STATE OF EMERGENCY
A reading of social space in Europe

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ABSTRACT
The contemporary urgency to face increasingly complex threats has consolidated a form of governance based on the logic of risk and the worst case scenario. Under this political regime, states of emergency and exception have progressively normalised. It follows the constant introduction of exception devices – ban-opticon – aimed at excluding specific groups framed by institutions as potential threats. These instruments act on space, both physical and virtual, configuring it in sequences of refuge spaces – to protect themselves from external threats – and enclave spaces – to close groups of people considered as threats.
Starting from the condition of emergency and the spatialization of its effects, the Schengen refuge space and the Mediterranean enclave, whose borders take on different meanings and forms depending on the subject related to them, are investigated. The authors argue that multiple and heterogeneous states of crisis reveal the spatio-temporal and processual nature of contemporary borders.

Keywords: state of emergency, European refuge and enclave, logic of risk, physical and digital space.
Thematic clusters: 3. Urban dynamics Topic: Post-crisis cities and socio-spatial dynamics
Framework and objectives

The paradigms of the contemporary era see maximum freedom of human movement and digital connection as opposed to a sense of insecurity and an extremely widespread threat in both urban and digital space. After September 11, the terrorist threat has gradually evolved into a more generalized and complex one, holding together interconnected states of danger. The new complex cross-border and global threats have accentuated the need for cooperation between different national and international institutions through the adoption of often exceptional security arrangements.¹

However, this order has institutionalised on a global scale the feeling of fear and the normalisation of the state of emergency and exception.² The latter, a legal condition of extrema ratio that has become today's governmental strategy of tension, is legitimate and consolidated in favour of an increasing coincidence between freedom and security (ComitatoInvisibile, 2019). In this way, instruments of government proper to exception are adopted in order to change behaviour and establish securitarian spaces on a global and urban scale. In the latter, the logic of risk and that of the worst-case scenario act as paradigms of political rationality, often aimed at monitoring and excluding specific social groups framed as potentially dangerous – the authors refer to ban-opticon device coined by Bigo (2008). The risk factor, therefore, associated both to facts and groups, is a device capable of orienting and determining individual and collective conduct and opinions (Agamben, 2006). Moreover, risk is an instrument of capillary control which consolidates the necessity of an ever-increasing security perceived dynamically in relation to an ever-increasing condition of threat and insecurity.

The authors refer to the concept of space as a social product, an instrument of thought, action and power which incorporates all the acts of subjects (Lefebvre, 1974), the authors argue that the contemporary European space, subject to the demands of control, emergency, exception and security, is a sequence of refuges, in which groups close voluntarily for security reasons, and of enclaves, in which the other is forcibly inserted with the aim of excluding him. The securitized European continent, in its meaning of refuge space (Schengen Area) and enclave space (Mediterranean basin), is therefore the product of an exclusive ideal of cultural, political and legal citizenship (Cacciari, 2003) aimed at preventing the entry of third parties.

The geographical and political borders of these two different spaces expand and portray themselves physically and digitally according to the political subject that is related to them, defining more or less safe, more or less accessible and democratic spaces. The hybrid dimension of the border, simultaneously physical and virtual, allows the existence of its multiple possibilities: physical materialisation in border barriers or digital materialisation in online interviews that detect, for example, non-verbal behaviour and depending on the risk factor attributed, allow or not allow the crossing of borders; the digital co-presence of control systems and networks of protection and mutual aid; physical spatialization in military apparatus or waiting centres; media and visual narration that consolidates the physical spatialization of refuges and enclaves.

Starting from these considerations, the authors aim to investigate the current condition of European borders more as processes than as spaces: spatio-temporal dimensions of bordering in which different subjects interact, able to build, de-build and re-build this process each time. The time frame examined focuses on 2015 and its socio-spatial consequences: the intensity of migratory flows has led to the adoption, from that moment on, of security measures of exception and militarisation emblematic of logic of risk and the “worst-case scenario” spatialization from a migratory point of view along the land and sea borders of the European continent.

¹The European Agenda on Security 2015 identifies three new complex and interlinked threats – terrorism, organised crime and cybercrime – to be addressed both within the EU and globally.

²The word institutionalisation refers to the process that “establishes, by introducing into use, something” (De Leonardis, 2001).
The relentless definition of another identified as a threat that leads to the configuration of refuge and enclave spaces, both physical and virtual, and to the adoption of exceptional governmental tools, emerged clearly during the SARS-CoV-2 health emergency. The closure of borders, induced by the spread of a biological alterity and the desire to contain contagions, homogeneously showed on a global scale the process of expansion and retraction of borders functional to the spread of a threat. Moreover, the functional confluence between the physical and digital dimensions, the latter used to monitor and regulate the former, has meant that health-technological tracking devices, quite exceptional, were introduced to define securitarian areas of control and to contain future and worst crisis scenarios.

State of the art
After September 11, panic has found a spatial form in the panic cities, meta-cities that do not really take place (Virilio, 2004), in which the devices of fear, control, security, and exception act, today become the main and permanent governmental instruments of emergency and post-emergency. These last, legitimised and consolidated in favour of an omnipresent risk factor or an ever-increasing coincidence between freedom and security, allows the institution to become the spokesman of order making this more desirable than any other hypothesis of action (ComitatoInvisibile, 2019). Within this regime, the government acts on the population through the logic of risk, a strategy which, in predicting the future, adopts the "worst-case scenario" formula as a regime of political rationality (Zylberman 2013).

As risk increases, the power and control of authority vary; this condition characterises the ban-opticon society based on the logic of increasing risk and exclusion of certain groups according to their potential behaviour. In this regime heterogeneous practices are used as forms of in-security on a global scale to profile, make transparent and exclude selected groups framed as "abnormal" (Bigo, 2008). Within this logic of preventive exclusion, risk can present itself through three different manifestations: directly perceptible (as in the case of continuous images’ repetition of the attack on Twin Towers, which made terrorist threat tangible); perceived through science (which involves technicians and professionals in the management of the worst-case scenario); virtual (which urges the population to involve catastrophic imagination as a means of action). Risk, understood in this way, is a cultural product not only of political-institutional sphere but

3Population is to be understood in relation to audience: that aspect of the former referring both to behaviour, fears, prejudices and to the grip surface that it offers to be oriented in a precise direction (Foucault, 2005).
also of social and citizen sphere, in fact, risk may or may not be real but has consequences only if a group of people considers it real (Adams, 2003).

With the normalization of state of emergency (Agamben, 2003) and the ever more consolidated logic of risk, in the last decades, both urban and territorial security areas have been created in order to solve, with exceptional legislative directives, multiple social emergencies. In these securitarian spaces, defined by Giorgio Agamben as “camps", the exception acquires a permanent spatial arrangement and the police acts “ provisionally” as sovereign (1996).
Starting from a contemporary reconceptualization of "camps", the authors define as **refuges** the securitarian spaces within which groups of people enter to protect themselves from external threats; **enclaves** the spaces, inside the refuges or along borders of the latter, constituted to close groups of people and thus prevent them from accessing the securitarian space of the refuge.

According to the migratory flows, the authors argue that the Mediterranean basin has acquired the political meaning of "necropolitic border" (Mbembe, 2016), extended beyond the legal borders of the European Union (Forensic Oceanography – Heller, Pezzani, 2016); it has become a security enclave bordering the Schengen refuge space. These flows are among the main reasons for notifying the Schengen Acquis, allowing temporary suspension of the directives of maximum freedom of movement within it, thus making the area an effective refuge space of the European community.

Along the Mediterranean liquid frontier, the non-fulfilment or inadequate response by coastal states to SAR search and rescue obligations at sea gives shape to areas where human rights are not respected and guaranteed. Through exceptions made at *International Convention on Maritime Search and Rescue*, the Mediterranean enclave takes shape as first geographical gateway to Europe, in which exception becomes a normalized response to the so-called "illegal" migration crisis. Through further exceptions made to the Acquis directives – specifically those of *Regulation (EU) No 1051/2013* – the European supranational refuge takes shape. For security and non-assistance reasons, controls at internal borders of the area are constantly reintroduced and those at the external borders intensified to prevent primary and secondary flows of entry the area. Although the two cases can be ascribed to the territorial scale, they find spatial correspondences to the urban and "everyday" scale – for example, gated communities, refuge spaces on urban scale, or waiting centres for migrants, spaces enclave at the edge of urban fabric and within which the space of temporariness, which these structures create, is increasingly tending towards permanence (Ricci, 2015).

Borders, subjected to these dynamics, are thus consolidated as interactive and mobile areas, prototypes of a biopolitical architecture that changes according to the political subject that crosses them, devices of regulation between birth and nation (Petti, 2007). The subjects thus become political entities that can be excluded or included within the borders according to the degree of threat attributed to them by institutions that define the space of the border and act as a guarantor of its security. To every security corresponds, therefore, a projected threat, to every political subject to defend, a dangerous subject is opposed, understood as a reproduction, in the opposite direction, of the first (Cavalletti, 2005).
Introduction to the case studies
Starting from heterogeneous sources, ranging from official documentation to visual policy, and with the aim of reading the current European social space in relation to the state of emergency, the analysis of the two case studies starts from the identification of the condition of exception at the legislative level whose effects are then spatialized. The restitution through two different maps (respectively, of notification measures to the Schengen Acquis and the consequences of non-fulfilment of SAR obligations imposed by the namesake International Convention of 1985) graphically translates the increasingly normalized exception condition along the European land and sea borders. The process of bordering, investigated by the authors at the territorial, digital and media scale in the Schengen refuge and the Mediterranean enclave, is considered paradigmatic in the organization and definition of contemporary space and society.

2015 is, as previously anticipated, the temporal parameter that holds the two case studies together, showing their mutual interconnection. The intensification of migration flows in that year had, in fact, concrete impact on the security policies of the Schengen refuge and equally concrete repercussions – even mortal – in the Mediterranean enclave in the face of an ongoing militarization inadequate to deal with the emergency. In both case studies the materialization of the bordering process is investigated at a physical and digital level in order to highlight how this process has extremely heterogeneous implications, depending on the individual and collective political subjects each time considered as active or, on the contrary, passive to policies of exception, recipients, finally, of certain narrative and visual policies that define the perceptual apparatus of bordering.

Spatializing the exception: the case of the Schengen Refuge
The Schengen Area, signed in 1985, spatialized the ambition for maximum freedom of movement for European citizens. This ambition is, however, part of an ambiguous framework which sees, on the one hand, the prerogative of guaranteeing freedom of exchange of goods and movement for internal citizens and, on the other hand, the control and exclusion of external citizens.

The Schengen visual policy consolidates the community sense of the Member States and the ease of movement within the area, through playful videos, for example, which tell the story of a citizen who, thanks to the Schengen Convention, can move within the area without wasting time and complications. The union of the Member States of the European Community finds in fact “its expression in the freedom of all citizens of the Member States to cross internal borders and in the free movement of goods and services” thus reinforcing “solidarity between peoples by removing obstacles to free movement across common borders” (Schengen Agreement of 14 June 1985).

This solidarity and community dimension is contrasted with a strongly militarized and securitarian one used to face the various and heterogeneous emergencies that are constantly projected on the area. It follows that the borders, internal and external, physical and virtual, of this portion of space expand and retract in function of extremely different threats and personified each time in new subjects. In order to cope with the maintenance of Schengen refuge, and at the same time to be part of it, the Member States have the obligation to take security measures at external borders. However, the normalisation of exception and the state of emergency lead to continuous reintroduction of controls at internal borders of each Member State, permanently suspending the Aquis directives. Article 25 of Regulation (EU) No 2016/399 states that “in case of a serious threat to public policy or internal security of a Member State (...) that State (...) may exceptionally reintroduce border control in all or specific parts of its internal borders”. In recent years, the number of notifications of the reintroduction of internal border controls has gradually increased, just as their temporal extension; conditions which highlight the effective normalisation of exceptional and emergency situations. These notifications, which are extrema ratio measures for the reintroduction of border controls, which can be adopted for short periods of time, have thus become a normal instrument of governance of public order aimed at making the area of refuge-Europe militarised and inaccessible to third parties.
Fig. 6 Own creation based on data from "Member States' notifications of the temporary reintroduction of border control at internal borders pursuant to Article 25 et seq. of the Schengen Borders Code". The map shows all the notifications implemented from 2006 to 2018 in response to heterogeneous emergencies, considered as dangers that could harm the internal security of each state. The analysis shows the possible heterogeneous nature and the progressive increase in the average annual duration of the

Among emergencies, the impact of "immigration" issue, in the possible overall framework, shows how this category is predominant, starting from 2015, in the reintroduction of border controls – although point 5 of Regulation (EU) No 1051/2013 states that "migration and the crossing of external borders by a large number of third-country nationals should not, per se, be considered to be a threat to public policy or internal security". Moreover, starting from 2016, is added to this category the "general security" one, which includes notifications relating to possible threats to public security and unspecified states of emergency. The concomitance of notifications for "immigration" and "general security" contributes to argue and consolidate the nature of a securitarian, exclusive and supranational refuge for European population living there.

The Schengen refuge is spatialized in both physical dimension, border barriers, and virtual dimension, as in the case of the iBorderCtrl. The latter is an experimental project funded by European Union’s Horizon 2020 research and innovation programme, launched in September 2016 and completed in August 2019 and applied for about nine months at specific external border crossings of the Schengen area – Hungary, Serbia and Latvia. iBorderCtrl is aimed at improving security and reliability of external border controls through the development of innovative technologies – such as biometric verification, automatic detection of deception through interpretation of non-verbal behaviour, cross-checking of documents and attribution of a risk factor. These technologies are used in a pre-registration phase from home during which, in addition to uploading specific documents and checking user’s social network accounts, the third party citizens, filmed from their webcam, are interviewed by a policeman’s avatar. Through the use of facial biometrics, facial

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6 For foreseeable and unforeseeable events the reintroduction of controls is limited to thirty days and no more than six months respectively; in exceptional circumstances an extension of up to two years is possible (Articles 25 and 26 of Regulation (EU) No 2016/399 – Schengen Borders Code).
microexpressions are detected allowing to attribute to each user a risk factor on which the degree of control at the physical border will be based.

Fig. 8 Source: LudovicaJona, La macchinadellaverità, 2019. Policeman avatar of iBorder Control system.

**Spatializing the exception: the case of the Mediterranean Enclave**

Several international conventions regulate the obligation to ensure safety of human life at sea; among them the *International Convention on maritime search and rescue*, signed in Hamburg on 27 April 1979 and entered into force in 1985, known as SAR (acronym of *search and rescue*), which requires the establishment and operation, by each coastal state, of an adequate search and rescue service through a coordination centre, to protect maritime safety and life at sea in internationally recognized areas. Although the custom imposes in any maritime area the rescue of people in distress, it is only through the establishment of SAR zones that rescue becomes a national responsibility: "while the first one concerns assistance at sea by those present or close to the scene of the event, the second one concerns a more complex service that involves first of all the search for the ship in distress and consequently the rescue of possible shipwrecked persons" (Leanza, Caffio, 2015: 15).
The map highlights the current configuration of the SAR areas in the Mediterranean; there are many controversies in these areas: the overlapping of Italian and Maltese SAR (cause of disagreements between the two countries on SAR responsibility in the overlapping area);\(^7\) the late declaration of the Libyan one, institutionalized only in August 2018 and however followed by the sudden prohibition, by the government of Tripoli, of NGO ships to enter it.\(^8\)

Starting from the analysis of migration flows in recent years within the Italian SAR, the authors argue the exclusively military and securitarian character of the operations deployed by the European agency Frontex. This condition has been in force since *Triton* mission in November 2014, launched following the conclusion in October of the same year of the military and humanitarian operation *Mare Nostrum*, conducted solo by the Italian Navy. The fallacious replacement of *Mare Nostrum* with the smaller – by extension and by means – operation *Triton* has initiated a European policy exclusively defensive of the maritime borders, which does not include SAR services among the objectives of the operations, despite an unchanged emergency condition.\(^9\)

The inadequacy of SAR services meant that in 2015 the SAR Coordination Centre in Rome repeatedly required the intervention of private vessels, specifically merchant vessels, as it had no means and no means located in the vicinity of damaged vessels. While the range of *Mare Nostrum* operation extended from the Italian coast to Libyan territorial waters – an aspect that earned the operation the definition of “pull

\(^7\) Despite this, there is no cooperation agreement between the two countries for SAR services. Moreover, Malta often claims Lampedusa as a “place of safety” – a place where rescue operations are concluded and human rights are guaranteed (International Convention on maritime search and rescue, 1979) – and not Valletta.

\(^8\)Moreover, for the UN agency UNCHCR, and for many NGOs, Tripoli is not considered as a “place of safety” (http://www.ansamed.info/ansamed/it/notizie/rubriche/politica/2018/07/06/migranti-unchr-consentire-a-ong-di-lavorare_1ea6a0d7-a581-4495-b09f-5fe47c145e13.html. Accessed 01/02/2020).

\(^9\)For example, *Sophia* and *Indalo* operations, active until 2018 in the central and western Mediterranean respectively.
factor "capable of attracting more and more migrants along the European coasts" – that of Triton extended within 30 nautical miles from the Italian coast (then increased to 138 nautical miles south of Sicily in May 2015 for obvious inadequacy). In April 2015 it was in fact recorded the highest number of deaths and lost at sea due to what Heller and Pezzani call "deaths by rescue" induced by the intervention of personnel and means not suitable either to search for damaged ships or to rescue their crews (Forensic Oceanography, 2016).

The episodes of April 12 and 18, 2015, in which more than four hundred and eight hundred people died respectively, are the result of clear states of exception made to SAR Convention and highlight a state of emergency that has now reached normalisation in the Mediterranean enclave. The succession of inadequate responses in the context of an active emergency led ECSA, ICS, ETF and ITF – international and European shipping companies, maritime and transport organizations – to declare in an open letter to EU in March 2015: "We believe it is unacceptable that the international community is increasingly relying on merchant ships and seafarers to undertake more and more large-scale rescues (...). The shipping industry believes that the EU and the international community need to provide refugees and migrants with alternative means of finding safety without risking their lives by crossing the Mediterranean in unseaworthy boats".

Fig. 10 Own creation based on data from guardiacostiera.gov. Graphicisation of the total number of deaths and missing persons among migrants following shipwrecks in the Mediterranean Sea in 2015 (the largest crosses correspond to 850 people). The Mediterranean is divided according to the three main migratory routes: western, central and eastern.

The visual policy adopted by the Italian Navy during Mare Nostrum operation, aimed on the one hand to show the military defense of Italians and Europeans and, on the other hand, the humanitarian counterpart of the latter focused on the rescue of the others, the migrants (Musarò, 2017), has contributed to consolidate the

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11 Both episodes occurred off the coast of Libya. According to UNHCR, the second was the most fatal incident in the Mediterranean (https://www.unhcr.org/553652699.html. Accessed 01/02/2020).

exceptional security space and the concept of threat. In the official video of the operation, images of military equipments used in the defence operation are contrasted with close-ups of rescued children: on the one hand the aspect of the migratory invasion (which legitimates the military response) emerges, on the other hand that of the humanitarian battlefield (De Genova, 2013).

The hybrid dimension of the border, between military protection and care of vulnerability, contributes to define it as “mediatized border”, as a network of practices, identities and emotions defined and built through heterogeneous uses, by different subjects, of digital media and technologies (Chouliaraki, Musarò, 2017). The latter in fact control, regulate, organize and facilitate simultaneously migratory flows by defining the very conditions of existence of the border.

Conclusions

Through the analysis of the Schengen refuge and the Mediterranean enclave, it has emerged that the governmental regime based on the logic of risk and worst-case scenario acts indiscriminately in multiple and heterogeneous states of crisis, reconfiguring the social space each time – as well as in the management of the SARS-CoV-2 emergency.

This governmental regime, acting through exceptional instruments and consolidated by precise narrative policies, is constantly opposed by a counterpart that involves the physical and virtual dimension of space. Among the forms of protest and the creation of a counter-narrative are, for example, the demonstrations following the closure of the Italian harbors promoted in 2019 by MatteoSalvini, former Italian Minister of the Interior, represented by the viral #portichiusi [#closedharbors]. These demonstrations, contrary to the policy of refoulement of migrants, have taken place both in the street and on the web, thus achieving resonance on a national and international scale. Another example is the digital platform Welcoming Europe which promotes, through online petitions, the decriminalisation of humanitarian solidarity, the creation of safe passages for migratory flows entering Europe and the protection of inviolable human rights for migrants and refugees along the borders. 

The protests involving the border once again highlight its procedural nature—bordering—which is spatialized both physically and virtually. The latter consolidating the displacement in relation to the physical border, as argued by the authors, builds a network of capillary controls; however, this is flanked by digital platforms used by migrants to communicate, exchange information and produce other forms of knowledge. In this sense, the digital dimension becomes a real empowering device along the borders.

During the discussion it was argued how precise visual and narrative policies are used by the institutions in order to consolidate the state of crisis and consequent tools to deal with it; these formulas, directed to the population inside the refuge, are flanked by a narrative and media apparatus aimed at the other framed as an external threat. An example is the Aware Migrants campaign, launched in 2016 and financed by the Italian Ministry of the Interior, whose aim is to discourage “aspiring travellers” from undertaking an extremely dangerous journey. Through a digital platform, the testimonies of some migrants have been collected, each in their own language, telling about the traumas suffered during the journey.15

From the analysis it emerges that the space-time dimension of borders, both physical and virtual, varies in meaning and form according to the subjects that relate to them. This procedural nature of the border allows to observe that autonomous subjects, often framed by narrative policies as victims, have, on the contrary, autonomy of travel and agency that constantly build and de-build along the borders.

On a spatial level, the succession of refuges and enclaves thus highlights and materializes cultural and political exclusion as a contemporary socio-spatial paradigm.

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Ordinances or decrees