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The Schengen Crisis and the End of the Myth of “Europe Without Borders”

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The European Schengen crisis, spurred off by a wave of terrorist attacks in Europe and an unexpected increase in migration across the Mediterranean Sea in 2015 led to a re-questioning of the functions of borders in European integration. The ideal of a “Europe without borders” has been particularly affected. Indeed, the re-introduction of border controls in several Member States of the European Union (EU) symbolized a new obstacle to free circulation in Europe and the “separation” function of the border seems to have strengthened. This contribution will argue that the Schengen crisis has not put an end to “Europe without borders” in terms of free movement of goods, services, capital and people. It will claim instead that there has been a construction of a “myth” of “Europe without borders” with a different meaning, i.e. in which “Europe without borders” is not a means to an objective but an objective in itself, that of an EU where all borders are assumed to have negative functions and should therefore disappear. The Schengen crisis helps to unravel this “myth” by demonstrating that borders can also have positive functions, that they persist within the EU and that their control remains a competence of the EU Member States. Adopting a less mystified view of “Europe without borders” and assessing its origin and development from a disciplinary approach in Contemporary History, helps to better explain the processes of de- and re-bordering in Europe and their relationship to European integration.

Introduction

When looking at the historical development of European integration, it seems clear that the objective of a “Europe without borders” has been pursued ever since the setting-up of the European Coal and Steel Community (ECSC) in 1952 and has materialized with the creation of the European Economic Community (EEC) in 1957 and its project of a Common Market without tariffs and trade barriers (Gaillard, 2004, 32-33).

In 1985, the Schengen Agreement, which was first concluded by France, Germany and the three Benelux States (Belgium, Luxemburg and the

Netherlands), was to further push towards the ideal of a “Europe without borders” by abolishing internal border checks for people (Cunha, Silva, Rui, 2015). It was primarily designed in order to facilitate the implementation of the EEC’s project of a Single European Market with four areas of free movement: goods, people, services and capital. The focus of this borderless Europe was therefore placed on internal free movement and the ideal of a “Europe without borders” was shaped accordingly (Wassenberg, 2019, 43-65). It became one of the means to achieve European integration and the Schengen Convention became part of this strategy. The latter

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was indeed integrated into the Amsterdam Treaty of the European Union (EU) in 1997 and was to be applied by all Member-States as well as being open for participation of neighbouring EU States (Coelho, 2015, 1-3). By 2015, 26 States had gradually acceded to Schengen, four of which were not members of the EU (Iceland, Liechtenstein, Norway and Switzerland) and only two EU Member-States, the UK and Ireland, were granted the possibility of an opting out. The ideal of a "Europe without borders" seemed therefore to have been largely achieved and even to expand beyond the geographical scope of the EU.

It is not surprising that the Schengen crisis in 2015 has therefore come as a shock to the EU. This crisis, spurred off by a wave of terrorist attacks against Europe and an unexpected increase of migration across the Mediterranean Sea in 2015 has led to a re-questioning of the functions of borders in European integration. The ideal of a "Europe without borders" seems to be crumbling. Indeed, since 2015, the re-introduction of border controls in several EU Member States has symbolized a new obstacle to free circulation in Europe: the "separation" function of the border has been largely strengthened.

However, does this mean the end of the ideal of a "Europe without borders" or was it only a temporary policy response to a new crisis in Europe? By analysing the re-bordering policies and their political, legal and economic consequences on the EU and the Schengen Convention, this contribution argues that the Schengen crisis has not resulted in the end of free circulation in Europe. It maintains however, that the Schengen crisis has put an end to a certain interpretation of the ideal of a "Europe without borders", *i.e.* a constructed "myth" of an integrated EU where all borders are assumed to have negative functions and should therefore disappear (Börzel, Risse, 2018, 83-108). It will unravel this "myth" of a "Europe without borders" by pleading for a less unidimensional, more differentiated view on borders which not only takes into account their negative but also their positive functions within the EU.

1. The ideal of a "Europe without borders"

In order to understand the consequences of the Schengen crisis in 2015 on the "Europe without borders", a first look has to be taken on the origins of the ideal of a "Europe without borders" in the process of European integration.

The model of a borderless Europe was already a crucial element at the beginning of the 1950s, when the European Coal and Steel Community (ECSC) was founded and it has been closely linked

to Jean Monnet's functional approach to European integration. (Schimmelfennig, 2015, 969-989) The Schuman Declaration of 9 May 1950 indeed stated that "the movement of coal and steel between member countries will immediately be freed from all customs duty" (Schuman Declaration, 1950). It did not explicitly mention the term of a "Europe without borders", but it did explain that the elimination of economic borders in the coal and steel market was a first step towards the ultimate goal of a European federation: "The pooling of coal and steel production should immediately provide for the setting up of common foundations for economic development as a first step in the federation of Europe" (*ibid.*). The functionalist approach in fact identified the elimination of economic borders (customs duties) as one step towards European unification, *i.e.* the "Europe without borders" was clearly a means to achieve a higher goal, that of a European Federation. The Treaty of Rome signed on 25 March 1957 confirmed this approach by enlarging the ideal of a "Europe without borders" to the general elimination of customs on goods: "The activities of the Community shall include (...) the elimination, as between Member States, of customs duties and of quantitative restrictions on the import and export of goods, and of all other measures having equivalent effect" (Treaty of Rome, 1957, Art. 3). But it also linked it to the principle of free circulation by preconizing "the abolition (...) of obstacles to freedom of movement for persons, services and capital" (*ibid.*). This ideal of "Europe without borders" was first implemented when the European Economic Community (EEC) was set up in 1958, as it provided for the creation of a Common Market without any customs barriers by 1962. From the start, therefore, it was linked to an economic approach to borders as obstacles to the free circulation of goods (Wassenberg, 2019, 44).

It was only in the mid-1980s, when the ideal of the "Europe without borders" was then pushed further on with the project of the Single European Market, where not only economic customs barriers were eliminated, but where the free circulation of people, services and capital was also guaranteed. However, even if this project now foresaw not only the free movement of goods, the reference to people was made from an economic perspective, with regard to the free circulation of workers, *i.e.* as factors of production in the EEC (Thielemann, Armstrong, 2012, 148-164).

It has to be underlined, that, whereas the Single European Market was a project which was proposed in 1985 by the Jacques Delors Commission in order to create an area of free circulation between goods, services, capital and people, the idea to abolish border checks for people was not originated from within the EEC (Warlouzet, 2019, 258-268). It was

an initiative taken by a small number of Member States, namely France, Germany and the three Benelux countries, as a response to the successive strikes of Italian and French Custom officers in 1984, who complained about their increasing work load at the border following a French truck driver strike. It was therefore in order to facilitate the free circulation of goods that, on 14 June 1985, on the Princess Marie-Astrid boat on the river Moselle, near the town of Schengen, the 5 States signed an inter-governmental agreement, the so-called "Schengen Agreement" which proposed measures intended to gradually abolish border checks at the signatories' common borders (Blanco Sío-López, 2015, 33-50).

This approach was thereafter confirmed at the EEC level. After the adoption of the Single European Act by the 12 EEC Member States on 16 February 1986, which prepared the way for the creation of a Single Market by 1992, the European Commission presented a report in March 1988 on the obstacles to free circulation, the so-called Cecchini report, named after its author, Paolo Cecchini, a high civil servant in the European Commission (European Commission, 1988). The report contained 6000 pages of assessment of the "costs of non-Europe" which were estimated at a minimum of 4.25% and a maximum of 6.5% of the Gross Domestic Product (GDP) of the EEC. According to the report, barriers to trade would not disappear if borders were maintained technically (by means of national administrative regulations) and fiscally (by means of indirect taxes resulting in lengthy and costly border formalities), but also physically (by means of border controls of people within the EEC) (ibid.). The Cecchini report expressly mentioned for the first time the ideal of a "Europe without borders". It took up the idea of the Schengen Agreement, which enlarged the concept of a "Europe without borders" from the economic free movement of people, *i.e.* the right to work or study freely in another EEC Member State, to a "political" free movement. For, what it abolished, was not the economic obstacles (customs) but the identity checks of people (passports) (Guild, 2001, 13). This political freedom of movement was not easy to put into practice, as it implied common controls at external borders in order to guarantee the checks of arrivals from outside the EU, on the one hand, and an increased internal police and justice cross-border cooperation in order to avoid trafficking and abuses within an opened space of free movement, on the other hand (Sacramento, 2015, 115-127).

The original Schengen Agreement provided for a "harmonization of visa policies, allowing residents in border areas the freedom to cross borders away from fixed checkpoints, the replacement of passport checks with visual surveillance of vehicles at reduced speed, and vehicle checks that allowed

vehicles to cross borders without stopping" (Art. 2, 6 and 7 of the Schengen Agreement, 1985; Infantino, 2019). In 1990, it was supplemented by the Schengen Convention which envisaged the abolition of internal border controls and a common visa policy. For the internal borders, it also provided for the creation of a Schengen Information System (SIS) to ensure the exchange of data, the sharing of information on criminal matters and to coordinate investigation of cross-border crimes (Bever, 1993, 83-107). The Convention only entered into force on 25 March 1995, but by then, Italy, Spain Portugal and Greece had also signed it, followed in April 1995 by Austria, Finland and Sweden. It is thus not surprising to see that, whereas it had been first developed outside the EEC legal framework, it was then rapidly integrated into the Amsterdam Treaty of the European Union (EU) in 1997 and became the so-called Schengen "Acquis" (OJEC, The Schengen Acquis, 2000). However, from the start, the "Schengen Area" did not correspond to the scope of the EU, for the UK and Ireland had negotiated an opting out and two external States, Norway and Iceland, had concluded an association agreement with the Schengen members in 1996 in order to become part of this "Europe without borders". The Schengen rules were codified by a Schengen border code in 2006 which guaranteed a uniform application of the principle of free movement of people, *i.e.* the absence of any controls on persons, in the "Schengen Area" (Regulation (EC) No 562/2006).

In 2007, the Lisbon Treaty confirmed the institutional framework of the Schengen Area and it therefore seemed that the ideal of "Europe without borders" was successful and operational. This assumption was shattered by the Schengen crisis which threatened the ideal, as it resulted in a re-bordering process within the EU.

2. The Schengen crisis: the end of the ideal of a "Europe without borders"?

When the Schengen crisis occurred in 2015, it disrupted the principle of free movement as it resulted in the successive reintroduction of border controls by several Member States of the Schengen Area (Wassenberg, 2020 a). But did this mean the end of the ideal of a "Europe without borders"?

The crisis had basically two different origins. The first were the Islamist terrorist attacks against France in Paris in November 2015, which resulted in the French government proclaiming a state of emergency and suspending the Schengen Convention for an undetermined period of time for security reasons. The second was the migration crisis in Europe, spurred off in August 2015 by the German Chancellor Angela Merkel, who, with her phrase

"*wir schaffen das* (we can manage this)", induced a massive inflow of refugees into the EU (Schmelter, 2018, 157-167). After the Hungarian authorities decided to open their borders, a domino-effect of de-bordering began. Indeed, the migrants travelled, via Austria, towards Germany, thus suspending the Dublin Regulation of the control of refugees at the "first point of entry" into the EU (Martin and Macdonald, 2015). Germany decided to suspend the Dublin rule in general and this welcoming policy was first also applied by Austria and Sweden who accepted a massive arrival of refugees. But the internal de-bordering process then resulted in other EU Member States taking re-bordering measures. This was due to the fact that, once the Dublin Regulation had been suspended, within the Schengen Area, the migration flow affected other EU Member States, who did not practice the same welcoming policies as Germany or Sweden, for example. Even if France, Denmark, Belgium and the Netherlands were not first choice destinations and had not been subject to a massive inflow of migrants, they still started to argue, by the end of 2015, in favour of re-establishing internal border controls as a reaction to the collapse of the Dublin system. Progressively, by the end of 2015, first Denmark, then Belgium and the Netherlands reintroduced border controls. Then, ironically, by spring 2016, the initial "welcoming countries", *i.e.* Germany, Austria and Sweden were also revising their open border policies (Colombeau, 2019, 2258-2274). Austria was the first country to impose a daily quota on asylum claims in order to limit the flux of migrants travelling through the country. Even Germany and Sweden, who started to be overwhelmed by the uncontrolled entry of thousands of refugees finished by reintroducing internal border controls (Lovee, 2017, 127-143). The re-bordering policies created not only a problem for the refugees trying to enter their country of destination, but it also disrupted cross-border flows in many EU border regions, especially those with a high proportion of cross-border workers. In these regions, where the awareness and knowledge of the "border as a boundary line", as an obstacle to free movement, had always existed, "Europe without borders" was a day-to-day reality which the Schengen crisis now disrupted.

The media reacted unanimously with regard to this crisis announcing the end of the "Europe without borders" and accusing the EU of having failed to achieve its main objective (BBC News, 2016, Tajani, 2018, Beaupré, 2018). However, whereas the bordering policies did obstruct the free circulation of people, it did not mean that the borders were closed or that the Schengen Convention was in any way abolished. From a legal point of view, the Schengen code indeed allowed for the temporary reintroduction of border controls at internal borders in the event that "a serious threat to public policy

or internal security has been established" (Art. 26 of the Schengen Borders Code). The condition was that these border controls must remain exceptional and respect the principle of proportionality and that the scope and duration of the border control should be restricted in time. As most EU Member States, except for France, had announced a re-introduction of border controls limited to a period of six months, the Schengen crisis did therefore not constitute an infringement of the Convention (Guild *et al.*, 2015, 3-10). Indeed, this crisis was not the first occasion for Member States of the Schengen Area to use the possibility of temporarily reintroducing border controls - for different reasons. It had already been the case, for example, in 1995, when France, following a wave of terrorist attacks in the Summer, had used the mechanism of partial suspension for a limited time. Portugal had also introduced checks several times along its border with Spain for security reasons, during the UEFA Euro Championship in 2004 and when Portugal hosted the NATO Lisbon Summit in 2010. Also, during the same year, Malta used the mechanism because of the state visit by Pope Benedict XVI (Guiraudon, 2011, 773-784). A partial suspension of the Schengen Convention did therefore not mean the end of the ideal of a "Europe without borders".

Furthermore, from an economic point of view, the Schengen crisis did not lead to new barriers, as the free circulation of goods in the Single European Market space was at no moment suspended, nor the free circulation of services or capital (Fijnaut, 2015, 313-332). Even when considering the free circulation of people, the Schengen crisis only created partial obstacles to free movement. Thus, whereas border controls were indeed reintroduced at the land borders, this did not mean that the borders were closed to citizens from the EU (European Parliament, 2016). They only had to count on delays due to identity checks, but could still cross the border. Also, in border regions with a high proportion of cross-border workers, public opinion quickly turned against state authorities and demanded a rapid end of the border checks. Indeed, after five month of travel obstruction on the Oresund bridge between Sweden and Denmark, which caused significant delays for the 20,000 daily cross-border workers, the Swedish state authorities had to reopen the border in May 2017 (The Telegraph, 2017).

Finally, from a theoretical point of view, in the area of globalization, the processes of bordering have become more complex and can no longer be limited to an analysis of border controls at state border lines. Indeed, globalization and the process of European integration within the EU undermine the traditional axiom of geographical border "world partitioning" (Retaille, 2011, 23). Alongside the classical state borders, "mobile spaces" thus introduce new forms

of limits which are not territorialized and may "go beyond the anachronism of common models, such as the opposition between networks and territories" (ibid., pp 27-30.). This means, that, despite the re-introduction of physical border controls within the Schengen Area, mobility across borders was still possible in terms of cross-border networks and communication flows which continued to function because the physical border was not an obstacle for them.

Overall, during the Schengen crisis, free mobility therefore stayed intact in terms both of cross-border flows and in terms of the four fundamental freedoms enshrined in the Lisbon Treaty of the EU, *i.e.* the freedom of circulation of goods, capital, services and people, including the freedom of citizens of EU Member States to travel to another State, to reside, work or study there.

However, if the Schengen crisis has not ended "Europe without borders" in terms of free circulation, it has questioned a certain interpretation of this ideal, which has been forged as a "myth" in the course of the European integration process.

3. The end of a "myth" on the "Europe without borders"

The Schengen crisis has indeed resulted in unravelling a "myth" which has been constructed around "Europe without borders" and which largely went beyond the meaning of free circulation of goods, people, services and capital (Wassenberg, 2017). In order to understand this process, this "myth" as opposed to the ideal of a "Europe without borders" first has to be explained more in detail.

The myth emerged in the 1980s under the influence of two EU institutions: the European Parliament and the European Commission. It was not built up deliberately, but it developed by converting the objective of free circulation into the final objective of European integration. On the one hand, the original ideal of the suppression of borders to facilitate free circulation was turned into an end in itself and not as a means to facilitate further European integration. On the other hand, the term "Europe without borders" was now associated with the final objective of European integration as it was expressed by the founding fathers of the EEC – Robert Schuman, Konrad Adenauer, Paul-Henri Spaak, Alcide De Gasperi – *i.e.* to eventually create a European Federal Union, in which national state borders would be merged into a Federation. "Europe without borders" then became a concept not only linked with the suppression of economic borders, but with the idea of European identity, citizenship and, ultimately, with a European Federation (Berezin and Schain, 2003). But it also was a myth,

as it suggested that within the EU, all borders were to progressively disappear, although, in reality, the European integration process only progressed on the route of elimination of economic borders. This myth also implied that borders have necessarily a negative function, as the removal of borders in general becomes a teleology.

Within the European Parliament, it was an intergroup, the so-called Kangaroo Group, created in 1979, which facilitated the creation of this "myth" of a "Europe without borders". The Kangaroo Group was known as the Movement for Free Movement within the European Community and, by the mid-1980s, it had made out of the ideal of a "Europe without borders" a philosophy in itself, turning it into the ultimate objective of European integration (Wassenberg, Schirmann, 2020, 27). Founded by Basil de Ferranti, a British Conservative and President of the European Parliament's Economic and Social Committee, the group chose the kangaroo as its emblem for its ability to overcome obstacles without difficulty – thus suggesting that borders in general should always to be overcome. In a way, the choice of this emblem, which is not a European animal, but an almost fantastic creature of the near mythic and mysterious Australia, somehow reveals the shift from an ideal towards a myth of a "Europe without borders". Indeed, "kangaroo" can suggest fake or phoney, as in a "kangaroo court", perhaps just like the idea of a "borderless" Europe. Campaigning for the completion of the internal market, the Kangaroo Group quickly brought together Members of European Parliament (MEPs) from very diverse backgrounds – Socialists, Christian Democrats, Liberals – who met during the Strasbourg session for a monthly lunch. Political figures from various Member States and representatives from the private sector, including entrepreneurs, were invited in order to exchange ideas on how to advance free movement within the Community. The Kangaroo Group was, first and foremost, a strong supporter of the removal of economic borders in the European Community, as they were perceived as obstacles to the completion of the internal market. However, their movement resulted in the creation of a "myth" by suggesting that European integration could only succeed if a "Europe without borders" was accomplished. This "myth" was nourished by the press coverage of the Group, but also by the Group itself, for example by the German Social Democrat, Dieter Rogalla, who, in order to publicise this "Europe without borders", made a journey by bicycle, beginning in 1982, which involved crossing the borders between all the countries of the European Community (Wassenberg, Schirmann, 2020, 77).

But it was the European Commission which linked the concept of a "Europe without borders" with the ideal of a European Federation, in the context of the

project of the Single European Market. This project advocated the elimination of "all internal economic borders in Europe", as the President of the European Commission, Jacques Delors announced in January 1985, when he presented his White Paper on the accomplishment of the internal market (European Commission, 1985). However, Jacques Delors was a federalist and his ultimate objective was not the Single European Market in itself, but he used it for the purpose of a European Monetary Union (EMU) coupled with that of a political union, both of which were negotiated at the Intergovernmental Conference in 1991 and led to the Maastricht Treaty in 1992 (Bussière and Maes, 2109, 229-252). The "myth" of a "Europe without borders" was created by suggesting that the achievement of the internal market in 1992, which coincided with the creation of the European Union (EU), meant that a European Federation was now being implemented. In reality, however, the Treaty of Maastricht set up a three pillar institutional framework for the EU where two key policy areas stayed intergovernmental: the Foreign and Security Policy and Justice and Home Affairs. Only the Community pillar, within the field of Monetary Affairs, scheduled an abolition of economic borders with a set timeline for the EMU (*ibid.*). Thus, political (state) borders were never intended to disappear and the EU has therefore always been qualified as an organization *sui generis*, but not as a European Federation.

The "myth" therefore did not correspond to the reality of the "Europe without borders" which stayed an ideal of free circulation with the suppression of economic, but not political borders. This also applied to the Schengen Agreement of 1985 which envisaged the abolition of border checks of persons, but still did this from an economic perspective, *i.e.* to facilitate the implementation of the Single Market. Also, the Agreement did not eliminate borders, but only internal border controls, which had to be compensated by increased controls at external borders in order to guarantee the checks of arrivals from outside the "Schengen Area" (Ullestad, 2018, 219-239). It also provided for the possibility of "mobile" customs checks, which would not necessarily take place at the border itself and thus created the notion of "mobile" borders which can be displaced inside the EU Member States in order to be able to still proceed with identity and customs checks when necessary (Amilhat-Szary, 2015, 4-20). The "myth" of a "Europe without borders" was therefore created by a pro-Europeanist discourse on European integration by EU institutions which did not take into account the complexity of borders and their different functions. It was constructed from an originally unidimensional approach to borders restricted to economic barriers which had to be eliminated within the EEC and it was then enlarged

to a general vision of an idealized "borderless Europe" without specifying what this really meant. It therefore created two wrong impressions among the European public opinion: first, that all borders in the EEC were economic and second that all borders had a negative function and therefore had to be abolished.

This unidimensional approach on borders was also followed by many researchers on European integration, especially in the field of Contemporary History. Until the end of the 1980s, their approach to European integration did not consider borders as a decisive element in the European integration process and it was only in 1989, when René Girault, one of the founders of the liaison group of historians with the European Commission, initiated a program on European identities which set up one working group on borders in Europe (Girault, 1994). For most part, indeed, historians on European integration dealt with borders in terms of their negative function as barriers to trade (Wassenberg, 2019, 52-54). Only researchers on cross-border cooperation in Europe considered borders in a more differentiated way, as multi-dimensional, with both positive and negative functions. For them, the positive function of the border was first related to the geographical concept of the natural border, which border regions were often directly confronted with. Thus, rivers, mountains and seas frequently delimitate cross-border spaces and have a positive function as elements of nature (Lapradelle, 1928, 175). Another type of a positive border is the normative border which derives from the sociological perception of borders as cultural markers (by means of cultural habits, languages, *etc.*) (Simmel, 1903, 27). The border serves in this context as a means of differentiation and of cultural identification (Guichonnet and Raffestin, 1974, 7). But borders can also have a positive function of protection and it is this function which serves when national borders are summoned by national States as gatekeepers of security (Brunet-Jailly, 2018, 85-1003). The historiography of Border Studies in Europe has thus adopted a much more multidimensional and differentiated view of borders than that of European integration. (Wassenberg, 2020 b).

When looking more closely at the history of European integration and moving away from a unidimensional view of borders, one realizes that many borders in the EU have not disappeared and that some borders are even expressly meant to be kept intact because of their positive function. This counts first and above all for the cultural borders in the EU. The European Treaties have specified from the start the principle of "a unity in diversity" putting an emphasis on cultural plurality in terms of different languages, habits, as well as national

and regional patrimony as one of the main assets of the European Community. This can be observed as from 1952, when it was decided, that all languages of the Member States of the ECSC would become official working languages, a principle which has been maintained until today, as prove the 24 official languages recognized by the EU (Vilma, 2012, 37-57). Second, at no time in the history of European integration, have the political borders of the EU Member States disappeared. The EU is an organization with certain state competencies, but it has not become a Federation, where National States have agreed to transfer sovereignty in core areas to the EU institutions. Therefore, the national States represented in the European Council maintain exclusive competences in many fields, especially regarding Foreign Affairs, defence issues and national security. The Schengen crisis has revealed this persistence of political borders because the EU Member States have shown that they are the gatekeepers of national security and that they have the competence to enforce border policies, and not the EU (Ceccorulli, 2019, 302-322). It was the bordering processes in 2015-2016 which led to an overall reminder of this function of national borders as a protection for the population against a potential external threat. In the context of European integration, this unravelled the "myth" of a "Europe without borders" which never really existed when it came to political borders. Thus, when at the internal and external borders of the EU, security issues became of crucial importance, the EU Member States were no longer interested in the border as a place of economic flow and exchange, where barriers have to be abolished, but rather as a line of protection where the control function prevails against threats to internal security (Brunet-Jailly, 2018). The Schengen crisis has therefore proven that the Westphalian border has stayed highly relevant from a security and geopolitical perspective. This holds true even if borders between EU Member States have lost some of their geopolitical relevance due to European integration, mobility and transnational interactions (Spindler, 2018, 201-219). It does not mean that there is no longer an ideal of a "Europe without borders" in terms of the principle of free circulation, but it may lead to the realization that this principle may need restrictions and adaptations at certain times and in exceptional circumstances.

But unravelling the "myth" of a "Europe without borders" also means adopting a generally more differentiated approach to the role of borders in European integration. Such an approach already exists on the regional level of integration. When looking at the historical development of cross-border cooperation in Europe, it clearly appears that a consciousness of the persistence of the "border" in its different forms (cultural, economic,

social, political, administrative, *etc.*) and functions (negative, as a barrier to exchange and positive as a means of protection) has always existed (Lambertz, Ramakers, 2013, 61-73). The objective in these areas was therefore not to abolish borders, but to overcome them as "a scar of history" by converting them from a line of separation into a place of cooperation (Mozer, 1973, 14). The denomination "cross-border cooperation" in comparison to "European integration" already reveals the fact that, in border regions, stakeholders do not ignore the existence of borders, but they act in order to cooperation "across them" (Ratti, Reichman, 1993, 241). From the 1990s, with the introduction of the Interreg program by the European Commission, this multidimensional view of borders was fading, as cross-border cooperation was increasingly put forward as a tool in order to implement the EU's ideal of a "Europe without borders" (Reitel *et al.*, 2018, 7-25). Indeed, border regions were then often identified as "models for European integration", especially those with a long experience in cross-border cooperation, as, for example, the Greater Region (Saar-Lor-Lux) or the Franco-German-Swiss Upper Rhine Region (Beck, 2014, 37-40).

However, the re-bordering processes after the Schengen crisis only reaffirmed the persistence of the border in these border regions: the "separation" function of the border was being reinforced again (Evrard *et al.*, 2018). What used to be "models of integration" were now places where "the border comes back in Europe", as images of the imposed border controls in 2016 in well integrated cross-border spaces such as the Danish-Swedish Oresund Region or the Strasbourg-Kehl/Ortenau Eurodistrict illustrated. Following the Schengen crisis, cross-border regions were therefore now denounced as "models for European dis-integration" or a proof for the failure of the ideal of a "Europe without borders." But this again was not taking into account the multiple forms and functions of borders in the EU. Indeed, the Schengen crisis rather illustrated the end of the "myth" of a "Europe without borders" by showing that many borders - especially political and administrative ones - had never in fact disappeared (Wassenberg, 2018, 25-59).

Finally, the greater the awareness regarding the persistence of borders in EU, the more the perception of the role of borders in European integration changed. Thus, the Schengen crisis revealed internal and external problems of border management facing threats of terrorism and uncontrolled inflows of refugees (Colombeau, 2017, 480-493). It put an emphasis on the fact that border management was not an EU competence, but a national one and that Member States of the EU could individually decide

on measures to impose new modalities of border checks. This national re-bordering was the best indicator for the constructed "myth" of a Europe without borders" which did not specify which type of borders were abolished by whom, under which conditions and for how long. The ideal of a "Europe without borders" in terms of economic free circulation of good, people, services and capital stayed a reality, but a generalized "Europe without borders" in terms of a politically integrated borderless Europe, or put differently, as a European Federation, did not and does not exist.

Conclusion

The Schengen crisis in 2015 which resulted in a reaction of re-bordering by several EU Member States has been used by the opponents of European integration to announce the end of a "Europe without borders". However, when analysing the consequences of this crisis, one comes to an almost paradoxical conclusion.

On the one hand, the re-introduction of border controls has definitely not put an end to a borderless Europe if interpreted in terms of the four fundamental freedoms of circulation enshrined in the Single European Act. The free circulation of capital, services and goods has therefore not been interrupted. Mobile spaces in terms of cross-border communication flows and networks continued to exist, and even when looking at the free movement of people, the temporary suspension of the Schengen Convention was authorized if it did not exceed a period of six month foreseen by the Schengen Code. Furthermore, the checks at the border only signified a delay and not a disruption of the possibility to cross the border and, under the pressure of border regions with a high proportion of cross-border workers, they were for the most part more or less rapidly abandoned.

On the other hand, the Schengen crisis has revealed the end of a "myth" of a "Europe without borders" which has been constructed since the mid-1980s, under the influence of the European Parliament and the European Commission, which suggested that a "Europe without borders" actually also meant the abolition of political borders and the creation of a European Federation. The "myth" turned the ideal of a "Europe without borders" into the final objective of European integration and it became an end in itself. It has been built on a unidimensional concept of borders regarded as "negative" barriers only, a concept which ignored both their positive functions and the reality of existing borders in the EU. Indeed, except for a "Europe without borders" in terms of the four fundamental freedoms of circulation, most borders – *i.e.* political, administrative, cultural, *etc.*

– have not disappeared. Thus, "Europe without borders" as a generalized all-englobing phenomenon has never existed. And not only de-bordering but also re-bordering is a process that continues to exist within the EU.

The re-bordering process in the Schengen Area has shown that the EU Member States hold on to their national borders as gatekeepers of sovereignty and use their competencies in border policies in order to protect their population from external threats. This proves that borders cannot only be regarded in the process of European integration unilaterally as economic barriers to be removed, but that they can also assume positive functions of protection which justify the return of border controls. Unravelling the "myth" of a "Europe without borders" means recognizing the complex multidimensional character of borders, and it also means to return to the original ideal of a "Europe without borders" as one of free circulation, which is one means towards European integration among others.

Whereas this more differentiated perception of borders helps to explain the re-introduction of border checks following the Schengen crisis of 2015, it appears to be even more essential to understand the drastic bordering measures during the COVID-19 pandemic. The "myth" of a Europe without borders has crumbled more sharply, as it has reminded us that the EU is not a Federation, as the competence of border management lies with the Member States and not with the EU institutions. Each EU Member State has used bordering policies unilaterally by using different articles of the Schengen Convention. This led within two months, between March and May 2020, to an almost hermetic closure of nearly all borders within the Schengen Area, this time not only slowing down cross-border flows of people, but impeding them totally. And after the peak of the pandemic, each EU Member State again decided more or less unilaterally on the modalities of how and when to reopen its borders, creating the paradoxical situation that, at certain times, some EU borders were open in one direction but closed in the other.

This proves that the question to ask is not so much whether the EU should still pursue its ideal of a "Europe without borders" but rather who has the competence of border management and if this competence is situated at the right governance level. For, if one seeks further European integration, then one could consider creating coordination or even place the main authority of border control on the EU rather than on national State level. Without creating a new myth of a "Europe without borders", this could help to ensure better crisis management and a more efficient functioning of the Schengen Convention and its exception rules for re-bordering.

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