Tarnished gold: border regimes from the Mediterranean to Switzerland

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Border regimes

Goods, information, germs and currencies flow largely unchecked across the maritime borders to the EU and into its hinterlands, while refugees are routinely stopped, searched, registered, digitalised, incarcerated and trafficked. In fact, the Mediterranean has been pronounced the world's deadliest border by various international bodies.[1] This chapter introduces the section entitled Metabolic pressures from the human perspective, asking specifically about

1 See for instance the 2019 Impact Report by the UNHCR, accessed 15 March 2020, https://www.unhcr.org/publications/fundraising/5e7a167b7/2019-donor-impact-report.html?query=Europe%20deadliest%20border.

the various pressures and obstacles refugees are exposed to as they travel from countries in the Middle East and Africa across the Mediterranean in a quest for safety and economic stability on European shores. In turn, it also asks about the various ways in which European countries attempt to metabolise the pressures created by the arrival of these refugees through political and legal means, and how one artist, the Swiss filmmaker Markus Imhoof, represents the difficulties refugees face as they attempt to travel from a number of countries in the Middle East and the Global South to the so-called Fortress Europe.

While such pressures can be felt at many points in societies borders bear some of the most telling inscriptions of a nation's stance vis-à-vis its own territoriality, its relation to other nations, and its historical understanding of its own responsibilities in the face of forced migration, particularly in the way such borders are constructed, managed and imagined. For those hoping to traverse these borders as refugees and asylum seekers, their construction, and what they mean for the countries they enclose, can make the difference between life and death. I want to think about three aspects of the border in this essay: one, the consequences of the largely invisible, ever-shifting, and often contradictory latticework of agreements, laws, and regulations that have rendered the outer edges of the continent at once treacherous and unstable; two, the degree of violence made visible as humans attempt to move alongside circuits of capital and goods, each challenging territorial borders in different and often contradictory ways; and three, ways in which collective concepts of citizenship and what it means to be 'a refugee' are represented in policy and reproduced in artistic renderings. In terms of policies, I will concentrate in this essay primarily on the years between 2014 and 2016 – the years depicted in Imhoof's film *Eldorado* during which there was a massive increase of refugees into Europe, and the EU policy on refugees shifted markedly in response to this increase, thereby altering border and asylum regimes across Europe, creating new paths from coast to hinterland.

Borders can, of course, differ in their make-up: some are made of razor wire, others consist of patrolling ships, and others still are invisible to the naked eye and wont to change at the whim of policy-and lawmakers. They also differ in their ideological underpinnings: some, increasingly under the pressure of populist sentiment or dictatorial regimes, take on imposing physical shapes to 'keep out' foreigners based on the idea that nativity equals nationality; while others, like the borders between most EU countries,

and with Switzerland, barely existed at all for those with the right kind of passport (at least until the pandemic hit), namely a passport from a nation signatory to the Schengen accord. These borders were originally constructed in the name of promoting free commerce and mobility, and of celebrating the idea of open democracies after a long murderous century, though these democracies are still firmly wedded to the idea of territorial statehood. Borders can also be seen as socio-territorial constructs expressing cultural anxieties, which in turn take the form of the specific safety needs of the countries they guard; their significance and relative stability understood as embedded within, and reactive to, the collective memories and discourses of national belonging of the countries they demarcate.

The two borders I want to consider here in particular – the EU's outer borders and Switzerland's borders with the EU – are both influenced, albeit in different ways, by a master narrative of a borderless Europe that arose in the mid-1980s. While EU states embraced the concept, Switzerland repeatedly declined to sign on with the EU, preferring to go the way of bilateral agreements and neutrality, a concept well-rewarded throughout the 20-century.[2] When Switzerland did ratify the Schengen agreement (as distinct from EU memberships) some 20 years later, on October 26, 2004, it was primarily for economic and safety reasons: to make Switzerland more attractive to tourists, to augment its security systems by joining the so-called Schengen Information System (SIS) – a Europe-wide databank that facilitates cooperation in police matters – and to tighten asylum control under the Dublin Regulation, part of the Schengen agreement. As is the case for all land-locked EU member states surrounded by EU countries, the Dublin Regulation is beneficial to Switzerland because it stipulates that asylum requests must be processed, and either granted or declined, by the EU country on which a refugee first sets foot, typically Greece, Italy or Spain. There they are registered, and their fingerprints stored in EURODAC, or European Dactyloscopy, an EU-wide database of fingerprints, which allows member states to determine instantly whether a refugee has already been registered in another Schengen country, and hence, can be submitted to a so-called Dublin transfer back to that country. In 2015, for instance, Switzerland transferred roughly 20% of its 39,523 asylum seekers (just under 8000 persons) to another Schengen

2 Accessed 15 March 2020, https://www.eda.admin.ch/dea/en/home/europapolitik/chronologie/2000-2001.html for a chronology of Switzerland's history with the EU.

country under this scheme.[3] If the EU, then, was initially fuelled by the idea of a borderless Europe when the Benelux Economic Union, France, and Germany, signed the first Schengen agreement in 1985 (followed by Schengen II in 1990, which was eventually adopted by 16 countries) it has today become a matrix of complex cross-country surveillance systems that replaces more conventional interior, physical borders. Europe's territorial borders, in the meantime, have shifted outward, to the external borders of Schengen countries, and in some cases to the sea.

Over the last thirty-some years the Schengen agreement, then, has revolutionised the circulation of goods throughout the EU; it has re-calibrated border management, recast the laws and regulations governing trade, sped up the flow of traffic, streamlined the structures of supply chains, created new technologies of circulation, and – helped along by the spread of the internet – transformed the very way Europeans consume goods, and profoundly altered the space and pace of mobility across Europe, from coast to hinterland, and beyond. At the same time, it has changed the architecture of national security systems, laying a fine and powerful net of surveillance across the continent, thereby creating an intricate and largely invisible set of obstacles for the mobility of particular groups of people, mainly refugees. This results in two contradictory spaces: the space of the corporate supply chain and the space of national territoriality. These two spaces, in turn, have profound implications for the differing flows of goods and people. As geographer Deborah Cowen writes in her book *The Deadly Life of Logistics*: 'The paradigmatic space of logistics is the supply chain. This network space constituted by infrastructures, informations, goods, and people is dedicated to flows. Casually referred to by those in the industry as a "pipeline", logistics space contrasts powerfully with the territoriality of the national state.' (Cowen, 2014).[4] The migration of people cannot be thought without its largely invisible counterparts, the supply chain of goods and information: these pipelines are often at cross-purposes to one another, their mutual effects made manifest at unexpected turns, their contribution to a broader system

3 Accessed 20 February 2019, 2015 report from the State Secretariat of Migration, https://www.sem.admin.ch/dam/data/sem/publiservice/berichte/migration/migrationsbericht-2015-d.pdf, 7.

4 Deborah Cowen, *The Deadly Life of Logistics: Mapping Violence in Global Trade* (Minneapolis: University of Minnesota Press, 2014), 8-9.

of movement largely hidden. The 2018 film *Eldorado* by Swiss filmmaker Markus Imhoof helps to make visible these contradictory pipelines, and the logic behind the territorial imaginaries that animate them.

Eldorado: A visual rendering of the European border regimes

Visual renderings of refugees influence the way they are imagined both by themselves and others, and the responses to those seeking asylum, while at the same time shaping national collective consciousness with regard to what it means to be a refugee. Representations are also responsible for the degree to which the condition of being an asylum seeker or refugee is figured as a stable and immutable condition that adheres to a person, rather than the various historical and geopolitical contexts, and the various systems – legal, economic, political – that brought about refugee-ness. *Eldorado* offers an interpretation of Europe's, and particularly Switzerland's, stance on asylum and with it our understanding of the figure of the refugee that attempts to take into account not only history but also the political and capitalist systems that shape the conditions of being a refugee in twenty-first-century Europe. The film, in short, helps us think through political and cultural shifts as they unfold across space and time by tracing the path of refugees from the Mediterranean to Switzerland and comparing Switzerland's asylum system during World War II with that of the present. Operating on these two interlacing narrative levels – a retrospective frame that loops back to Switzerland's history of refugee politics during World War II, and an account of the fates of present-day refugees in Europe – the film connects the history of refugee politics across the twentieth century in Switzerland with present-day asylum practices. Imhoof's own history as a Swiss filmmaker is also pertinent in this regard: in 1981 he released his first film, *Das Boot ist voll (The boat is full)*, a title that echoes the metaphor used by both Minister of Justice Eduard von Steiger and Heinrich Rothmund, chief of the so-called *Fremdenpolizei*, or police for foreigners during the Third Reich, to describe the Swiss government's attitude to Jewish refugees, and which led to the official closing of the Swiss border on August 13, 1942, for Jews attempting to cross into Switzerland.[5] *Das Boot ist voll* relates the fate of a group of Jewish refugees

5 Markus Imhoof, *Das Boot ist voll*, 1981.

who, protected by some and denounced by others, were ultimately sent back across the border into Nazi Germany.

My interest in *Eldorado* derives primarily from two points: the fact, on the one hand, that Imhoof offers a matrix that spans history, geopolitics and economics from within which he articulates a critique of mass migration within the contemporary context of the European militarised border systems. On the other hand, I am interested in the artistic strategies used to create a provocative tension between the ahistorical figure of the refugee, even the nomad, which Imhoof contrasts to the fluidity of today's mobile lives in a hybrid form of documentary. Part documentary, part intertextual pastiche, part autobiography, *Eldorado* mirrors a recent transformation in the convention of the documentary form over roughly a century, during which photography as a documentary mode has given way to film and then video, and analogue has ceded its place to digital, rendering the truth-value that inheres in the image unstable. '(T)he resulting documentary-fictions of diasporic identities', art historian T.J. Demos notes, 'interweave the factual and the imaginary registers of the image for critical and creative effect…'[6] In the case of *Eldorado*, the mélange of styles allows him to capture some of the physical elements of mobility, while also gesturing at their larger metaphoric significance.

Imhoof achieves the hybrid documentary style by employing different documentary modes, some of which tease the fine line between the factual and the fictional. As the film moves from a largely historical autobiographical mode of storytelling to the documentation of the present-day we are taken from what film theorist Bill Nichols refers to as a poetic mode, which is frankly subjective to an observational mode, which purports to offer a window on the world, and on to a participatory mode in which the filmmaker becomes part of the event.[7] The film opens in the autobiographical mode with the filmmaker's childhood recollections of World War II, of the time when his mother took him along to the freight train station to pick up a child refugee, Giovanna, who had been sent from Milan along with hundreds of other children, each with a number around their neck, to spend three months in Switzerland recovering from the trauma of war. This frame, built from sepia

6 T.J. Demos, *The Migrant Image: The Art and Politics of Documentary During Global Crisis* (Durham: Duke University Press, 2013), xvi.

7 Bill Nichols, *Introduction to Documentary* (Indiana University Press, 2001).

photographs, letters, and children's drawings, and narrated by the filmmaker, is a reminder not only of Switzerland's humanitarian gesture of taking in child refugees for varying lengths of time during the war but also of its anti-Semitic policy of closing the Swiss borders to 'refugees for racial reasons' in August of 1942, thereby refusing entry to tens of thousands of persecuted Jews during the war.[8] The effect of this opening is to draw the audience into the film from the get-go and to position the viewers ideologically: we understand, literally, where the filmmaker comes from, his sympathies are unmistakable and draw empathy from the viewers as well.

This frame narrative gives way abruptly to a scene on a present-day rescue boat. As though to emphasise the connection to the title of Imhoof's first film, the opening shot in the narrative present of *Eldorado* throws us into the glittering waters of the sea, and consequently into emergency mode: with a high angle shot of refugees fighting to survive in the shifting waves of the Mediterranean as the Italian coast guard scrambles to hoist people on board a small rescue boat, we are immersed – and at times submerged through underwater shots – in the reality of today's refugee struggles. Desperate screams, the staccato whir of helicopters, and the officers' barked commands, coupled with the unsteady shots of a camera mounted on the rescue boat, add to this multi-sensory rendition of what has occurred repeatedly in the waters between Africa and Europe. What was still a metaphorical boat in *Das Boot ist voll* some forty years ago has turned into a literal shipwreck in *Eldorado* –in turn, an apt metaphor for Europe's present-day refugee politics.

The next scenes show us the refugees going through the routines set up on board the ship: health check, numbering, registration, food, all accomplished by officers wearing white aprons and face masks, emphasising the

8 The so-called Bergier report, commissioned by the Swiss government in 1997 and published in 2002, examined among other things what happened to the Jewish refugees who sought a safe haven in Switzerland during World War II. It estimates that between January of 1940 and May of 1945 approximately 24,500 Jewish refugees were refused entry into Switzerland. See Unabhängige Expertenkommission Schweiz-Zweiter Weltkrieg, Die Schweiz und die Flüchtlinge zur Zeit des Nationalsozialismus, 21; see also https://www.uek.ch/de/publikationen1997-2000/fberd.pdf, accessed May 2, 2019. More recent studies estimate much lower numbers, see https://www.swissinfo.ch/ger/politik/schweiz-und-nazi-regime-im-ii-weltkrieg_laut-einer-studie-hat-die-schweiz-weniger-juden-abgewiesen/43226652, accessed May 14, 2019. See also https://www.woz.ch/-7d82 for a left-wing commentary on these more recent estimates, accessed May 14, 2019.

ideas of refugees as contagious, as illness brought to the European continent. From the sailors to the doctors, the officials we witness are all kind and competent and efficient, one holding the hand of a frightened woman, assuring her that she needn't be afraid as the ship puts into an unnamed Italian port, and the routines of health check and registration start up again, much like a machine getting into gears. *Eldorado* leaves us in the dark about the political machinations taking place behind the scenes of the Italian rescue operation *Mare Nostrum*. The political reality is that the ship Imhoof and his team were allowed to join in 2014, and from which the footage in the opening sequences stems, was one of the last missions of the military and humanitarian organisation *Mare Nostrum*, set up by the Italian Marines and Coast Guard to save refugees and pick up human smugglers after 400 people had drowned within a few days off Lampedusa in the fall of 2013.[9]

In the fall of 2014, the 1.8 million euros per year in subsidies promised by the European Union in 2013 had dried up and *Mare Nostrum* was succeeded by an operation called *Triton*.[10] *Triton* was subsequently placed under the command of *Frontex* (short for the French Frontières extérieures), the EU agency in charge of protecting the Schengen border within 30 nautical miles of the European coastline.[11] *Triton* operated mainly by means of deterrents, focusing on destroying the traffickers' boats and, in cooperation with the Libyan coastguard, picking refugees out of the sea and placing them in pris-

9 This humanitarian operation, supported by advocacy groups such as the European Council of Refugees and Exiles, set up by the Italian Marines and Coast Guard at the behest of the Pope to save refugees after 400 people had drowned within a few days off the Italian Island of Lampedusa in the fall of 2013, saw the safe passage of 150,000 migrants during its existence of a little over a year. However, after one year of operation, in the fall of 2014, the support of 1.8 Million Euro spoken by the European Union in 2013 dried up, and it was deemed too expensive for only one EU state to carry. See for instance 'Italy Is About to Shut Down the Sea Rescue Operation That Saved More Than 90,000 Migrants This Year', *VICE News*, retrieved 19 April 2015; 'The worst yet?', *The Economist*, 19 April 2015, retrieved 19 April 2018, or 'IOM Applauds Italy's Life-Saving Mare Nostrum Operation: "Not a Migrant Pull Factor"', *International Organization for Migration*, 31 October 2014, retrieved 16 April 2019.

10 For reporting on this change, see for instance 'Italy Is About to Shut Down the Sea Rescue Operation That Saved More Than 90,000 Migrants This Year', *VICE News*, accessed 19 April 2015; 'The worst yet?', *The Economist*, 19 April 2015.

11 In response to the refugee crisis 2014/2015, the European Commission proposed to expand the operations of Frontex and to turn it into a full-fledged European Border and Coast Guard agency in December of 2015.

on-like camp facilities along the Libyan coastline. Those coastal waters had changed dramatically for refugees within a few short weeks. And yet, contrary to the EU expectation that termination of *Mare Nostrum* would result in fewer refugees, the numbers continued to rise in 2015, along with the death rates en route.[12] Within a month, then, the ships in the waters between Italy and Libya had gone from rescuing migrants to protecting the European coast from those same migrants.[13] The human pipe-line was thus transformed from one that offered passage to Europe, albeit of a treacherous sort, to a pipeline with dead ends that closed down rather than opened up options. With the change from *Mare Nostrum* to *Frontex*, the Mediterranean border itself changed its character from offering welcome and temporary shelter to an attempt to close itself off to refugees. These shifting politics undergirding Imhoof's images of human beings snatched from the sea, however, remain invisible in *Eldorado*; instead, we see sequences of refugees being welcomed in anonymous Italian port cities. While Imhoof notes in a voice-over looking out over the cramped ship filled to capacity that none of its passengers actually has a right to enter Europe legally, and that in order to get there they first have to risk their lives, we are not made aware that the likelihood of actually reaching safe harbours decreased radically in the fall of 2014. This obfuscation of the significance of the boat we find ourselves on, as compared to the reality of the Mediterranean border after 2014 makes us question to a certain degree the truth value of the documentary: while it surely depicts the reality of a certain time, *Eldorado* fails to grasp the transformation of the watery border during the height of what people referred to as the refugee crisis.

12 In the first six months of 2015, 70,474 refugees and migrants arrived in Italy by sea, the vast majority from Libya; between 1 January and 29 June 2014, the number was 60,431. See Amnesty International 'A safer sea', accessed 1 June 2019, https://www.amnesty.org/download/Documents/EUR0320592015ENGLISH.pdf.

13 Elizabeth Collett, Director of the Brussels-based Migration Policy Institute Europe and is Senior Advisor to MPI's Transatlantic Council on Migration, assesses this deal as follows: 'The idea of returns coupled with large-scale resettlement is beguiling and, from a distance, charmingly simple. But policymakers have viewed the EU-Turkey deal through the lens of the last six months, amplified by concerns over Schengen, rather than the longer scope of the last (and next) five years. The complex and ever-shifting dynamics of migration flows, coupled with the well-documented limitations of existing protection capacity in a broad range of countries (not only Greece and Turkey) suggest the next crisis for the European Union will not be far behind.'

Imhoof, then, uses the image of a boat packed with humans more on a symbolic level than a documentary level, and this alone is significant for the reception of the refugees by European citizens. In fact, the almost ubiquitous images of humans on boats together with a discourse replete with images of the flood stoked fears in Europe that helped legitimise what Giorgio Agamben refers to as 'states of exception' by which he means putative emergencies that states sometimes call out to give themselves license to suspend the ordinary rule of law for certain populations of people.[14] As cultural anthropologist Heidrun Friese writes: 'It is exactly in this context that the image of the invader is created, of the enemy army, the not-to-be-controlled human flood, that has set out to colonise us, to subordinate us, to destroy our culture, to take our values away, our prosperity, our women.'[15] The suggested 'inundation' of Europe with desperate, dark-skinned humans, from cultures so unlike those in Europe, replayed over and over again across a range of media, she points out, elicits reactions of fear and the sort of political reversal we see in the transition from protecting the refugees with *Mare Nostrum* to protecting Europe with *Triton*. As Friese observes further, even 'the expression "refugee crisis" strengthens the construed connection between the healthy *Volkskörper*, or body politic, and the diseased forms, between societal states of normality, and mobility as the interruption of this structured state of normalcy'.[16]

Inferno, purgatorio, paradiso: representations of the refugee industry

Other systems that operate in the background to *Eldorado* are the formal and informal economies built by actors on a number of complex, intertwined levels to profit from the refugee industry. One of these economies the film is careful to uncover: an agricultural outfit that runs one of the many camps housing some of the thousands of refugees who have gone underground so as not to be deported back to Libya. 'Thanks to them, Italian agriculture is

14 Giorgio Agamben, *States of Exception* (Stanford: Stanford University Press, 2001).

15 Heidrun Friese, *Flüchtlinge: Opfer – Bedrohung – Helden. Zur politischen Imagination des Fremden* (Bielefeld: transcript Verlag, 2017), 33-34.

16 Ibid, 34.

thriving. They don't exist for the state', the union representative who brings Imhoof to the site tells him. By day the men harvest tomatoes for European and African markets; by night women work as prostitutes. Imhoof visits the camps with a hidden hand-held camera carried hip-high and bouncing along as he walks through the uneven earthy terrain of the camp. What we see in the footage are glimpses of what Agamben has termed 'bare life': refugees working outside the law, living in squalor without protection or legal recourse, and yet on Italian grounds and in full sight.[17] We also learn from the union rep how the economic cycle works: illegal workers harvest, tin or crate tomatoes in Italy, which are then dispersed across Northern Europe and into Africa to be sold. They work for 30 euros a day, half of which they have to give to their *capo*, or boss for rent. They send a portion of their remaining salary to their families in Africa, who then buy the tins of tomatoes their family members have produced in the camp, instead of growing their own. This, the union rep tells us, enables the mafia to earn doubly off the men's labour. In European stores and outdoor markets, meanwhile, consumers buy the beautiful, fresh tomatoes from Italy with little knowledge of how they are produced, or of their true price. The agricultural centres that employ the refugees, for their part, receive subsidies from the EU. 'A perfect system', the union rep concludes, 'perfectly criminal … When they tell me about their crossing it sounds like Dante: inferno, purgatory, paradise. This is purgatory. But their goal is paradise, Northern Europe'.[18] Guy Standing, professor of development studies, confirms what we see in *Eldorado*. He notes the following in a discussion about how undocumented migrants both fuel and are the first victims of the economic engine: 'Too many (socioeconomic) interests benefit from an army of illegal migrants, and too many populists depict attempts at legalisation as eroding the security of the citizenry.'[19] Agricultural camps that use refugees as labourers coerced by circumstance, such as the one Imhoof takes us to, operate in a legal twilight, a state of exception, in which, to use Agamben's words, 'law encompasses living beings by means of its own suspension'; the

17 Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998), 3.

18 Imhoof, *Eldorado*, 0:58.

19 Standing, Guy. 2011. *The Precariat: The New Dangerous Class* (London: Bloomsbury Academic, 2016), quoted in Susan Banki, 'Precarity of Place: a complement to the growing precariat literature', unpublished paper presented at the Power and Justice in the Contemporary World Conference 9 August 2013, New York, NYU.

camps, and in this case the prison, constituting states in which those incarcerated have lost all means of legal identity, and are 'entirely removed from law and juridical oversight'.[20] This passage of the film is rendered in a participatory documentary mode, which gives us insight into a slice of underground life not often seen. Unlike the previous passage on the boat, this part of the documentary footage would seem to swing back into the realm of witnessing a present condition of lives lived today; it is a passage that adds an important piece of the European refugee puzzle.

Eldorado, then, is a narrative about states of exception, suspension of legal protection, and the multitude of actors who have forged a thriving refugee industry, from those who manage the border and the refugee camps to others who build their industries on the labour of men and women who have gone underground, to the EU, which gives farm subsidies to mafia-run agricultural businesses to keep industries in Italy. And it is, finally, a narrative about control and regulation. As the refugees disembark in Italy they do so over a platform covered in red material and doused in disinfectant, a seemingly futile gesture in light of the 1800 refugees that step foot in the country, but one that is redolent with symbolism aligned with the notion that refugees threaten the continent with disease; more still, that they are themselves the disease that threatens the body politic of the continent. Imhoof adds to this interpretation by calling the red platform a trap: if it is to disinfect the refugees for the Europeans, it also signifies the instant curtailment of mobility for them: in fact, the end of the legal road for most, for it allows member states to determine at the click of a button whether a refugee has already been registered in an EU country, and hence can be submitted to a so-called Dublin transfer back to that country if they try to move on. This also makes sense of a plea we hear early in the film: one of the young men asks that he not be fingerprinted in Italy so he can go to Denmark, to be reunited with his family. As the film then moves in the direction of Switzerland, following a small family from Somalia hoping to find refuge there, the matter of curtailed movement, borders and violence is about to be tested.

Eldorado makes a series of important points here: the right to mobility in Europe depends on the right kind of passports and visas; the digitalised fingerprints in EURODAC function as a reverse passport of sorts: instead of allowing free entry into Europe, they render refugees immobile. The geog-

20 Giorgio Agamben, *States of Exception* (Stanford: Stanford University Press, 2001), 3-4.

rapher Reece Jones understands borders as fundamentally violent, arguing that the violence is made up of different forms: the overt violence of the border guards and border security infrastructure; the actual or threatened use of force or power that increases the chance of injury, death or deprivation; the threat of violence necessary to limit access to a country or a resource; and, finally, the violence borders do to the economic well-being of people. Together, she writes, 'this is a collective, structural violence that deprives the poor of access to wealth and opportunities through the enclosure of resources and the bordering of states'.[21] In Chiasso, the Swiss-Italian border town, border guards ask the Somalian family in *Eldorado*, along with a number of other dark-skinned people without passports, to leave the train. It is quickly established that they have already been registered in Italy, and the family is informed that they must, therefore, return to Italy. The violence of this subdued scene finds expression in the outbreak of the young daughter, whose watchful gaze directs our attention to the all-powerful border guards who have just meted out their sentence: screaming, she flings the water bottles and cereal bars the border guards had distributed a few moments before back in their faces, her youth – and the running camera – presumably shielding her from repercussions.

Routes, obstacles and openings

While the trans-European pipelines for goods, such as the tomatoes we saw in *Eldorado*, are well-secured and run along predictable, established routes, like train tracks and roads that present few obstacles, humans on the move across the sea and into Europe between 2014 to 2016, chose their routes to circumvent such obstacles as surveillance systems, multilateral agreements, leaky dinghies, camps, and border officials. By late 2014, after Lampedusa had become a flashpoint for the 'refugee crisis', and about two years before the Somalian family in *Eldorado* were being turned back at the Swiss border, roughly 4 million refugees had fled Syria and were surviving in the informal economies of neighbouring countries, such as Lebanon, Jordan, Turkey,

21 Reece Jones, *Violent Borders: Refugees and the Right to Move* (London: Verso, 2016), 9.

and Lybia.[22] As the war in Syria escalated in 2014, and more refugees had to flee, these informal economies had become strained.[23] At the same time, the suspension of the *Mare Nostrum* operation had rendered the Libya-Italy route much more dangerous, for both traffickers and refugees, encouraging a new route across the Mediterranean, from Turkey to the Greek Islands and on across Macedonia, Serbia and Hungary, what became known as the Balkan route, to Germany. By the summer of 2015, Hungary, under the political leadership of Victor Orbán and in response to the thousands of refugees entering the country, had begun to build a border fence to prevent entry into Europe through Hungarian territory. The first wave of refugees over the Balkan route, in the meantime, had already reached Germany, and a decision needed to be made as pressure built. Would Germany send these refugees back to Hungary, as was its right under the Dublin agreement, or would it break the agreement? Angela Merkel's decision to let refugees in, with her now-famous dictum 'Wir schaffen das!' ('We can manage') in August of 2015, was not only stunning to many political onlookers, but also acted as a magnet to many still lingering in the fragile economies of Syria's neighbouring countries, and to those still in Syria seeking a way out, as well as to migrants from African countries who saw this as the first real opening to Europe.[24]

One of the explanations for the German *Willkommenskultur*, or 'culture of welcome', advertised in the autumn of 2015 is typically sought in Germany's ongoing efforts to come to terms with a past that itself had contributed to the 60 million refugees produced by World War II, roughly 14 million of whom were Germans. Opening the borders against this backdrop might be understood as a cultural response that fits an ongoing national narrative. By the end of 2015, roughly 600,000 refugees had entered and were staying in Germany (or about one refugee for every 136 inhabitants).[25] In Switzerland, by contrast, *Eldorado* diagnoses no comparable culture of openness: while its history during World War II is tainted by the treatment of Jewish refugees,

22 Alexander Betts and Paul Collier, *Refuge: Rethinking Refugee Policy in a Changing World* (Oxford: Oxford University Press, 2017), 78.

23 Ibid, 77.

24 Ibid, 88.

25 'Only 600,000 refugees stayed in Germany in 2015', *The Local* 17 March 2016, accessed 7 June 2019, https://www.thelocal.de/20160317/only-600000-refugees-stayed-in-germany-in-2015.

the facts and numbers surrounding that time remain murky and contested, and the Swiss reckoning with that past, which took place largely in the mid-to-late nineties, pales in comparison to the German process of *Vergangenheitsbewältigung*. The dominant Swiss national narrative continues to revolve around humanitarian deeds, such as the founding of the Red Cross, and the haven provided to select groups of refugees. Hence there was hardly a mental purchase for the brand of *Willkommenskultur* experienced in Germany, nor does Switzerland have the political structure that might have allowed for the kind of gesture made by Merkel. There were also nowhere near the numbers of refugees at its borders. A mere 39,523 people had requested asylum in Switzerland in 2015, which corresponds to 3% of all requests made in Europe that year.[26] Of these, 6377 refugees received asylum and 7787 received temporary asylum; together this results in roughly one in every 571 inhabitants compared to roughly one in every 136 inhabitants in Germany. Remarkably, while there was only a moderate increase in refugees passing into Switzerland in 2014 and 2015, the percentage of refugees requesting asylum in Switzerland as compared to Europe on the whole actually went down during that period, from approximately 3.7% in 2014 to approximately 3.0% in 2015, to approximately 2% in 2016.[27] Thus, while the border maintenance at the fringes of Europe and in countries along the refugee routes underwent tumultuous changes in the years 2014/2015, Switzerland's border policy remained relatively stable and restrictive with a consistent acceptance rate of 22%-25% asylum seekers.

Along with the Somalian family, *Eldorado* arrives in Switzerland, that supposed paradise, to investigate the conditions refugees face in a landlocked country under the Schengen Agreement. In the footage of these Swiss conditions, Imhoof offers a pointed critique of the Swiss asylum system: he juxtaposes the human with the bureaucratic, the personal with the political, and the past with the present. 'According to the Dublin Accord, we shouldn't

26 Schweizerische Eidgenossenschaft, Staatssekretariat für Migration, Kommentierte Asylstatistik 2015, accessed 3 July 2020, https://www.sem.admin.ch/sem/de/home/publiservice/statistik/asylstatistik/archiv/2015.html.

27 Schweizerische Eidgenossenschaft, Staatssekretariat für Migration, Kommentierte Asylstatistik 2014, accessed 3 July 2020, https://www.sem.admin.ch/sem/de/home/publiservice/statistik/asylstatistik/archiv/2014.html. Please note the numbers denoting the relative percentages of asylum seekers between the various reports shift slightly from report to report.

have any refugees at all. Except if they fall from the sky', Imhoof begins his musings, 'still, a few find their way to us'. We are allowed a glimpse of the process asylum seekers go through during an interview conducted by officials from the state secretariat for migration, and we follow, among others, a young African woman, Rahel, working in an old people's home, whose exact origins remain obscure. She spent seven months in a Libyan prison after the boat she was in threatened to sink, and the Libyans rescued her instead of the Italians. 'I warn others that the path is terrible', she says, 'terrible things happen. I can't tell you everything, I am ashamed'. As we watch her wheeling a patient through a park, Imhoof tells us in a voice-over that her asylum request has been denied and that she no longer works at the home.

Conclusion

We are reminded in the last scenes of *Eldorado* that in Switzerland, as in most other European countries, the process of deciding who can remain and under what circumstances, and who must go, is still firmly wedded to definitions and concepts set down in the 1951 Refugee Convention, and in the 1967 Protocol to that convention.[28] The definition of refugee coalesces principally around a notion of personal persecution and includes the concept of *non-refoulement* – the right not to be returned to a country where a person faces persecution – and the idea that once someone is granted asylum there are rights attached to this asylum, even including, in some cases, a path to citizenship. This legal framework, more than anything else, reflects the needs and concerns of the signatory powers at the time of the Convention's drafting, in the midst of the Cold War: namely, that people should not be sent back to communist countries. Today, many think the definition has failed to keep pace with contemporary realities of dislocation, which include environmental degradation due to climate change, the kind of generalised violence we have seen in Syria, and the inability to feed oneself and one's family due to economic hardship, this latter condition lumped under the often disqualifying concept of 'economic refugees'.[29] As Betts and Collier argue, 'it is not clear

28 See https://www.unhcr.org/1951-refugee-convention.html, accessed May 2019.

29 Alexander Betts and Paul Collier, *Refuge: Rethinking Refugee Policy in a Changing World* (Oxford University Press, 2017), 43-44.

that those fleeing this narrow understanding of persecution are necessarily more deserving than other displaced populations. […] One way of grounding how we should identify refugees in a changing world is through the concept of *force majeure* – the absence of a reasonable choice but to leave'.[30] *Eldorado* attempts to model a similarly expansive view on migration by allowing then-director of the police and military departments of the Canton of Bern, Hans-Jürg Käser, who oversaw cantonal migration between 2006 to 2018, to describe a painting from the first half of the 1900s that hangs in Rütschelen, one of the small communities under his command. The painting depicts the community's mayor at the time bidding good-bye to a group of people at the cantonal border, all of them forced into migration with fifty francs each to start a new life in another country. 'To say "those are refugees and those are merely economic refugees": those from Rütschelen were economic refugees, they had no prospects, they were hungry…that was a reality here in Europe. Now the Europeans have prospered and the migrants are somewhere else and they are coming to Europe.' While this view represents a more emancipatory stance than the narrow definition of a refugee in the Geneva Convention, the asylum practices during Käser's tenure held to the definition first forged in 1951, and indeed replicated the scene in Rütschelen in a cynical manner: one of the last scenes in *Eldorado* shows a migration official sending a man who was denied asylum back home with 3200 Swiss francs in his pocket, a stipend to help him re-build a life in his native Senegal. While this appears to be generous, the choice the man was presented with is not: the law in Switzerland says that persons denied asylum either go voluntarily or are forcibly deported; a procedure which, as Imhoof informs us, costs the Swiss State 15,000 francs per person.[31]

Eldorado ends on an autobiographical note: Imhoof, we learn in the autobiographical bookend to the film, comes from a family with multinational roots. In fact, he himself has lived as a nomad for much of his artistic life, raising a family in Milan and then moving on to Berlin. As the film closes we realise that *Eldorado* is motivated by a life's worth of personal and professional dislocations, but also that the film's meandering between complex

30 Ibid, 44.

31 For a discussion of forced expulsion in Switzerland and the legal basis for it, see Caroline Wiedmer, 'Forced Entanglements: Stories of Expulsion, Sovereign Power and Bare Life', *Kulturwissenschaftliche Zeitschrift*, de Gruyter Vol. 2, 2019.

representational registers risks a comparison between the different kinds of mobilities we have encountered, and which threatens to undermine the film's ethos. While Imhoof's own mobilities, and those of his family, are cast in a nostalgic light and portray a well-to-do, romanticised nomadic existence, the refugees in *Eldorado* – Giovanna, the day labourers in Italy, the Somalian family, Rahel – are represented as victims, often without names or personal origins and histories, and certainly without agencies or futures. This juxtaposition of refugees with mobile citizens invites two kinds of reading. One follows Agamben's proposal that only when 'the citizen has been able to recognise the refugee that he or she is – only in such a world is the political survival of humankind possible'.[32] Imhoof's self-conscious recognition of himself and his forebears as always already dislocated, this interpretation would suggest, allows him to close the conceptual gap between citizen and refugee, between him and them, between me and you. This progressive vision and heightened empathy is hammered home in the game the filmmaker played as a child: 'I made a discovery that confused me', Imhoof says, 'the others call themselves I, but I'm the one who is I. Now suddenly everyone else is I too, even you'. The second reading is darker: the comparisons set up between Imhoof and his own family, and the refugees he portrays narrowly as victims run the risk of empty reiteration, rather than active disavowal, of the profound and racist inequalities at the heart of the exclusionary politics in Europe and Switzerland.

Since the 'crisis' of 2014/15, the gap in rights between citizens and non-citizens in Europe has widened under the pressure of emboldened populist leaders and right-wing groups. Merkel's gesture of welcome in 2015 has, by some accounts, cost her the chancellorship and enabled the right-wing, nationalist party Alternative für Deutschland (AfD or 'Alternative for Germany') to enter parliament in 2017 as the largest opposition party. One bit of collateral damage in this political transformation is the pacifist, anti-fascist rallying cry 'Nie wieder' ('Never again'), as nationalist sentiment is once again speakable in Germany and other parts of Europe, and anti-Semitic attacks surge. Europe's outer border, meanwhile, has been rendered less breachable in agreements with Turkey that keeps many of those fleeing Syria away from the European continent and results in fewer refugees arriving from across the sea, while the death rates have increased. Alternate

32 Giorgio Agamben, 'Beyond Human Rights', 26, cited in Demos, *The Migrant Image*, 18.

routes into the hinterland continue to be sought by those in flight, but they often rapidly turn into quicksand, the massive and notorious camps set up at key points holding tanks for many. The quest for new ways of thinking of refugees and citizenship that might reduce the deep divide between the two groups is as much on hold as the lives in the camps.

These metabolic reactions to the refugee crisis at borders, along routes, and in politics throughout Europe seem to have found expression in one of the most compelling and controversial exhibits at the 2019 Biennale in Venice: a fishing boat that sank off the coast of Libya in April of 2015 with several hundred refugees locked in its hull. The wreck was recovered in 2016 by the Italian navy and subsequently brought to a NATO base in Sicily so the victims could be identified. There it was recuperated by Swiss-Icelandic artist Christoph Büchel and exhibited as part of the Biennale in the Arsenale, the shipyard in Venice. It is entitled *Barca Nostra*, our boat. If *Eldorado* and other documentary narratives have attempted to represent the lives of refugees in such a way as to render legible the very absence of their political representation and legal subjectivity, to broaden the concept of refugee-ness and to point to possible imaginative paths out of the ethical and political quagmire Europe finds itself in, *Barca Nostra*, no longer documentary but pure document, no longer narrative but pure form, appears to aim its investigative gaze squarely at the viewer. Who are you, it seems to say, who have made such a mess of our boat?