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## **Appropriating Mobility and Bordering Europe through Romantic Love: Unearthing the Intricate Intertwinement of Border Regimes and Migratory Practices**

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### **Abstract**

This article introduces the notion of appropriation in debates on how to account for migrants' capacity to defy restrictive border controls and migration policies. What the notion of appropriation better captures than concepts like agency or resistance is the multi-faceted and intricate intertwining of border regimes and migratory practices. The article illustrates this advantage through an analysis of the phenomenon of bezness. The term refers to a migration strategy of aspiring migrants who seduce and subsequently marry European tourists as a way to gain entry to and residency in Europe. This article develops a reading of bezness as a mode of appropriation of mobility which is intertwined with the border regime in at least four ways: First, bezness is provoked by restrictive visa policies that create a highly unequal access to mobility and life opportunities. The case of bezness illustrates, second, that migrants try to recode the methods, logics and effects of mobility control into means of appropriation. Migrants' practices of appropriation involve, third, the clandestine transgression of the norms, rules and regulations that define particular border regimes. Finally, the notion of appropriation permits to recognise that the European border regime operates as an apparatus of capture that tries to recuperate migrants' practices in order to turn them into a driving force for its own development. The example of bezness demonstrates, moreover, that these processes of recuperation also feature the mobilisation of emotions – in this case of romantic love – as technologies of government.

**Keywords:** border regime, migrant agency, autonomy of migration, marriage migration, sex tourism, visa policy

### **1. Introduction**

One of the most discussed questions in border and migration studies is how to account for migrants' capacity to defy restrictive policies and border controls. As early as 2004, Stephen Castles noted that '[...] migrants are not just isolated individuals who react to market stimuli and bureaucratic rules, but

social beings who seek to achieve better outcomes for themselves, their families and their communities through actively shaping the migratory process' (2004: 209-210). Since then scholars have developed various frameworks to account for 'migrant agency' in the analysis of border regimes and migration (e.g. Andrijasevic 2010; Bakewell 2010; Squire 2011). This article introduces a reading of the autonomy of migration approach (AoM) that is based on the notion of appropriation to better highlight what we often find on the ground: an *intricate intertwinement* of border regimes and migratory practices. The question this article seeks to address is thus: In which ways are migratory practices and border regimes intertwined and how can we theoretically grasp these entanglements?

As suggested by its name, the AoM proposes that migratory practices feature moments of autonomy in regards to any attempt to control or regulate them. Yet, the AoM is not reducible to this provocative hypothesis. It offers a heuristic model for studying border regimes and migratory processes from the perspective of migration (Moulier Boutang 2007). In conjunction with the conception of migration as a constituent force in the transformation of border regimes (Papadopoulos, Stephenson and Tsianos 2008), the AoM thus provides a promising starting point to account for the manifold entanglements of border regimes and migratory practices. This article demonstrates this potential of the AoM through an analysis of the marriage migration related phenomenon of *bezness*.

Bezness refers to a migration strategy of aspiring migrants from countries outside the Schengen area who try to seduce and subsequently marry European tourists to gain entry to and residency in Europe (Carpenter-Latiri and Buchberger 2010). Inspired by the AoM, this article studies bezness from the perspective of migration in order to challenge the dominant public discourse on bezness which is based on a clear-cut distinction between male non-European 'villains' and female European 'victims' whose feelings are exploited by the former. In contrast, the article develops an alternative reading of bezness as a form of appropriation of mobility that is provoked by the European border regime itself.<sup>1</sup> What this analysis elucidates is that border regimes and migratory practices are intertwined in multiple and sometimes surprising ways.

This argument proceeds in four moves. The first section outlines a reading of the AoM that is based on the notion of appropriation. Subsequently I explain why this conceptual framework is better equipped than the concepts of 'agency' and 'resistance' to capture the intertwinement of migratory practices and border regimes. The second section shows that bezness is related to female sex tourism and that both phenomena are facilitated by the European border regime. The third section develops an alternative reading of bezness as a form of appropriation of mobility which highlights the inseparable intertwinement of migratory practices with the means, methods and logics of border control. The final section shows that bezness is also intertwined with the European border regime because the latter resembles an apparatus of capture that strives on migrants' practices of appropriation as a driving force for its own development. The dominant public discourse on bezness operates as a catalyst in this process of recuperation as consular staff invoke its neat victim-villain distinction to engage in

informal practices of government that go well beyond their official competences, including attempts to persuade EU-citizens of abandoning their marriage plans.

Finally, an explanatory note is needed in regards to the ethnographic work upon which this article is based. The arguments and conceptual work of this article draw on a total of 40 days of fieldwork in and around consulates of Schengen member states in a North-African country. Of particular relevance for this article are participant observations and interviews with consular staff that I conducted in a consulate representing a Schengen member state in North-African country. During two week-long field-visits in 2012 I was granted permission to observe all phases of the visa application and decision-making procedures in this consulate, in particular visa applicants' encounters with frontline staff during the lodging of the visa application. . Due to tremendous difficulties in obtaining field access, all research participants were promised absolute anonymity and that the information obtained from them would be used in a way that enables neither the consulate nor the country where the research was conducted to be identified. Thus, I refer to the consulate where I was eventually able to observe all phases of the visa application procedure only as consulate Z. These participant observations have been complemented by more than 40 interviews with aspiring migrants, visa applicants and frontline staff as well as heads of mission of other consulates.<sup>2</sup> Of particular relevance was the information provided by visa applicants whom I approached in the queues outside visa sections while they were waiting for their appointment. Two books of extensive handwritten fieldnotes were subsequently analysed guided by the question how migrants appropriate mobility to Europe via visa in the context of biometric border controls (cf. Scheel 2018, forthcoming).

## **2. Autonomy of migration? Appropriating mobility within and against border regimes**

This section introduces the theoretical framework of this article by outlining a reading of the AoM based on the notion of appropriation. In a second step it explains why the notion of appropriation offers border and migration studies a conceptual frame that can capture, better than existing concepts, the intricate intertwinement of migratory practices and the means and methods of control.

The AoM's main hypothesis suggests that migratory practices feature moments of autonomy – that is moments of uncontrollability and excess – in regards to attempts of regulating them. Yet, the AoM also provides a 'heuristic model' (Moulier Boutang 2007: 167) to study border regimes and migratory processes from the viewpoint of migrants and with a particular focus on their 'border struggles' (Mezzadra and Neilson 2013: 13). Through this prioritisation of migrants' practices the AoM provides a corrective for the 'metaphor of "Fortress Europe" [which] drives the political imagination in a too linear way onto mechanisms of control and domination' (Mezzadra and Neilson 2013: 165). The AoM's advocates criticise the image of the 'fortress' because it is based on a 'control biased analysis' that overrates the efficacy of border controls by ignoring migrants' capacity to subvert them (Scheel 2013). Such a control biased analysis results in the misrepresentation of border regimes as omnipotent control apparatuses (Panagiotidis and Tsianos 2007). One advantage of the

AoM is that its analytical prioritization of migrants' practices and border struggles helps a control biased analysis of border regimes to be avoided (Scheel 2013).

The analytical prioritization of migrants' practices has important consequences for the conception of border and migration regimes. In general, the notion of the regime seeks to highlight the incoherence of migration policies, which are implemented by a multiplicity of actors that often pursue incompatible objectives while competing over budgets, competences and influence. This aspect is also stressed by Giuseppe Sciortino's seminal definition. He underscores that 'a country's migration regime is usually not the outcome of consistent planning' but the result of 'generations of turf wars between bureaucracies and wave after wave of 'quick fixes' for emergencies [...]' (2004: 32-33). What the AoM adds to this is the consideration of migrants as central actors in the analysis of border and migration regimes. Taking cue from Sciortino's observation that 'the life of a regime is a result of continuous repair work' (2004: 33), the AoM's advocates regard migration as 'the dynamic moment in a migration regime' (Karakayali and Tsianos 2005: 50). In other words, migration operates as a *constituent force* in the transformation of border regimes because the migratory practices that escape the control capacities of a given border regime force the latter into a process of adaptation and reorganisation (Papadopoulos, Stephenson and Tsianos 2008: 77-78).

This article refines this understanding of migration as the 'dynamic moment' within border regimes by drawing on the notion of appropriation. The latter permits to apprehend border regimes as apparatuses of capture that recuperate migrants' practices of appropriation to turn them into a driving force for their own development. In general, the notion of appropriation has been developed to address the central criticisms that have been raised against the AoM. The latter has been accused of neither sufficiently accounting for the implications of ever more pervasive border controls on migrants' room for manoeuvre, nor for the variety of conditions under which migration occurs (Scheel 2013). The notion of appropriation dissolves these criticisms: The first one by highlighting the inseparable intertwinement of migrants' practices of appropriation with the means, methods and logics of border control. The second one by introducing a situated analysis that investigates how migrants' possibilities and tactics of appropriating mobility are shaped by their access to social and economic resources, their subject position in terms of class, 'race', gender, sexuality and age, and the forms, modes and logics of border control they encounter (Scheel 2013).

What is highlighted in particular by the concept of appropriation is the intricate interwovenness of migrants' practices with the devices, methods and logics of control which migrants try to recode into means allowing for the appropriation of mobility. For practices of appropriation follow a rationale of repurposing. This is possible because migrants are implicated in the control of their mobility not only as passive objects, but also as acting subjects because the capacity of border regimes to regulate human mobility derives from, but also hinges on, the active participation of those whose mobility they are designed to govern. In consulates staff ask visa applicants for instance numerous questions and demand various documents to assess their 'will to return' to their country of

origin. But the visa applicants are the ones who provide the answers and documents. It is due to this distribution of the capacity to act in migrants' encounters with the actors, means and methods of control that the former can recode the latter into means of appropriation.

Yet, because of the asymmetrical power relations characteristic of situations of border control, this recoding has to remain undetected for practices of appropriation to be successful. For practices of appropriation operate – like the tactics described by Michel de Certeau (1984: 37) – in an environment they do not own. They resemble manoeuvres 'within enemy territory' (ibid.). In the consulates visa applicants have to answer all questions, provide all documents requested and – since the start of operation of the VIS – have their fingerprints taken. A refusal to comply with any of these requirements results in the immediate rejection of the visa application. Instead of openly contesting the rules and regulations of border regimes, practices of appropriation simulate compliance with these rules and regulations, but only to clandestinely subvert them. In this reading of the AoM, moments of uncontrollability and excess of migratory practices – that is: moments of autonomy of migration – emerge ironically in those instances in which migrants successfully stage a performance of compliance with the norms and regulations of particular border regimes (for a detailed discussion of the notion of appropriation see: Scheel 2017; Scheel 2018, forthcoming).

Hence, practices of appropriation constitute, like the tactics described by de Certeau, 'an art of the weak' (1984: 37). What the notion of appropriation underscores, in contrast to de Certeau's idea of tactics, is however that this art of repurposing the means and methods of control into means of appropriation is not without effect on the border regime. It opens up the possibility to apprehend migrants' practices of appropriation as the 'ghost in the machine' that animate – via their recuperation – the constant transformation and reorganisation of the mechanisms of control and the border regime as a whole, as I will discuss in detail in section five of this article.

Due to these features, the notion of appropriation could provide scholars in border and migration studies – in conjunction with the AoM – with a viable conceptual framework to better account for the intricate intertwinement of migratory practices with border regimes. Such a conceptual framework is indeed needed. In general, one can observe a divide in border and migration studies between analyses that focus on the 'agency' or 'resistance' of migrants and works that focus on the means and methods of control (Squire 2011). On the one hand, a growing body of literature investigates how states try to control access to their territories in times of increased human mobility (e.g. Bigo 2011; Muller 2010). In this literature, the question how these attempts, and the ever more sophisticated regimes of control implicated by them, are negotiated and subverted by aspiring migrants is only, if at all, considered towards the end of the analysis, or it is literally treated as a negligible subtext in footnotes.

On the other hand, there exists a body of literature which highlights migrants' capacity to negotiate restrictive migration regimes. Yet, in many of these studies this capacity emerges as both reactive and external to dominant 'structures'. This somewhat mechanical conception of migrants'

capacity to challenge governmental attempts to regulate their behaviour derives from the concepts that are mostly used to theorise this capacity, namely ‘agency’ and ‘resistance’. The problem with the concept of agency is that agency always presupposes a structure as its counterpart. The result of this structure-agency divide is a static analysis in which structures and individual and collective forms of agency are analysed separately and consecutively (for a detailed account of this argument: Scheel 2013). What the notion of agency fails to capture is what we often find on the ground: an intricate entanglement of practices of government and subversion. The notion of resistance is in turn problematic because resistance is an inherently reactive concept: it suggests an already existing formation of domination that is to be opposed in a reactive manner. Due to its conception as a ‘responsive act’ (Rose 2002: 387), the notion of resistance fails to register the constitutive role that practices of contestation by the governed play in the transformation of regimes of government (O'Malley, Weir and Clifford 1997).

The remaining sections therefore aim to demonstrate – illustrated through an analysis of *bezness* – that a reading of the AoM based on the notion of appropriation permits to study and theorise how border regimes and migratory practices are inseparably intertwined in multiple and sometimes surprising ways. The next section begins with this task by showing that *bezness* is linked with sex tourism and that both phenomena are facilitated by the European border regime.

### **3. Bezness, sex tourism and the European border regime**

I learned about the existence of *bezness* only during my fieldwork in consulate Z. After explaining that most applications for family reunification visa concern marriage migration, M – the head of the visa section of consulate Z – adds: ‘[...] the biggest issue is young men who approach women in tourist resorts and persuade them to marry them. Then they stay with them until they receive their permanent residence permit. Often they then get divorced and marry a girl from their village. They call it "bezness".’ M concludes by elaborating the term’s etymology: ‘It is a fusion of the word "business" with the French word 'baiser', which means "to fuck."’

According to the existing literature, the word ‘*bezness*’ has been coined in Tunisia before it has been adopted by European tourists in order to become an established term in both public culture and media coverage on the phenomenon across North Africa and Europe (Carpenter-Latiri and Buchberger 2010; Lévy, Laporte and El Feki 2001). If one searches the term ‘*bezness*’ on the internet one finds dozens of blogs and online-forums in which self-declared ‘victims’ of *bezness* warn other women of engaging in relationships with local men during a holiday in countries like Egypt, Gambia, Kenya, Morocco, Tunisia, or Turkey. The fact that most of these are predominantly Islamic countries prompts many affected women to link *bezness* with Muslim culture, often resulting in racist outbursts and the stereotyping of Muslim men as ‘false fairy-tale princes’ (Präkelt 2012).<sup>3</sup> This anti-Muslim racism features particularly in the publications of Evelyn Kern who runs the most popular online-portal on *bezness* in German language. Her webpage ‘1001 stories’ contains a repository of 256

testimonies of ‘victims’ of bezness in which Muslim men appear only as calculating, patriarchal and violent villains. Already the definition provided establishes a direct link between bezness and Islam: ‘This expression derives from the English word business and stands in many, principally Oriental [sic!] holiday countries for the brutal business with the feelings and trust of European women and men.’ Despite this neo-racism (Balibar 1995), which links bezness to a particular culture, Kern can frequently disseminate her views as an ‘expert’ in media reports.<sup>4</sup>

However, also versions of the dominant public discourse on bezness, which avoid this explicit neo-racism, are based on a clear-cut distinction between female European victims and male foreign villains who ruthlessly exploit the genuine feelings and empathy of the former. This clear-cut victim-villain dichotomy is problematic because it is based on the concealment of two important aspects of bezness. What the hegemonic discourse on bezness in Europe denies is, first, any connection between bezness and female sex tourism to North Africa, and second, that both phenomena are intertwined with the European border regime which facilitates both of them by creating a highly unequal access to mobility.

The suppression of these aspects becomes most apparent in the claim that ‘the word bezness derives from the German word "Beziehung" (relation) and the English word business, thus doing business.’<sup>5</sup> What this incorrect, but influential etymology conceals is the partial origin of the word ‘bezness’ in the French word ‘baiser’. In this way, this false but influential etymology conceals that local men’s engagement in intimate relationships with European tourists is related to ‘doing business’ precisely because it is related to female sex tourism to North Africa. As in other tourist destinations in Africa such as Gambia (Ebron 2002), Kenya (Kibicho 2009) or Senegal (Salomon 2009), the embracing of tourism as a development strategy facilitated the emergence of an informal sex trade with tourists in North Africa from the 1970s onwards and this sex trade includes female tourists as an important group of clients (Lévy, Laporte and El Feki 2001). Consequently, the influential but false definition of bezness as originating from the fusion of the word business with the German word for relationship can be revealed as a construction.

The term bezness appeared for the first time in Europe in 1992 through the same-titled movie by Tunisian director Nouri Bouzid before it was popularised by Kern and other self-declared ‘victims’ of bezness from 2003 onwards. The movie tells the story of Rouzid, a young Tunisian who engages in informal sex work with male and female European tourists to provide for his family, but also in the hope of migrating to Europe by convincing one of his clients to marry him. The movie thus points out what media reports and online-forums on bezness in Europe mostly deny: that the term bezness fuses the English word ‘business’ with the French word ‘baiser’ (informal for ‘to kiss’, but also for ‘to fuck’), thereby reflecting that what is sold in this form of ‘business’ with European tourists is, among others, ‘active penetrative sex’ (Carpenter-Latiri and Buchberger 2010). Hence, bezness has to be analysed in the context of female sex tourism to North Africa, which has become a widespread

phenomenon since the arrival of mass tourism, as Shereen El Feki observes in her study on changing sexual life in the Arab region:

Commercial sex work is one of the few equal opportunity employers [...] in the Arab region; even heterosexual men have their corner of the business, or *bezness*, as it is called in Tunisia. From Agadir [tourist resort in Morocco] to Aqaba [tourist resort in Jordan], where there are Western women on vacation, you will find local men at their service' (El Feki 2013: 194-195).

To acknowledge that *bezness* constitutes a form of sex tourism is important because it destabilises the neat victim-villain distinction of the dominant public discourse on *bezness* which is largely informed by the perspective of self-declared 'victims'. The denial of any link between *bezness* and sex tourism is possible because female sex tourism 'sails under the romantic flag' (Kresta 2011). In contrast to their male counterparts, female sex tourists look for intimate relationships rather than casual sex, while payment usually assumes the form of invitations, gifts or support for the family. In the academic debate there has therefore been an attempt to distinguish female 'romance tourism' from male 'sex tourism' (Jeffreys 2003). This distinction is however misleading. What it obscures – like the dominant public discourse on *bezness* – is that the relationships between Western tourists and locals in North African resorts are shaped by a highly unequal access to mobility and economic resources – *irrespective of their gender* (Sánchez Taylor 2006). Consequently, *bezness* is not reducible to a strategy of ruthless aspiring migrants trying to exploit the feelings of naïve European tourists. *Bezness* rather emerges as the seizure of opportunities by locals engaging in informal sex work with European tourists, in which a long-term relationship and a marriage is the best they can hope for (Ebron 2002: 169). Importantly, Western women enter these relationships from a privileged position: in contrast to local men they engage in these relationships to satisfy personal desires rather than economic needs or in the hope of migration opportunities (Brennan 2004; Sánchez Taylor 2006).

To be clear, I do not deny that local men try to take advantage of European tourists, nor that instances of 'broken hearts' exist. My point is not to declare female sex tourists as culprits and to invert the victim-villain distinction of the dominant *bezness* discourse. What I want to stress is the complexity of the phenomenon and the ambivalence of all actors involved in order to reveal the clear-cut victim-villain distinction of the dominant public discourse on *bezness* in Europe as simplistic and misleading. What we find on the ground is a wide range of fluid relationships characterized by complex negotiations that make it impossible 'to easily separate oppressor and oppressed' (Ebron 2002: 183; cf. Salomon 2009). Instead of a simple victim-villain dichotomy we encounter young local men trying to take advantage of often much older European tourists who, in turn, take advantage of their privileged position in the 'geopolitics of mobility' (Hyndman 2004) as they look for sexual adventures and romantic opportunities in the anonymity (North) African tourist destinations (Ebron 2002: 178-179; Kibicho 2009: 104-108). Hence, *bezness* constitutes a complex phenomenon that has

to be analysed as the flipside of female sex tourism and thus as a phenomenon that is facilitated, besides other factors such as a racialized economy of sexual desires, by a highly unequal access to mobility, economic resources and life opportunities.

This conclusion highlights the second important omission of the dominant public discourse: that bezness is intertwined with the European border regime. The reason is that bezness is provoked – besides profound economic inequalities – by restrictive visa policies. The border regime renders mobility to Europe a scarce resource through the introduction of an entry-ticket (a Schengen visa) whose receipt is subject to the fulfilment of numerous conditions. The introduction of a visa requirement subjects the entire population of a given country to the general suspicion of constituting a migration *risk* (Bigo and Guild 2005). Consequently, the presumption of innocence is reversed in the visa application process: at the consulate, it is the applicant who has to convince consular staff of her ‘will to return’. Hence, any visa applicant has to provide documents like job contracts, bank statements or birth certificates that serve consular staff to evaluate an applicant’s social and economic ties to her country of departure. Yet, these paper requirements for a visa are far removed from the living and working realities of the majority of the local population (cf. Scheel 2017). In the context of a large informal economy most people, including many of those working in the tourism industry, simply do not have a job contract or receipts of social security payments (cf. Alpes 2011: 116-117).

But even if they provide all the requested documents, most locals will not be issued a visa by any of the consulates I have visited because they do not meet the informal decision-making criteria of consular staff. The head of the visa section at consulate Z, for instance, considers any application for a tourist visa dubious, because the member state he represents ‘is certainly not the most attractive tourist destination in Europe.’ Hence, he only issues tourist visas to people who have a permanent job with a significant income. Likewise, the head of a visa section that does, in fact, represent an attractive tourist destination, boasts in an interview: ‘Anybody who does not earn at least double the average monthly income will not get a visa from me.’ It goes without saying that the majority of people in any North African country falls short of this requirement. This holds particularly true for young men who work as animators, waiters, bar tenders, guides or street vendors in the tourist resorts. Their income rarely exceeds the average monthly income. Furthermore, it fluctuates considerably according to the tourist season. For these young men engaging in intimate relationships with often much older European tourists looking for adventure, attention, romance and sexual opportunities constitutes not only a possibility to increase their income, but also the most viable option to obtain an entry-ticket to Europe. The central role of restrictive visa policies in creating a motivation for local men to engage in intimate relationships with European tourists as a way to appropriate mobility to and residency in Europe is confirmed by other studies on female sex tourism in Africa (Jacobs 2010; Salomon 2009; Wagner and Yamba 1986).

#### **4. Bezness as a mode of appropriation**

This section provides an alternative reading of bezness as a mode of appropriation of mobility to Europe. What this reading highlights is the multi-faceted intertwinement of migratory practices like bezness and border regimes. Besides being provoked by restrictive visa policies, bezness and the European border regime are intertwined in at least three ways, as the following account illustrates: through migrants' attempts to recode the methods and logics of control into means of appropriation, in the clandestine transgression of the border regimes' norms and regulations, and finally, in the recuperation of this mode of appropriation by the European border regime.

'No more family reunifications, please!' moans R, an employee of consulate Z, after dealing with the third application in a row for a family reunification visa. Just then a clean-shaven and smartly dressed man approaches R's counter. He requests a family reunification visa to live with his wife, a citizen of the country represented by consulate Z. R sighs. She flips through his documents and whispers to me in a meaningful voice: 'He is 27, she is 57!' She asks the young man the usual questions for a family reunification visa, making sure he is aware of her aversion: 'Where did you meet your wife?' 'By accident, on Facebook.' 'How often have you seen each other?' 'She has visited me twice.' 'When did you decide to marry?' When R enters the young man's name into the electronic file she learns that he has already been denied a visa by consulate Z. At that time he had applied for a tourist visa to visit his girlfriend, whom he had met outside a hotel during her holiday. R clicks on the application to find out why it was rejected. The reason was that the young man had already lodged a similar application at the consulate of another member state which had also been rejected. 'You have already applied for a visa here before. Why was it rejected?' 'I do not wish to say. You can read this on your computer,' the young man replies self-consciously. He seems to assume that his application cannot be rejected this time because he is married to a European woman. He cannot see that R enters in the opinion section of his electronic file: 'note the significant age difference between the two and the visa history of the applicant.'

What the young man's repeated attempts to engage in intimate relationships with European women to migrate to Europe illustrate is that practices of appropriation like bezness are *inseparably intertwined* with the methods and logics of border control. For bezness constitutes an attempt to convert the most crucial effect of the European border regime – the creation of an unequal access to mobility – into a pathway to mobility to Europe. More precisely, bezness is enabled by the border regime because those it imbues with a privileged position in the geopolitics of mobility (EU-citizens) carry their right to marry across the borders that the restrictive visa policies create for others. What locals do when they seduce European tourists in the hope to lure them into marriage is to recode the biographical features that render them as a high 'migration risk' in the eyes of consular staffs – being young, unmarried and without social and economic strong ties to their country of origin – into means for the appropriation of mobility. This highlights that migrants' practices of appropriation operate through the *repurposing* of the actors, methods, logics and effects of control into means of appropriation. This capacity of migrants to recode the means of methods of border control has also

been noted by other scholars. Elizabeth Beck-Gernsheim likens aspiring migrants who transform a marriage certificate into a 'door opener' to Europe, for instance, as 'very skilful flexible border artistes' who know 'how to subvert, circumvent, bridge or make use of borders, all the while carefully adapting to context, situation and moment' (2011: 62-63).

The intertwining of migratory practices with border regimes also becomes apparent in the *clandestine transgression* of the border regime's norms and regulations by migrants' practices of appropriation. What R's aversion against the young man shows, when she discovers his previous attempts to marry European women, is that bezness entails the clandestine transgression of the ideal of romantic love, which functions as an informal norm against which marriages between EU-citizens and aspiring migrants are judged by consular staff (cf. Infantino 2014). The notion of romantic love has in fact been constituted as the only legitimation for marriage in Europe since the 19<sup>th</sup> century (Illouz 1998: 169). This is reflected in the discourses that are invoked to subject marriages between EU-citizens and migrants to generalised suspicion. What labels like 'sentimental fraud', 'marriages of convenience', 'fake' or 'sham marriages' suggest is that migrants only marry EU-citizens to secure a legal stay in Europe. Likewise, the Western notion of romantic love underpins the de-legitimization and criminalization of marriages that are arranged by the spouses' families as 'fraudulent' or 'forced marriages' (Bonjour and de Hart 2013; Infantino 2014). What all these stigmatising labels share is the Western ideal of romantic 'love marriage' as the norm against which the marriages of mixed couples are judged (Bonjour and de Hart 2013; D'Aoust 2014). The Western 'fairy-tale' of romantic love 'signals an interior landscape of affect [...] that is independent of the social, economic, or other attributes of the individuals' (Muller Myrdahl 2010: 103). This isolation of love from any material interest is the defining feature of 'true' romantic love (Illouz 1998). And it is this notion of romantic love as the sole legitimate motivation for marriage that migrants clandestinely transgress when they try to lure Western tourists into marriage as a way of entering and staying in Europe.

In the case of bezness, moments of uncontrollability of migratory practices only emerge if migrants stage successful performances of the Western script of romantic love that satisfy not only the assessments of authorities, but also their European spouses. This is of particular importance in a climate of heightened distrust against marriages between binational couples featuring a partner from a non-Schengen country. Discourses on 'fake' and 'sham' marriages have not only justified the imposition of various restrictions on marriages between binational couples, such as minimum income-levels and adequate housing EU-citizens have to provide (Eggebo 2013) or language tests (Gutekunst 2015) and other pre-departure 'integration requirements' for migrant spouses (Bonjour and Block 2016). They have also resulted in the introduction of bureaucratic practices like separate interviews with the spouses in which authorities look for inconsistencies between each partner's account of their first meeting or personal information about the other partner to find evidence for a marriage of convenience that justifies the denial of a visa (Infantino 2014).

What these restrictive marriage migration regulations and bureaucratic assessments illustrate is that *remaining undetected* is a precondition of success for practices of appropriation. Due to restrictive marriage migration regulations outlined above, European women assume the role of gatekeepers to migration for their male partners, who depend on their good will to provide the necessary paperwork. If the love of local men is only feigned, this will have to remain undetected under all circumstances by their European spouses. The need to engage in prolonged bureaucratic struggles in a climate of increased distrust makes the appropriation of mobility to and residency in Europe through luring tourists into marriage a difficult challenge, successful mastery of which hinges on mundane, skilful displays of the etiquette and ‘feeling rules’ of the Western script of romantic love (Illouz 1998).<sup>6</sup>

It is important to note that these asymmetrical power relations and the related imperative to stage convincing performances of romantic love do not end with the receipt of a family reunification visa. Marriage migrants have to pass a probation period of three to five years (depending on the EU member state) before they are eligible even to apply for a permanent residence permit. During this period they depend on the good will of their European partners for the renewal of their temporary residence permits. If migrants only feign love for their partner they will have to stage convincing performances of the script of romantic love on a daily basis throughout this probation period. This puts their European partners in the position of informal street-level bureaucrats endowed with the power to end migrants’ sojourn in Europe at any time (Ebron 2002; Gutekunst 2012; Wagner and Yamba 1986). The appropriation of mobility to and residency in Europe also remains contested because authorities continue to police the ‘truthfulness’ of binational couples’ relationships. Measures include unannounced visits to check if the couple live together and separate interviews in which both partners have to answer the same catalogue of intimate questions. These contested outcomes imbue migrants’ border struggles with a self-perpetuating dynamic. Not only in the case of feigned love on part of the migrant, but also if the European partner discovers that she does not love her partner as much as during their holiday romance, the bedroom and the breakfast table become sites of struggles over mobility to and residency in Europe. What the appropriation of mobility through bezness thus brings to the fore is that the European border regime infiltrates and permeates the everyday and intimate lives of migrants *and* EU-citizens.

This becomes most apparent in the measures that are mobilised to recuperate this practice of appropriation. These often involve the curtailment of the rights of those the European border regime seeks to privilege in the geopolitics of mobility, as illustrated by varying requirements EU-citizens have to meet to be able to live with their migrant partner in Europe. It is also reflected in informal practices of government that consular staff mobilise to deny the spouses of EU-citizens a visa. In these attempts of recuperation another important dimension of the intertwining of migratory practices with border regimes comes to the fore.

## 5. Recuperating bezness: love as a technology of government

One afternoon, I am sitting with M in his back office. M is processing visa applications from the past few days. He sits in front of his computer, a huge pile of files next to him. M takes a thick folder and starts to flip through the documents. A young man requests a visa to marry a woman from the country consulate Z is representing. 'Look at this' he says. 'She has already been married twice and she has two daughters, one of them is even two years older than the guy.' On the screen I read in the opinion section of the electronic file: 'note that the applicant does not speak proper [language of the country consulate Z is representing]. He shows the typical profile of young men who engage in relationships with tourists to find a sponsor for a visa'. It has been entered by the staff who received the application at the front desk. M explains: 'The guy is from [...] in the South. There is nothing there. He has worked as a guide for excursions in the tourism sector. She says that's where they have met in November 2011. But there is no stamp in her passport.'

The application also contains a folder with photographs. 'They always provide these pictures to prove that there is a real relationship. Normally I do not even look at them...' says M. The pictures show the couple having dinner, kissing in a swimming pool or him carrying her on his arms, another woman standing next to them. 'This must be the daughter. I don't understand her. How can she accept this?' There is another picture of the embracing couple kissing each other. 'Sometimes they even provide hot pictures. It can get quite disgusting.' Then there is a series of pictures, showing the couple visiting the young man's parents. One picture portrays the woman, sitting on a sofa in the middle of his parents, all smiling. 'Look at this... the golden hen.' More pictures follow, showing the couple in poses and situations that are usually associated with romantic love. M puts the folder away. 'I don't understand this. What does she want from him? It is obvious what he wants, but what does she want? He is 20 years younger; he can only be a sex toy for her. But why does she have to marry him, this is what I don't understand. Come here, enjoy yourself, but don't be stupid and start something serious...' M advises the central office for migration to reject the application. For formal reasons: the income of the woman is not sufficient to sustain her spouse and the claimed duration of their relationship cannot be verified due to the missing stamp in her passport.

M admits that he rejects most applications for family reunification visas by binational couples. Just like T, the head of another visa section, who reports that his consulate receives two or three requests for family reunification visa from young local men each day. 'These relationships often result from holiday romances. Those who want to start a relationship of course want to get to know each other. But in 98% of the cases it is not possible to issue a tourist visa since young people usually do not have a permanent job. In a way we compel people to marry since we do not issue visa for visits to [country T's consulate is representing].' T regularly interviews local spouses applying for a family reunification visa on the basis of a catalogue of questions that is sent from the local migration administration in the country he is representing. Just like M, T usually advises to reject the application. 'You have to consider that there is often a large age gap between the spouses and

sometimes they do not even speak the same language. We then try to speak with them [European women]... Recently, I had a couple here where I thought this was a genuine relationship, but in most cases it is obvious that it is just about the visa and I advise to reject the application. They can go to court then', he adds with grin. 'After all, one cannot prohibit people to marry.'

What these accounts illustrate is that the dominant public discourse on bezness is mobilised by consular staff to justify informally routinized practices of government. These 'backstage administrative practices' (Infantino 2014: 28) include the initial denial of binational couples' applications for family reunification visa (Alpes and Spire 2014), the systematic delay of their applications (Spire 2009: 82-83), and attempts to persuade European women of their spouse's 'true' motivations for marriage (Infantino 2014; Kulk and Hart 2013). These practices aim at complicating the family reunification procedure for binational couples in order to subject their relationships to severe tests, which may provoke the split-up of the couple. With Anne Marie d'Aoust (2013; 2014) we can understand these informally routinized practices as technologies of government that either target or feature the emotion of love in the regulation of marriage migration. With the AoM we can specify furthermore that love features as a technology of government in attempts to recuperate the appropriation of mobility through 'bezness' by the European border regime.

Love features as '*target* and *object* of governmental calculations in projects of immobility and stability' (D'Aoust 2014: 320). This becomes apparent in the attempt of T and his staff to implant distrust in European women against their spouses in order to convince them to abandon their marriage plans. What these attempts involve is the shaping of a particular understanding of love as devoid of any material interest, a requirement local men always fall short of in the eyes of consular staff. For what T and his staff want EU-citizens to recognize is that their partners do not 'truly' love them but only use them as a gateway to Europe. Hence, consulates emerge as a site in which a particular notion of love – understood as an emotion that has to be learned to be recognized as such (D'Aoust 2013) – is shaped and circulated. This already indicates that this particular (Western) understanding of love as devoid of any material interest also features as *vehicle* for practices of government for the regulation of marriage migration to Europe. Put differently, emotions like love – or more precisely particular versions thereof – feature as technologies of government within the European border regime.

In the case of bezness the Western notion of 'true' romantic love serves consular staff as a partition instrument to distinguish between European women and local men along the neat victim-villain dichotomy of the dominant public discourse on bezness. Consular staff link the Western ideal of romantic love as devoid of any material interest with a rational choice approach in the decision-making on binational couples' applications for family reunification visa, as illustrated by M's rejection of a family reunification visa. Within this circular logic, local men can only emerge as ruthless villains who misuse European women to gain entry to Europe. Following this logic, the love of local men is not genuine because it is not devoid of material interests. But this material interest – marriage as an avenue for legal migration to and residency in Europe – only exists because of highly

restrictive requirements for a visa that cannot be fulfilled by the majority of the local population. Hence, local men always fall short of the ideal of romantic love since their motivations for marriage are necessarily mixed *because of* the Schengen visa regime.

The construction of local men as calculating rational-choice actors permits consular staff in turn to frame European women as victims who need to be protected from the former *by* being protected from their *irrational* decision to marry them. The portrayal of European women as naïve victims by immigration officials has also been confirmed by other studies on the government of marriage migration (Bonjour and de Hart 2013; Pellander 2015). Through this victimization attempts to talk European women out of their marriage plans and the systematic delay and initial denial of their partners' visa applications are framed by consular staff as morally justified interventions that serve the protection of European women.

This recuperation of migratory practices known as *bezness* through informal technologies of government illustrates another important dimension of the intertwinement of migratory practices and the European border regime. What these informal practices of government show is that migration only operates as the 'dynamic moment' (Karakayali and Tsianos 2005: 50) within border regimes, because the latter resemble apparatuses of capture that strive on migrants' practices of appropriation as a driving force for their own development (Shukaitis 2009: 37). From this follows that practices of appropriation like *bezness* are enmeshed in a dynamic of subversion of and recuperation by the border regime. Restrictive visa policies render mobility to Europe a scarce resource through the introduction of an entry-ticket whose receipt is subject to requirements that do not correspond to the living conditions of many locals, thus enticing various forms of delinquency, which are then cited as evidence for the need to implement – if informally – more and 'more efficient' border control practices. This dynamic has been described by Michel Foucault (Foucault 1980 [1977]: 195) as the 'strategic elaboration' of the security dispositif. Hence, the notion of appropriation permits to highlight that it is 'by means of a continual theft of the [knowledge] generated by [migrants'] struggles' that border regimes 'create increasingly complex mechanisms of domination' (Negri 2005 [1982]). In the context of *bezness*, this dynamic is facilitated by the dominant public discourse on *bezness* and its simplistic victim-villain distinction which is picked up by consular staff from media reports and translated into informal practices of government that effectively curtail the sexual citizenship of European women in the name of their protection.

## **6. Conclusion**

The contribution of this article to international debates in border and migration studies is twofold. On an empirical level, the article contributes to the growing body of literature on marriage migration by providing a reading of the hitherto underresearched phenomenon of *bezness*. Yet, more research is needed to do full justice to the complexity of this marriage migration related phenomenon. What is needed in particular is ethnographic research that studies how European tourists and locals experience

and live their relationships in the context of strict migration regulations. On a conceptual level, this article has introduced the notion of appropriation in debates on 'migrant agency' to better grasp what we often find on the ground: a multi-faceted and intricate entanglement of border regimes and migratory practices. Inspired by the autonomy of migration approach, the article has developed a reading of bezness as a mode of appropriation of mobility to and residency Europe. The aim of this analysis was to demonstrate the capacity of the notion of appropriation to capture, better than existing concepts such as 'agency' or 'resistance', the intertwinement of border regimes and migratory practices. This was achieved by showing that bezness and the European border regime are intertwined in four ways. What the notion of appropriation permits to highlight in particular in contrast to existing conceptions of migrants' capacity to act is, first, that it are restrictive border regimes that provoke migratory practices which are in turn framed and treated as deviant as they transgress the rules and informal norms of border regimes. Secondly, the notion of appropriation permits to highlight that practices of border control and their subversion by migrants are not external to one another. They are rather inseparably interwoven as migrants, rather than openly contesting border controls, often try to repurpose the actors, logics, methods and effects of border control into mechanisms allowing for the appropriation of mobility. Finally, it opens up a reading of border regimes as apparatuses of capture that try to recuperate and harness the knowledge and creativity that is engrained in migrants' practices of appropriation in order to turn these into a driving force for their own development.

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## Notes

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<sup>1</sup> I speak of appropriation of mobility to highlight that mobility is just one aspect of the migratory process, which also involves settlement in a desired place. Consequently, migrants' border struggles are not reducible to the appropriation of mobility. They also involve the appropriation of access to resources like housing, employment or public services like education and health care. This article focuses however in particular on the appropriation of mobility via family reunification visa through the marriage of citizens of EU member states. For a comprehensive account of migrants' struggles and the self-perpetuating dynamic of these struggles: Scheel, Stephan (2018, forthcoming),

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*Autonomy of Migration? Appropriating Mobility Within Biometric Border Regimes*. London and New York: Routledge.

<sup>2</sup> The praxis to anonymise the locations of my field sites might appear as forestalling a situated analysis that accounts for the legal, technical and administrative specificities of the bordering practices that migrants try to negotiate and subvert. I contend, in contrast, that assigning geographical markers to migrants' encounters with the European border regime does not contribute to a situated analysis. Rather, linking particular practices to identifiable bodies and places follows the logic of policing. The particularities of migrants' encounters with the European border regime, as well as the practices they mobilise to appropriate mobility, reside rather in migrants' personal circumstances, the social and economic resources they can mobilise and the architecture, organisational structure and bureaucratic routines of the consulate migrants visit and the practices of the staff they confront. People revealed this sensitive information to me only under the condition that I would not use it in connection with markers of identity like names of people or places. To anonymise the people I spoke with and the places I visited does not create hindrances, but rather provides the pre-condition for a situated analysis of the intertwinement of migrants' practices with the means and methods of border control.

<sup>3</sup> Webpages on bezness exist in Dutch, English, French, German and Russian. Moreover, bezness is discussed in countless travel forums and online women's magazines.

<sup>4</sup> For a list of Kern's media appearances see her webpage: <http://www.1001geschichte.de/presse/> (05.04.2016).

<sup>5</sup> Cited from the Dutch webpage: [http://www.beznessalert.com/eng/what\\_is\\_bezness.html](http://www.beznessalert.com/eng/what_is_bezness.html) (08.04.2016).

<sup>6</sup> 'Feeling rules' are culturally and historically contingent and must be learned. They specify what feelings are appropriate for a particular situation and how a specific emotion can be displayed in such a way that it is recognised by others Hochschild, Arlie Russel (1979), 'Emotion Work, Feeling Rules, and Social Structure'. *American Journal of Sociology*, 85, pp. 551-75.

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