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**The Meaning(s) of Immigration  
at the Limits of European Civilization:  
Detention Centers and the Suspension of Law**

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## Abstract

This article examines the cultural and political meanings of detention centers for undocumented migrants in Greece. Through the consideration of the Dublin Regulation, which holds that asylum seekers' applications can be evaluated and adjudicated only in the country where they first enter, and the presence of Frontex at Greece's borders for an integrated border management, the article situates Greece's immigration detention centers within the wider context of state sovereignty and policies of admission and detention. Following the theoretical elaborations of Carl Schmitt (2013) and Wendy Brown (2010) on territorial division, the state of exception and waning sovereignty, in conjunction with reports from the Human Rights Watch and the Greek Council for Refugees, the article argues that immigration detention centers have three meanings for EU citizens and migrants. First, the building of detention centers for unregulated immigrants is an explicit attempt to assert the EU member-state as a 'total state' where it can discern between friend and enemy and rule by limiting or eliminating diverse forces that might develop in its interior. This rule does not, however, depend on the implementation of the law but on its suspension and consequently this suspension acquires a permanent status. Second, detention centers communicate anxieties regarding order in the interior of the state and fear and danger in the exterior. Detention centers demarcate where European notions of civilization end but they also highlight the point where the civilized subject can be legitimately violent and uncivilized. Third, detention centers not only prevent unregulated immigrants from entering the EU and the nation state but also produce their content. By safeguarding the national and European territories from the threats which unregulated immigration is thought to pose, detention centers help to produce a defensive national subject in fear of being contaminated by the arrival of anonymous, stateless people.

## Contributor Note

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## Introduction

Greece is a primary transit point for documented and undocumented immigrants desperately attempting to enter the EU area from Africa, the Middle East and Asia. Under political and electoral pressure from the EU and from Greek citizens respectively, the conservative-led coalition government of Greece (June 2012-January 2015) adopted drastic measures for the detention and subsequent repatriation of undocumented migrants and asylum seekers. Migrants and asylum seekers detained in Greece's disused military camps are subjected to deplorable living conditions and unprecedented racially-motivated violence. The purpose of this article is to establish some of the political and cultural meanings of Greece's detention centers by considering the weakening of the nation state's role in the management of immigration, and the legal and cultural frameworks detention centers simultaneously both construct and dismantle.

The present examination proceeds by establishing two theoretical and empirical distinctions. First, the establishment of EU surveillance and patrol bodies and organizations runs against the apparent pledge for the construction of a borderless polity directed by a federal state. An examination of policy documents as well as reports from the Human Rights Watch, the European Court of Human Rights and the Greek Council for Refugees indicates that EU member-states are nostalgic for a time where nation states were considered politically and culturally homogeneous entities and were in a position to exercise power that was material and visible. Second, the article is not exclusively concerned with an

analysis of the detention centers that lies, in a theoretical and empirical sense, outside of them. Such an approach would analyze only how the meaning of immigration detention centers is determined by external factors, namely the state of the economy and the number of unregulated immigrants wishing to enter the EU. The article also pays attention to ideas regarding homogeneity and security and to collective sentiments towards immigration and immigrants. These ideas and sentiments are permeated by a conception of Europe as place of civility, justice and equality. However, the methods used for the protection of this conception from unregulated and unwelcomed migrants often occur outside the established legal frameworks and at the same time challenge this particular conception of Europe.

## The Immigration Crisis as European Crisis

Besides the monetary union and its subsequent problems, the EU is struggling to come to terms with changing patterns of populations, immigration flows, cultural and ethnic diversity, and the control of mobility at its external and internal borders. Even though the migrant crisis Europe is facing has been overshadowed by the current financial crisis, the former has managed to intensify its impact on the way the ideas of Europe and of the European project are perceived and experienced by both Europeans and non-Europeans. More specifically, the immigrant crisis constructs mobility, asylum and refuge as objects of fear and in turn presents them as constitutive elements for the management of the European project and the wellbeing of Europeans.

Since its inception as an economic and political entity, the EU has been trying to dilute its internal borders through the free movement of the citizens of its member-states and by protecting its external borders with policing, treaties and regulations, which prevent entry to unauthorized people. As a result of the abolition of borders between member-states, and the freedom of movement of their respective citizens, a sharp distinction between EU citizens and migrants started to develop. Immigration to Europe has become practically impossible and at the same time the rights of non-Europeans residing in Europe, categorized as 'third country nationals', differ significantly from those with EU citizenship (Harding 2012).

The EU has devised two legal and operational mechanisms in order effectively to manage the inflow of third country nationals to its territory. These mechanisms focus on the asylum application system in the EU and the securitization/militarization of the EU's external borders. First, a certain mechanism was needed for determining responsibility for asylum applications submitted to the EU member-states. Such a mechanism would ensure access to all processes leading to the granting of refugee status but at the same time would prevent abuse of the asylum system through the submission of multiple applications to multiple member-states. This mechanism materialized in the Dublin Convention and its later manifestation, the Dublin Regulation. The Dublin Regulation was certified in 2003 and it is mostly known as Dublin II. Dublin II is an EU law that establishes the criteria for determining which member-states are responsible for dealing with specific asylum seekers as individual cases seeking international protection under the Geneva Convention.

Dublin II establishes the principle that the member-state in question, not the EU, is responsible for examining an asylum application. Dublin II constitutes a response to asylum seekers violating immigration laws by travelling illegally from country to country, often relying on highly paid smugglers to help them. The International Convention Relating to the Status of Refugees (UNHCR, Paragraph 1, Article 31) states that asylum seekers may use or have been forced to use illicit means of entry into safe countries and in turn these countries should not penalize them for their mode of entry. However, with the creation of the European single border, asylum seekers and other unregulated immigrants have come to be seen as threats to the EU's security. The association of asylum seeking with illegality and criminality has led to the presumption that most asylum cases are fabricated and that extreme exclusionary measures can be justified.

Since the member-state that a person first entered is responsible for dealing with the asylum application, all member-states on the borderlands of the EU are under immense economic, administrative and social pressure. Dublin II constructs a Europe with varying standards of reception facilities and social conditions where asylum seekers and economic migrants are frequently treated as a lesser category of people with fewer rights.

From the Greek-Turkish borders to the Spanish Canary Islands and the Italian island of Lampedusa, the arrival of tens of thousands of refugees from Syria, Iraq, Afghanistan, Bangladesh, and Somalia is posing serious challenges to the EU's commitment to the protection of human rights, and to further integration amongst member-states. Western, central and northern European countries are

hesitant to undertake administrative duties and economic obligations for migrants who arrive at the southern and eastern gates of Europe. As a result, tens of thousands of asylum seekers and unregulated immigrants are trapped in a network of bureaucracy, xenophobia and limited economic resources.

The second mechanism to manage the inflow of third country nationals focuses on the security of the European border and its subsequent militarization. Frontex (a contraction of the French *Frontières Extérieures*) was established in 2004, started operating in 2005, and was the first EU agency to be based in a new member-state, Poland. The EU did not conceive Frontex as an active policy-making agency, but instead as a facilitator of cooperation between member-states on issues of border management and enforcement. The main activities of Frontex are coordination, research and surveillance. Frontex does not engage with these assignments through the setting of new border control infrastructure but rather through the cooperation and coordination of various agencies such as Europol, the European Union Satellite Centre (EUSC), the European Defence Agency (EDA), the European Maritime Safety Agency (EMSA), the European Space Agency (ESA), and the European Centre for Disease Control (ECDC). The coordination and cooperation of these diverse agencies aspire to a complete and comprehensive surveillance of EU's external borders. The overall approach is defined by Frontex as a 'network approach' (Feldman 2012: 83) and the guidelines for such an approach are found in what the EU has called 'integrated border management' (ibid.). The constitution of Frontex attests to the need for international and coordinated action against undocumented migration but also highlights the limitations of

member-states to deal with migration as isolated legal and political entities. As Gil Fernández, deputy executive director of Frontex told the Human Rights Watch in December 2010: 'we are always explaining what is somewhat difficult to explain. Our role is one of coordinator. We act as a facilitator between states for resources. The operations are always led by the host state' (quoted in Human Rights Watch 2011:11).

Although the EU insists that Frontex is more of a coordinator than an actor in the field of immigration, Frontex has rapidly morphed into a significant actor that plays a key role in determining and enforcing EU immigration policy. The budget allocated to Frontex is indicative of its current transformation. From a budget of €6.2 million in 2004 to a budget of €88 million in 2010, Frontex has managed to employ 272 seconded national experts, temporary and permanent employees and to coordinate joint maritime operations for the control of migration involving non-EU countries such as Senegal (Frontex, 2010). In 2007 the Frontex regulation was accompanied and reinforced by the RABIT Regulation with the mission to create 'Rapid Border Intervention Teams' in order to stop the flows of undocumented migrants to the EU. The southern member-states were the first to express objections regarding the isolation and subsequent lack of resources for preventing unregulated immigration. Considering these complaints and the perceived threat of unregulated immigration, the European Parliament voted in favor of the constitution of such a team. The constitution of RABIT signaled in a clear manner the representation of undocumented migration as an illegal and criminal activity. Members of the RABIT Regulation were authorized to

bear arms and to use force with the consent of member-states (ibid.).

Greece, as a cooperating EU member-state, has been the recipient of EU personnel and resources through the RABIT deployment. The first Frontex mission began in October 2010 at the request of the Greek government for help in preventing unregulated immigration at Greece's north-east borders with Turkey. Frontex deployed 175 RABIT officers from twenty-four EU countries along the border between the area of Orestiada and Alexandroupolis. Further to standard procedures of surveillance, RABIT officers interviewed undocumented migrants in order to identify their country of origin and the causes of their mobility towards the EU, and to collect information with respect to trafficking and smuggling networks. Greece's geographical position and the difficulties it faces averting and regulating immigration have authorized Frontex to establish a permanent office in the Greek coastguard headquarters in the port of Piraeus, as the principal headquarters for all operations in the East Mediterranean area.

From the overview of those two mechanisms a series of contradictions become apparent with respect to the role of the state in this assemblage of supranational policies and organizations and international cooperation. The EU denies any collective responsibility concerning the assessment of asylum applications and designates the member-state responsible for their evaluation, but at the same time recognizes the limited resources of member-states, especially those on the borderlands, dealing with the policing and surveillance of their borders and by association, European borders. Furthermore, these two mechanisms are not

only a response to an immigration crisis in Europe but they also contribute to and are constitutive elements of this crisis by criminalizing immigration, militarizing the border and by leaving member-states with limited resources and immense financial problems in dealing with asylum seekers and their applications.

Where do these contradictions leave the state? EU member-states such as Greece can neither delineate the political terrain of immigration nor monopolize its management by policy and policing. EU member-states and Greece in particular are limited to performing the political role of the construction and preservation of national identity through categorization and exclusion. Foucault (2008) terms the power to manage and categorize the population as 'governmentality', which constitutes the main way the state vitalizes itself. As Judith Butler (2004) points out, it is interesting that Foucault refers explicitly to the vitalization of the state instead of its legitimation. Here Foucault insinuates that the state without governmentality would gradually deteriorate. Yet the state's dependence on governmentality is a modern political phenomenon and practice. Traditionally, sovereignty provided legitimacy for the rule of law. But as sovereignty in that traditional context has lost authority, governmentality has emerged as a form of power capable of providing meaning to the state's exclusionary and disciplinary techniques. Foucault (2008) contextualizes the concept of governmentality within an historical analysis of the emergence of national government and administration and the emergence of forms of knowledge manifesting itself as public policy. Therefore, governmentality, broadly understood as a mode of power dealing with the control and mobility of people, provides useful insights for

examining the weakening role of the nation state with respect to immigration, as well as for the disciplinary and exclusionary techniques employed by the state in order to reassert its existence.

Governmentality operates through state and non-state institutions and discourses, which do not necessarily seek legitimacy by elected and established political authorities. Characterized by a constellation of strategies and interventions, governmentality acquires a meaning as long as it orders and categorizes populations and produces and reproduces subjects. EU mechanisms for regulating immigration and asylum-seeking, and the diminishing role of nation states in defining and controlling their borders, are embodied in the presence and function of immigration detention centers. Wendy Brown (2012) suggests it is the gradual weakening of the nation state that has provided a fertile ground for the building of detention centers and fences as means towards the minimization and management of unregulated migration as well as towards the distinction between eligible and ineligible, legal and illegal, legitimate and illegitimate.

### **The Administrative and Territorial Power of the Detention Center**

Immigration detention centers form the foreground to a backdrop dominated by uncontrolled and undetected immigration flows, humanitarian crises outside the EU, insecurity and fear. Due to their material presence, detention centers attempt to communicate in the most visible way the power of the state by focusing on the detention and administration of stateless individuals. The proliferation of detention centers for

immigrants in Europe stands as a constant reminder that every action towards a borderless and unified Europe is accompanied by fear of outsiders and anxieties regarding sovereignty, law and order within nationally-defined boundaries.

The consensus amongst politicians, citizens and policing authorities on the necessity of detention centers in Europe does not mean that there are not any noticeable differences regarding the type of immigrants detained, the use of disciplinary technologies, and the ideas and beliefs, which inform the building of these centers and their management. Detention centers in Europe are classified according to the purposes they serve and the type of non-Europeans they detain. There are detention centers for those wishing to apply for asylum, commonly categorized as asylum seekers, and for immigrants initially refused entry to their country of choice and waiting evaluation of their situation. After this evaluation the applicants would either be admitted to the territory of the member-state or returned to the post/border where they initially entered. There are also detention centers for non-Europeans who have committed an illegal act in the territory of a member-state other than 'illegal migration' and are awaiting deportation. However, most detention centers in the EU, and in Greece in particular, are used to detain asylum seekers, immigrants awaiting evaluation of their application, and non-Europeans involved in illegal activities. These detention centers also serve the function of identifying and screening undocumented migrants.

In 2012 the governing parties of the Right and the Centre Left voted on a bill for the construction of detention centers in various locations around Greece.

Parties of the Left and the Far Right were against the building of these centers for different ideological and political reasons. In particular, the parties of the Left raised concerns regarding the protection of the detainees' human rights, living conditions and access to legal representation, whereas parties of the Far Right, such as the neo-Nazi party Golden Dawn, were of the view that all immigrants should leave the country regardless of the conditions of their detention. Despite the determination of political parties and supranational organizations to initiate the building of detention centers in Greece, local authorities and citizens are in principle opposed to them. Although authorities and citizens alike perceive immigration as a major problem and as a criminal activity with multiple social repercussions, the presence of detention centers and ultimately of a great number of spatially-confined migrants raises concerns over public health and order. The detention centers of Tycherio, Feres, Soufli and Fylakio in the area of Evros do not prevent migrants from attempting to cross the border but instead they contribute to an increasing number of fatal accidents. For migrants who had managed to avoid capture in the northern border area of Greece there are detention centers in greater Athens and in neighboring towns such as the centers of Petrou Rali, Korinthos, and Amygdaleza. In addition, twenty detention centers have been built around Greece for the purposes of screening and evaluation of asylum applications and of deportation.

According to Article 13 of the Presidential Decree (PD114/2010), asylum seekers may be detained for three months maximum from the date of the registration of their asylum application. An applicant can be

detained for one of the following reasons: the applicant does not possess or has destroyed his/her travel documents and it is necessary to determine the identity, the circumstances of entry and real information of his/her origin, in particular in the case of mass illegal immigration; the applicant constitutes a danger to national security or public order; detention is considered necessary for the prompt and effective completion of the application. Article 13 continues by emphasizing that detention of asylum seekers and undocumented migrants should be limited to the maximum duration required and should not exceed in any case ninety days. If an applicant has already been detained in view of a deportation order, the total detention duration must not exceed 180 days.

Almost all undocumented migrants captured in the area of Evros, on the Northeastern borders of Greece, are detained with the objective of deportation. The detainees are deported to either their country of origin or indirectly via Turkey, based on the readmission protocol signed by the two countries. The most common argument regarding the detention of undocumented migrants is the apparent danger of absconding. In practice the authorities in charge do not treat the detainees as individuals and they disregard their respective needs and status. The duration of the detention can be extended to a maximum of six months, and in certain circumstances to eighteen months, and depends on the possibility of deportation and in turn on the nationality assessment. In addition to these parameters, the overcrowding of detention is a contributive factor in the duration of detention. Detainees assigned to be of certain nationalities such as Iraqi, Syrian, Georgian, Turkish and Iranian are detained for an extended



period until they are sent back to Turkey, or until the maximum detention period of six months has expired. Another group of detainees, those considered to be Nigerian or Dominican, among others, stay in detention in order to be deported via Athens. Either they will be directly transferred to the airport or they will be detained in one of greater Athens' detention centers for an extended period of six or eighteen months and then deported. The main criterion that determines detention is the feasibility of deportation. If deportation is not feasible then detainees could be released. However, the procedure for determining the feasibility or non-feasibility of deportation as well as the duration of the detention is not clearly defined.

### **The Meaning of Detention Centers in Greece**

The detention center represents a particular type of rationality - a perfect political order where only staff and detainees can be flawed, and their actions can and should be rectified. The focus on the rationality, function and legal structure of detention centers can allow an analysis of what creates the meaning of detention centers but does not provide an answer to the question of what detention centers mean for Greek citizens and unregulated migrants. The exertion to secure the borders of the EU and protect EU citizens from unregulated migrants, as well as protecting unregulated migrants from smugglers, is deeply rooted in the rhetoric of just and unjust, friend and enemy, socio-political order and chaos, health and illness. These binary oppositions are not merely abstract ideas about the constitution of a well-ordered polity, they are also sentiments communicated by politicians,

citizens, migration authorities and migrants.

The rhetoric of EU officials and migration authorities such as Frontex is part of a cultural structure that remains largely imperceptible to all actors involved. Jeffrey Alexander (2006) points out that cultural structures are not only external but also internal - they contain a meaning and this meaning needs to be made perceptible. The internal dimension of these structures does not provide any space for rational and instrumental political action. Instead, it constitutes 'an ideal resource that partially enables and partially constrains action, providing for both routine and creativity and allowing for the reproduction and transformation of culture' (Alexander 2006: 12). Intranational organizations, nation states and immigration authorities have an ideal foundation that fundamentally shapes their actions and aims. Every action towards the apprehension of unregulated immigration, regardless of how objective and instrumental it is, or how it is shaped and informed by relevant data, provides a particular meaning. What is needed here is a theoretical analysis of the rhetoric and symbols that create and sustain the meaning of the immigration detention centers in Greece.

The building of detention centers in the liberal democratic member-states of the EU takes place on the premise of a state of emergency - a state both created and explained by the unregulated immigration flows to Europe. Even though this state of emergency is supposed to be temporary, the presence of detention centers and the militarization of the border indicate a permanent state of emergency exemplified by an immigration crisis that goes hand in hand with a crisis of the

European and Greek territories. In *Nomos of the Earth*, Carl Schmitt (2003:194) states that 'the territory of the state is the theatre of rule'. Yet the state has ceased being a protagonist in the design and implementation of immigration policies and border security, and its territory is in dispute. The building of detention centers for unregulated immigrants is an explicit attempt to assert the EU member-state as a 'total state' (Schmitt 1999) where it can discern between friend and enemy and rule by limiting or eliminating forces (such as the presence of unregulated immigrants and stateless people) that might develop in its interior. However, this rule does not depend on the implementation of the law as illustrated by immigration policies and directives but on its suspension. The detention center manifests itself both physically and politically when the suspension of the law acquires a permanent territorial arrangement and consequently remains outside the normal state of the law – outside of the state of organized interests and associations such as the ECHR and NGOs. *'The camp is the space that opens up when the state of exception starts to become the rule'* (Agamben 2000: 39, emphasis in the original).

According to Agamben's (2005: 24) reading of Schmitt, the understanding of the state of exception is determined by its 'localization (or illocalization)'. At the outset a spatial distinction between what is inside and what is outside of the law on immigration and detention appears to be inadequate for explaining the meaning of detention. Is it possible for this state of lawlessness inside the detention center to be accommodated by the legal order? Is it possible for law to accommodate its own suspension during exceptional moments – moments

of crisis? On the one hand, Agamben (2005: 23) points towards the perception of the state of exception, as 'an integral part of positive law because the necessity that grounds it is an autonomous source of law'. On the other hand, the state of exception can be perceived as 'essentially extrajudicial' (ibid); something that precedes the legal order of the state or exists outside of it. However, both of these understandings are insufficient for the understanding and positioning of the state of exception. The state of exception cannot be found inside or outside the state's legal order, but instead within a 'zone of indifference where inside and outside do not exclude each other but blur with one another' (ibid). Correspondingly, the suspension of the law in the detention center is neither external nor internal to existing immigration policies but instead mentalities and practices inside and outside the detention center redefine the limits of the legal order in relation to unregulated immigrants and their lives.

### **'Special Facilities': The Violence on Rights and the Right to Violence**

On the 21<sup>st</sup> September 2011, the United Nations High Commissioner for Refugees (UNHCR) declared the asylum situation in Greece a 'humanitarian crisis'. According to the UNHCR, Greece's lack of an appropriate social and political infrastructure regarding its asylum system has 'important implications for the wider EU'. The humanitarian crisis described by the UNHCR had been developing for a number of years, as Greece became the major gateway for asylum seekers and undocumented migrants into the EU. Greece's geographical location, its porous northern, eastern and coastal borders, in tandem with its inadequate immigration

policies and inadequate asylum system, contributed to the unfolding of an emergency situation pivoting around resources, public sentiments, politics and policies.

In response to this emergency, the government redirected its focus on a micro-level in order to minimize the flow of undocumented migrants into Greece. The main measure adopted out of this change in scale and policy was the extension of the detention period of those whose deportation is feasible, and of asylum seekers. The result of this new measure was overcrowded detention centers and the subsequent deterioration of the living conditions within them, as well as a series of violations of human rights with respect to legal representation and access to bureaucratic procedures.

The official terms used by the Greek authorities to describe these detention centers are 'special areas for hosting foreigners' and 'special facilities for aliens' (Law 3386/2005, Article 81). The umbrella terms of 'special areas' and 'special facilities' include two main types of detention centers. First, there are the police and border-guard stations, which were initially set up for short-term detention and screening of detained undocumented migrants. Second, there are detention centers proper, which are for detaining foreign nationals awaiting deportation. Due to overcrowding, the distinction between those two categories of detention centers has never been experienced by detainees or practiced by immigration authorities (Xenakis and Cheliotis 2013). A plethora of reports by domestic and foreign media (The Guardian 2013; To Vima 2013) as well as organizations (United Against Racism; Human Rights Watch; Greek Council for Refugees) have illustrated that the

detention of immigrants in Greece involves prolonged exposure to poor living standards and humiliating treatment. Overcrowding is so common that detainees often have to share beds and sleep in shifts, or alternatively they sleep on the floor using sleeping bags usually provided by NGOs. In some detention centers sleeping is only possible in a sitting position or in non-designated sleeping areas such as toilets. Other commonly reported problems include lack of ventilation, limited or non-existent sanitation, extreme room temperatures and poor hygiene. In addition to the aforementioned problems, medical provision is minimal due to lack of medical staff and medical facilities in the detention centers. The vast majority of the detainees in Greece are suffering from skin diseases, infections and depression, which are mostly linked to the long duration of the detention under these conditions (Médecins Sans Frontières 2014).

The deplorable living conditions of the detainees are intensified by the violent treatment which they are subjected to by detention center staff. Violence in Greece's detention centers varies: from racist verbal abuse and destruction of religious symbols to forceful body searches, direct physical attacks, sexual harassment and torture, the detention centers' staff have caused serious mental and bodily injuries. In the absence of a credible complaints procedure, legal representation for detainees, and well-sourced and independent inspection bodies, violence in the detention centers is enacted with impunity. After a comprehensive review and evaluation of reports condemning the living conditions in Greece's detention centers, the European Court of Human Rights (ECHR) concluded:

All the centres visited by bodies and organizations that produced the reports...describe a similar situation to varying degrees of gravity: overcrowding, dirt, lack of ventilation little or no possibility of taking a walk, no place to relax, insufficient mattresses, no free access to toilets, inadequate sanitary facilities, no privacy, limited access to care. Many of the people interviewed also complained of insults, particularly racist insults, proffered by staff and the use of physical violence by guards.

Deplorable living conditions, police violence and lack of transparency regarding the duration of detention and legal representation have led many of the detainees to diverse forms of protest such as hunger strikes, self-harm, and setting mattresses and blankets on fire, as well as some attempts to escape. The protests of detainees hardly feature in national and international media due to attempts by the police and immigration authorities to cover up or tone down any incident of unrest that might highlight violations of human rights and the overall inadequacy of the Greek state's attempt to deal with the phenomenon of immigration and asylum. Frequently protestors and hunger strikers are either isolated from other detainees or transferred to other detention centers around Greece, awaiting their deportation. The few incidents of unrest and protest which have been reported by the media involved large-scale police operations as well as injuries and arrests. On the 10<sup>th</sup> August 2013, at the detention center of Amygdaleza in the area of Attiki, detainees started a protest over the duration of their detention by setting fire to mattresses and by attacking their guards. Forty-one detainees were charged with violent

conduct and destruction of public property while ten detainees managed to escape (To Vima 2013). On the 28<sup>th</sup> August of the same year the NGO United Against Racism reported that 400 detainees at the detention center of Orestiada in Northern Greece proceeded to a hunger strike over the duration of their detention. Many of the strikers were in detention for over a year and were told that they had to wait for at least eighteen months for the assessment of their asylum applications (Movement Against Racism and Fascist Threat, 2013). At the detention center of Komonti, in northern Greece, three detainees proceeded to hunger strike and the sewing shut of their mouths in order to draw their guards and immigration authorities' attention to the lack of hygiene and functioning facilities in the centers (ibid.). Most of these incidents of unrest and protests of detainees demanding better conditions, assessment of asylum applications and duration of detention are not covered by mainstream media but become known from reports published by NGOs such as Greek-Helsinki Monitor, the Human Rights Watch, the Greek Council for Refugees, and Pro-Asyl.

The responses of the Greek state to pressures for improvement of living conditions in the detention centers are informed by the financial and immigration crisis in Europe as well as by the mentality of creating a hostile environment for all undocumented immigrants aspiring to enter EU territories. Greek governments consistently attempt to absolve themselves of certain responsibilities by referring to three different yet interconnected issues. First, the number and actions of undocumented immigrants are the major contributive factors towards low standards of living during detention.

Greek authorities point to the high ratio of detainees to staff due to the Dublin Regulation, which renders the situation inside the centers uncontrollable. Second, for authorities and detention centers' staff the substandard detention conditions are attributable to the detainees' violent protests and their lack of respect for their living space. Third, immigration authorities are keen to remind humanitarian and human rights organizations that the recent financial crisis in the EU has affected their funding and by extension their resources for the better treatment of detainees.

However, several governmental actions regarding the apprehension and detention of undocumented immigrants contradict the reasons provided by the same authorities for inadequate detention conditions. Due to the idiosyncrasies of the Dublin II, Greece has been the recipient of substantial EU funding for immigration and asylum management. In 2012, EU funding was made available specifically for the development and improvement of detention conditions including legal representation and screening procedures. Yet, the use of these funds by the Greek state has been very limited and selective. The state continues to prioritize the construction of detention centers and walls and the militarization of the Greek borders, and systematically neglects the improvement of living conditions inside the detention centers.

Furthermore, the Greek state's formal commitment to improve detention conditions following the guidelines of the ECHR, the HRW and the European Committee for the Prevention of Torture have been called into question by these same organizations with respect to the official rhetoric of immigration services, which effectively justifies poor detention

conditions and violence. In particular, the Greek government and immigration authorities have contextualized the dire detention conditions as part of a wider governmental strategy to project the image of Greece as an 'unfriendly destination' for those wishing to enter its territory illegally. In direct opposition to the aforementioned criticisms, Nikos Dendias, the Minister of Public Order and Citizen Protection, stated that detention centers in Greece function according to European standards and explained that detention conditions stand at the 'lowest acceptable civilized minimum' in order to deter unregulated immigrants, by sending a message that Greece is 'unfriendly' to them (quoted in Cheliotis 2013).

The statement of the Minister of Public Order and Citizen Protection that Greek detention centers operate according to the European standards of apprehension of unregulated immigration and detention indicates the active role of the EU in the construction of an immigrant crisis and its subsequent management, but also its problematic relationship with the member-states regarding immigration. The EU is critical of Greece's asylum system, immigration policies and detention conditions as demonstrated by the ECHR condemnation, but at the same time it criminalizes immigration and militarizes the border through the support and funding of fences, detention centers and the activities of Frontex. On both the national and EU levels the legal framework around 'illegal' immigration and its management aims to dissociate the EU from any collective responsibility with respect to the protection of human rights, and at the same time delegates responsibility to Greece as a member-state, regardless of its capacity and will to train and inspect guards, and provide

legal representation and medical facilities.

## Conclusion

Immigration authorities have the capacity to delineate the practices and mentalities of detention and ultimately they can appropriate what exists outside the law as part of the state's governmentality. The ideas and rhetoric surrounding immigration centers and the practices inside them contribute to a productive yet restricted understanding of who and what needs to be protected from the unregulated flows of immigrants. Officially built for the protection of citizens, social cohesion and welfare services, detention centers produce collective subjectivities inside and outside their confines. In the name of security and protection, detention centers safeguard the national subject from the territorial and social threats unregulated immigration is thought to pose, and at the same time produce a defensive national subject in fear of being contaminated by the arrival of anonymous, stateless people. Even

though one of the main functions of the detention center is to assign an identity to all detainees according to certain fixed criteria such as nationality, ethnicity, gender, age and education, detainees are treated and presented to national citizens as a threat to national security and cohesion. Detention centers, due to their implicitly permanent presence, communicate a symbolic function with respect to the reconceptualization of borders. Such a reconceptualization is not limited to the political and administrative borders of Greece and the EU but extends to the very limits of civilization. The incorporation of what exists outside the law into the law, the violation of human rights as a necessary legal practice, and the Minister's admission that detention centers *need* to operate at the 'lowest acceptable civilized minimum', mean that the new conceptualization of borders demarcates where European civilized practices end (inside the European territory), and also where the cruelty of the civilized subject personified by the immigration authorities is permitted.

## References

- Agamben, G. (2000), *Means Without End: Notes on Politics*, translated by Vincenzo Binetti and Cesare Casarino, Minneapolis, MN: University of Minnesota Press.
- Agamben, G. (2005), *The State of Exception*, translated by Kevin Attell, Chicago, IL: The Chicago University Press.
- Alexander, J. C. (2006), *The Meanings of Social Life: A Cultural Sociology*, Oxford: Oxford University Press.
- Brown, W. (2010), *Walled States, Waning Sovereignty*, Brooklyn, NY: Zone Books.
- Butler, J. (2004), *Precarious Life: The Powers of Mourning and Violence*, London, New York: Verso.
- Cheliotis, L. K. (2013), 'Immigrant Detention and State Denial in Greece'. *Open Democracy*  
Available at:

<https://www.opendemocracy.net/can-europe-make-it/leonidas-kcheliotis/immigration-detention-and-state-denial-in-greece> [Accessed 18 August 2014].

European Court of Human Rights, Chamber Judgments (26/11/2009), 'Tabesh v Greece'.

Fieldman, G. (2012), *The Migration Apparatus: Security, Labor, and Policymaking in the European Union*, Stanford, CA: Stanford University Press.

Foucault, M. (2008), *The Birth of Biopolitics: Lectures at the Collège de France, 1978-1979*, translated by Graham Burchell, Basingstoke: Palgrave MacMillan.

Frontex (2010), *Beyond the Frontiers. Frontex: The First Five Years*. Warsaw: Frontex. Available at: [http://frontex.europa.eu/assets/Publications/General/Beyond\\_the\\_Frontiers.pdf](http://frontex.europa.eu/assets/Publications/General/Beyond_the_Frontiers.pdf) [Accessed 28 April 2015].

Greek Helsinki Monitor (2012), *State Violence in Greece: An Update (October 2011 – April 2012): Alternative Report to the United Nations Committee Against Torture*, Athens and Geneva.

Council Regulation (EC), (2003), *On establishing the criteria and mechanisms for determining the Member State responsible examining an asylum application in one of the Member States by a third-country national*, No 343/2003 of 18 February.

Harding, J. (2012), *Border Vigils: Keeping Migrants Out of the Rich World*, London: Verso.

Human Rights Watch (2011), *The EU's Dirty Hands: Frontex Involvement in Ill Treatment of Migrant Detainees in Greece*, USA: Human Rights Watch. Available at:

<http://www.hrw.org/reports/2011/09/21/eu-s-dirty-hands-0> [Accessed 11 August 2014].

Law No. 3386/2005, *Codification of Legislation on the Entry, Residence and Social Integration of Third-Country Nationals on Greek Territory*. Greece: Official Gazette of the Hellenic Republic.

Médecins Sans Frontières (2014), *Invisible Suffering: Prolonged and Systematic Detention of Migrants and Asylum Seekers in Substandard Conditions in Greece*, Athens, Brussels, New York: Médecins Sans Frontières. Available at: [http://cdn.doctorswithoutborders.org/sites/usa/files/attachments/invisible\\_suffering.pdf](http://cdn.doctorswithoutborders.org/sites/usa/files/attachments/invisible_suffering.pdf) [Accessed 29 April 2015].

Ministry of Public Order and Citizen Protection (2010), *Presidential Decree 114/10*, Athens, Greece: Governmental Newspaper.

PRO ASYL Foundation (in co-operation with the Greek Council for Refugees and Infomobile/Welcome to Europe), (2012), *Walls of Shame: Accounts From the Inside: the Detention Centres of Evros*, Frankfurt/Main, Germany: PRO ASYL. Available at: [http://www.proasyl.de/fileadmin/fm-dam/q\\_PUBLIKATIONEN/2012/Evros-Bericht\\_12\\_04\\_10\\_BHP.pdf](http://www.proasyl.de/fileadmin/fm-dam/q_PUBLIKATIONEN/2012/Evros-Bericht_12_04_10_BHP.pdf) [Accessed 27 March 2015].

Schmitt, C. (1999), 'The Way to the Total State', in *Four Articles, 1931 – 1938*, edited and translated by Simona Draghici, Washington DC: Plutarch Press.

Schmitt, C. (2003), *Nomos of the Earth in the International Law of Jus Publicum Euroaeum*, translated by G.L Ulmen, New York: Telos Press.

Smith, H. (2014), 'Migrants Face "Living Hell" in Greek Detention', *The Guardian*, April 1, 2014,

<http://www.theguardian.com/world/2014/apr/01/migrants-living-hell-greek-detention-medecins-sans-frontieres-scabies-tb> [Accessed 11 August, 2014].

To Vima (2013), '400 Immigrants go on Hunger Strike in Orestiada', 28 August,

<http://www.tovima.gr/society/article/?aid=527823> [Accessed 11 August 2014].

United Nations High Commissioner for Refugees (2010), *Text of the 1951 Convention Relating to the Status of Refugees. Text of the 1967 Protocol Relating to the Status of Refugees. Resolution 2198 (XII) Adopted by the United Nations General Assembly*, Geneva: UNHCR. Available at: <http://www.unhcr.org/3b66c2aa10.html> [Accessed 29 April 2015].

Xenakis, S. and Cheliotis, L. K. (2013), 'Spaces of Contestation: Challenges, Actors and Expertise in the Management of Urban Security in Greece', *European Journal of Criminology* 10(3), 297-313. <http://dx.doi.org/10.1177/1477370812473534>





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