved the boundaries of political correctness, both on the left and right sides of the political field. It is safe to say that over the complete political spectrum a more populist strategy became visible, especially with regard to matters of crime and migration.

Anti-Europe, oikophobia and anti-establishment

⁴⁸ Fortuyn, P. (2002), *Puinhopen van acht jaar Paars*, Amsterdam: Uitgeverij Balans.

⁴⁹ Pakes, Francis. 2004. The Politics of Discontent: The Emergence of a New Criminal Justice Discourse in the Netherlands. *Howard Journal of Criminal Justice* 43 (3): 284–98, p. 292

After Fortuyn, politician Geert Wilders – often referred to as “the Dutch Trump”- would step into the “gap” of openly and viciously attacking the, in his eyes, left wing naive cosmopolitan elite who had burdened the Netherlands with migration and integration politics and who were closing their eyes for the Islamization of Dutch society. The same so-called undemocratic elites who, by pleading their commitment to the European Union, were willingly sacrificing the nation’s sovereignty and hence jeopardizing national security. Wilders founded his nativist party – the Party for Freedom (PVV) – in 2006, therewith breaking with the political party he had served for 14 years, the neoliberal People’s Party for Freedom and Democracy (VVD). Wilders has made political hay out of terrorism fears and Muslim integration in Europe and his is radical anti-Islam positions—he wants to shutter all mosques and ban the Quran—placed him far outside of the mainstream. Nevertheless, the PVV continued to gain electoral support over the years and even participated in the government coalition between 2010 – 2012.⁵⁰ With anti-immigrants only further fueled by a range of terrorist attacks in Belgium and France and populist, nationalist parties gaining political traction – and even winning elections – the PVV seemed bound to come out first during the 2017 national elections in the Netherlands. To the relief of many, the PVV failed to win the victory that some earlier polls had predicted. Still, it earned a record 1.4 million votes, coming in second with 20 of the 150 available seats, behind the neoliberal People’s Party for Freedom and Democracy (VVD) of Prime Minister Mark Rutte, but far ahead of the social-democratic Labor Party, which was governing with the VVD and saw its support

⁵⁰ A coalition government is a cabinet of a parliamentary government in which multiple political parties cooperate, reducing the dominance of any one party within that "coalition". The usual reason for this arrangement is that no party on its own can achieve a majority in the parliament. So, in this case, the PVV was one of the political parties that formed the coalition. The other parties were the Party for Freedom and Democracy (VVD) and the Christian Democratic Appeal (CDA).

decimated. Wilders' loss was celebrated internationally, yet, the critical observers were less optimistic: While campaigning for the elections it had become clear that most parties – on the Left and the Right side of the political spectrum – had shown a sharper and exclusionary tone adopting slightly softer versions of Wilders's positions, including Euroscepticism and thinly-veiled Islamophobia.

Apart from an overall shift 'to the right', the 2017 elections also marked the rise of a new – and even more extreme – voice. After the onset of the European migration “crisis” in 2015 Forum for Democracy (FvD) entered the Dutch political arena. FvD is a think tank reconfigured as a political party only six months before the March 2017 elections. Front man Thierry Baudet is said to be the Dutch face of the Alt-Right movement and his flamboyancy and charismatic appeal are said to resemble that the late Pim Fortuyn. In the 2017 national elections, FvD entered Dutch parliament with two out of 150 seats — a modest but remarkable result for a party that didn't exist in the previous election.⁵¹ Since then, Baudet has captivated the Dutch in the same way that Wilders benefited from the media's obsessive attention to his every move since he founded his party in 2006.

Like Wilders, Baudet is a so-called Eurosceptic. While immigration and multiculturalism have been “diluting” national values from below, he says, the sovereignty of the Dutch nation-state has been further undermined by its subservience to the European Union and other international bodies.⁵² “Control over our lives is insidiously and increasingly taken away from us by devious acts of surrender that transfer our sovereignty to impersonal political

⁵¹ The Dutch electoral system is strictly representative, making it relatively easy for small parties to break through but almost impossible for any single party to win an absolute majority.

⁵² Joshua Chaffin (14 March 2017). "Populists seize the moment as Dutch fall out of love with EU". Financial Times. (last visited July 2019)

mega-projects in which citizens have lost all forms of democratic control,” he said at the party’s congress in January of last year.⁵³ The FVD says it supports direct democracy and wants sharp tax cuts across the board. Whereas the PVV and FvD share the central themes of Euroscepticism and Islamophobia, the ideological grounding of both parties seems to differ greatly. With the PVV lacking a clear ideological ground, the FvD likes to present itself as a party with an intellectual grounding in the notion of oikophobia, a term coined by Baudet use to express the notion of ‘fear of the home’. Baudet defines this term, taken from the conservative British philosopher Roger Scruton, as a “pathological aversion” to the national home. Oikophobia, he insists, is destroying the nation-state through its concerted support for feminism, cultural Marxism, modern art, immigration, the European Union, leaving the Netherlands open to the invasion of non-Western values.⁵⁴ In emphasizing the threat of non-Western values is where PVV and FvD meet, as the non-Western values are to be understood as Islamic values and traditions. Baudet’s party has proposed a “Law in Defense of Dutch Values” that, among other things, would prohibit arranged marriages, demand that the Holocaust be taught in all schools, and ban any face-covering garments, including balaclavas and niqabs, from public spaces. Baudet has stated that cultural self-hatred has led to attempts to “homeopathically dilute the Dutch population with all the peoples of the world, so that the Dutch will cease to exist.”⁵⁵ After a media firestorm, Baudet said he wasn’t talking

⁵³ Sebastiaan Faber (2018) Is Dutch Bad Boy Thierry Baudet the New Face of the European Alt-Right? *The Nation*, April 2018 via: <https://www.thenation.com/article/is-dutch-bad-boy-thierry-baudet-the-new-face-of-the-european-alt-right/> (last visit July 2019)

⁵⁴ Baudet, Thierry Henri Philippe (2012) The significance of borders : why representative government and the rule of law require nation states (PhD Thesis) via: <https://openaccess.leidenuniv.nl/bitstream/handle/1887/19141/06.pdf?sequence=6>

⁵⁵ Sebastiaan Faber (2018) Is Dutch Bad Boy Thierry Baudet the New Face of the European Alt-Right? *The Nation*, April 2018 via: <https://www.thenation.com/article/is-dutch-bad-boy-thierry-baudet-the-new-face-of-the-european-alt-right/> (last visit July 2019)

about race but about culture. And yet, this past February, when the party's second national deputy claimed that the connection between race and intelligence has "long been scientifically proven," Baudet remarked: "I don't see what the problem is."⁵⁶ Baudet's two-man party has, in recent polls, tied or even overtaken Wilders' PVV, drawing voters from among Wilders' supporters as well as the neoliberal People's Party for Freedom and Democracy (VVD), the party that came out first during the 2017 national elections. FvD has shown to be popular among new voters, but also to higher-educated people who always found Wilders too lowbrow or too coarse. FvD is diversifying the radical right by offering a more – seemingly – sophisticated tone of voice, while delivering apocalyptic messages about the loss of Dutch national identity and the dangers of Europeanization. During the provincial elections in March 2019, through which seats in the Dutch Senate are apportioned, the neophyte party won 13 of 75, taking votes from the PVV as well as from the ruling People's Party for Freedom and Democracy. As a result, the current government coalition lost its majority in the Senate.

As mentioned before, FvD fits in with the broader trend of nationalism and nativism that seems to be sweeping through Europe, even in Europe's most progressive countries⁵⁷. This leaves us to reflect on the question what all this means for Europe and for those who are 'on the move' for a multitude of reasons.

⁵⁶ Sebastiaan Faber (2018) Is Dutch Bad Boy Thierry Baudet the New Face of the European Alt-Right? *The Nation*, April 2018 via: <https://www.thenation.com/article/is-dutch-bad-boy-thierry-baudet-the-new-face-of-the-european-alt-right/> (last visit July 2019)

⁵⁷ Thijs Kleijnpaste (2018) The New Dutch Disease is White Nationalism, *Foreign Policy*, via: <https://foreignpolicy.com/2018/03/20/the-new-dutch-disease-is-white-nationalism/> (last visited July 2019)

5. Concluding reflection: Towards a union of nationalist fortresses?

Despite the fact that the 2019 elections for the European Parliament did not lead to the expected overwhelming victory of nationalist, anti-immigrant, and Euro-skeptic parties, on a *national level* these parties are still gaining ground all over in the European Union member states.

The impasse with the Schengen agreement, and more in general the impasse with regard to migration into the European Union, is pointing into a rather stressful European future: the German change of tone towards the Central and Eastern European states that refused to show real solidarity in the refugee crisis reflects a deeper divergence that will echo on the common European security agenda and migration policy. The difficulty of reaching an agreed plan with solutions for the so-called migration crisis, despite a series of several meetings in the European Council, reveals profound discrepancies in internalizing core European values and a different degree of attachment to the European project and idea. Europe needs to find its identity and unique voice, not many independent and divisive voices. Europe's voice should include all citizens and the new comers alike, as being a refugee is respected through international and European standards. If Europe decides to move on in two speeds or even worse to compromise on a Brexit, the whole castle will crumble; the long process of integration will disintegrate. Europe, in the context of many geo-political and hybrid threats cannot afford that and each member state will remain weak on its own. However, to remain united, compromises must be agreed and implemented, and this had become increasingly difficult. The major challenge for Europe is to find the proper balance between all these conflicting needs: security, freedom and unity.

What this chapter has shown though, is that it will be difficult to meet this challenge as this would require countries actually wanting to balance these conflicting needs. While looking at the underpinnings of the European Project and the Schengen acquis in particular, it is clear that it is built upon false conceptions of unity and solidarity, with countries being concerned from the very beginning of Schengen about the security deficit that was created by the lifting of internal border controls. In a response to these concerns, countries were presented compensatory measures that focused on the fortification of the external borders of the European Union, but also with measures that enabled them to protect their national security and national identity and to filter between the “good”, the “bad” and the “ugly” immigrant. In that sense, one could say that the foundation of the European Union has always left room for nationalism.

As the Dutch case study has illustrated, even in countries that are traditionally known to be lenient and tolerant, political and public discourse around matters of migration and crime have not only become intertwined, they have also become increasingly nationalized in the sense that the importance of controlling mobility into the country through (irregular) migration is framed as threat to Dutch identity. Lucassen & Lucassen speak of “a seismic shock” hitting the Netherlands, “that changed it almost overnight from an apparent leader in tolerance and multiculturalism into an anti-immigrant and anti-Muslim bulwark.”⁵⁸

⁵⁸ Lucassen, Leo; Lucassen, Jan. The Strange Death of Dutch Tolerance: the Timing and Nature of the Pessimist Turn in the Dutch Migration Debate. *The Journal of Modern History*, Vol. 87, No. 1, 01.04.2015, p. 72.

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