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Constitutionalising the External Dimensions of EU Migration Policies in Times of Crisis, Legality, Rule of Law and Fundamental Rights Reconsidered, Edited by Sergio Carrera, Juan Santos Vara and Tineke Strik, Cheltenham, Edward Elgar, 2019, 336 p. ISBN: PB: 978 1 78897 247 5.

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The book edited by Sergio Carrera, Juan Santos Vara and Tineke Strik brings essential contributions to two of the most critical challenges of the European Union today: the decrease in integration and the breakdown of institutionalism in the face of human mobility of extra-community people. Stemming from a workshop held in 2017 at the University of Salamanca, it is divided into two parts. The first, EU External Migration Policies: New and old dynamics, which has six articles; and the second, EU crisis-led patterns of cooperation in light of the EU rule of law, which is composed of nine articles. In addition to these fifteen articles, the editors wrote an introductory chapter.

The relevance of the work arises from the fact that the so-called “human mobility crisis” has generated several elements of tension within the structure of the European Union that has led to several ruptures in the action paradigm on the part of community agents and also of the member states. The dissatisfaction with the responses given by the community and the institutional rearrangement that part of the countries have been carrying out with the objective of having their demands in terms of flow control answered in order to meet “national” interests, which are actually deeply rooted in perspectives that wish to weaken the EU, has caused weakness in elements that have been seen historically as advances in the European integration process, such as advancing areas of exclusive community activity, shared responsibility in some subjects and a common space dynamic with the Schengen Agreement, are experiencing an unprecedented challenge of political rhetoric and action.

The use of the term “crisis” in the title of the book denotes the exceptional moment that has been experienced in the community, but, very cleverly, the idea of crisis established in the book is that of an institutional crisis, not of a migratory crisis, which might be the case if the way that the dominant rhetoric in relation to the theme has appropriated the term had been followed. This idea of crisis, which is fundamental for establishing urgent and, above all, exceptional measures, guarantees the creation of a state of affairs in which the rule of law and institutional check and balance systems are neglected, in addition to strengthening actors interested in certain decisions, a reality that routinely dismantles the functioning of the European system.

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The pressure for the disintegration of the EU, which would have as its primary factor an external element that is the arrival of people from outside the member states, denotes that the structure established under the logic that common problems require common responses has not been as successful as it was imagined, especially when the number of countries in the community increased in the 1980s and 1990s when there was a general agreement with the idea that a community resolution would be more efficient than that carried out by States in an isolated way. At the same time, the cooling of national elements seemed crystallized in favour of a community logic established from properly European values, among them, the concept of humanitarianism and respect for fundamental rights.

The process of labelling a phenomenon as a “crisis”, which began with special emphasis after 2015, built from images that denoted the idea of a large invasion of people to the continent and the failure of a response according to European values, as the photo of little Alan Kurdi registered in a traumatic way, led to the search for alternatives in the face of a context that was seen as unprecedented and of a solution not possible on the part of traditional instruments of European action.

In this context, the first part of the book highlights several of these tensions from an institutional point of view, such as the difficulty of democratic and judicial controls for some of the actions carried out, the lack of responsibility, the weakening of the guarantees of refuge, the consequences in terms of the foreign policy of the block, among others, in a very well organized way in texts by different authors, but that allows the elaboration of a great analytical framework of this disintegration of basic assumptions of the functioning of the EU.

The second part of the book, on the other hand, is dedicated to the agreements with third countries, with special emphasis on the agreement between the EU and Turkey, which is the focus of four articles. In addition, three more articles debate other agreements, with Jordan and with some African countries - Morocco, Cape Verde, and Ghana. The last two articles focus on common elements to the whole scenario built for the realization of these agreements, the strengthening of a securitizing perspective on migration and the actions of extra-border control, which, although not originating from this context, ended up to be strengthened in the face of a scenario in which the use of the crisis idea was used in a forceful way.

The theoretical contributions developed throughout the book are of excellent quality, allowing a deep understanding of the various elements that permeate this scenario of disintegration in the face of the European migratory scenario from outside the community, except that the development of the first part proves to be a organizers’ decision to deepen the agreements with countries outside the EU and the recurring mechanisms in the actions provided in the agreements.

In sum, it is a fundamental book for understanding the European context, but it involves a bigger picture than Europe itself, not only because it deals with the external dimensions of migration policies, but because the EU is a very important actor in the construction of paradigms of a phenomenon that has proved to be the most relevant in the 21st century: international migration. Therefore, it is not a book only for those who want to focus on European integration, but for everyone who is dedicated to migratory studies and the construction of policies and actions in relation to this theme.