

Opening Lecture – Evolution of European Borders

“Schengen could have been the graveyard of European cooperation, not the success story we have.” That was one of the conclusions made by the keynote speaker at this year’s European Day for Border Guards (ED4BG). Professor Ruben Zaiotti gave his academic insight into the history and state of play of the European area of free movement to kick off the fifth ED4BG, held for the second time at the home stadium of Legia Warsaw Football Club: The Pepsi Arena.

As Director of the European Union Centre of Excellence and Assistant Professor of the Political Science Department of Dalhousie University in Halifax, Canada, Prof. Zaiotti introduced himself as an academic but also a keen observer of developments in European border control. Having been born in Europe before moving to the New World, he said he felt able to wear both hats and bring the benefits of both to the discussion.

The guest lecturer then set out his stall with a quote from Lord Curzon, a British politician instrumental in drawing many of the world’s borders: “The evolution of frontiers is perhaps more of an art rather than a science, so plastic and malleable are its manifestations.” It takes creativity, Prof. Zaiotti said: “You have to think a bit out of the box.”

With that in mind, he sought to present the subject in terms of what he called the “Schengen paradox;” that its frontiers are almost living entities, evolving all the time while the policy regime it engendered is, “a success story of European integration.” He went on to present Schengen in terms of what he saw as its main characteristics: that it is balanced, flexible, elastic and opaque.

The paradox lay in the fact that these four pillars, while assets, are also liabilities that can “represent a challenge to its viability.” This internal tension, he said, represents the Schengen regime’s engine.

Wearing his ‘outsider’ hat looking in, he said one way to measure Schengen’s success is to look at popular culture. The village of Schengen in Luxembourg has become part of the European tourist trail, offered by a travel agency in Taiwan, reflecting the way Schengen has become synonymous with contemporary European culture. It is also the name of a restaurant in St Petersburg, a hotel in Beijing and the subject of French and Spanish pop songs. But its iconic status does not mean Schengen is not going through difficult times: the highly-publicised Lampedusa tragedy in 2013 or the internal dynamics within the area, such as a recent referendum in Switzerland.

Freedom and security

Returning to his “key components” of Schengen, Prof. Zaiotti said ‘balance’ was primarily about the balance between freedom and security: freedom of movement for those inside the area and that of security from external threats. While this balance is seen in America as, “security first and then possibly we can talk about some freedoms,” in Europe that is not the



case, though he described the balance as a “moving target” that can change over time. Nor are the two necessarily complementary, he pointed out, though they are often presented as such: “The more security you provide, the more seems to be required.”

The second characteristic, flexibility, is related to the institutional framework underpinning the free-movement area. From the opt-ins and opt-outs at its inception, the Schengen area has always had, “the capacity to bend without breaking,” he declared. That is presented as a success story in European integration, superseding the previous philosophy of ‘everyone or no one’ being needed to move forward. But creating such exceptions creates the problem of coherence, he suggested, which can become disruptive over time. Such evident tensions led him to declare that Schengen could indeed have become a graveyard.

Opacity, or the property of transmitting no light, is another double-edged sword according to the lecturer. The Schengen area has been accused of lacking transparency with decisions taken behind closed doors through a “technocratic top-down approach,” in the early stages. This was unavoidable, he posited, given the ambitiousness of the project and the widely held scepticism it faced in its early years. Without that opacity, he maintained, there would be no Schengen today, and no Frontex. But this lack of open discussion, though inevitable, created problems of legitimacy and trust between member states and their citizens, in his view.

Elasticity was Prof. Zaiotti's last characteristic: the concept that something can expand without breaking – enlargement in the Schengen context. The fact that Schengen started small and expanded, “was and is one of the main assets of Schengen; the idea that it is not a closed system.” This openness to new members, however, has created difficulties of support and legitimacy. The negative consequences of the same elasticity he believed could be seen in the political machinations and public opinion divides but also through the lens of media reports. He went on to present headlines about the “beginning of the end for Europe” and similar “quite gloomy” reporting though he believed the whole truth to be more positive on balance and a look at previous crises and enlargements showed a history of resilience.

Drawing on his experience of discussions with policy-makers, Prof. Zaiotti concluded by saying Schengen as a project and as a concept had come into being despite initial scepticism. It has also been typified by pragmatism. This he explained as meaning not the negative connotation that ‘the end justifies the means’ but what American philosopher Charles Sanders Peirce referred to as the concept of experimenting based on a working idea of how something might work. This the speaker saw as being at the core of the project since its inception: the concept of Schengen as a European laboratory.

But while Schengen can be seen as a success, it also has “fragile foundations” such as the internal tensions that he believed may one day become unbearable for the system itself, particularly in the political context, and also the relationship between the Schengen regime and the wider project of European integration. The most prominent example of successful integration, Schengen came from the wider integration process but is also an essential element of that same wider project. Moreover, the two will likely share a common fate, he suggested.



His final remark centred on the future of Schengen and again on the laboratory concept and the need to stay experimental: Schengen cannot afford to, “sit on its laurels and think that the task has been accomplished.”