

## Portuguese Border and its “micro-temporalities”: advances, retreats, and hesitations in the exercise of control

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### Abstract

This article addresses Portuguese border regime by looking into the relationship dynamics between border guards and foreign citizens. Through the lens of temporality, I reflect on how the presence or absence of certain documents, presented by these citizens, function as control devices (Foucault, 1994 [1976], 2003 [1977]) that accelerate, break, or deny the entry in Schengen. I advocate a contingent and procedural view of border control, since documents point out, order and shape life courses, they are not just a steady *status*, but a moment in the decision-making processes.

The documents do not seem to be definitive and much less finite. They are not definitive as they depend on each guard’s gaze to the various details that these documents incorporate. These details can become more, or less, visible, producing a sequential order in terms of the way they are evaluated. Nor are they finite, as they reveal the unpredictability of the border, as well as the way foreign citizens potentially embody uncertainty, providing themselves with documentary evidence, in response to this unpredictability. The function of documents as power devices allows the continuous production of indifference to practices and their arbitrary results (Gupta, 2012), due not only to the “legislative administrative jungle” (Fassin, 2014), internal issues such as infrastructure and lack of human resources, as well as the absence of limits the guards place to their own autonomy. Documents are interpretive, and transformable once they are used to develop a story about the traveler.

Based on an eleven-month ethnographic fieldwork, centered on the daily life of the border guards of the Foreigners and Borders Office (SEF), at Humberto Delgado Airport, in Lisbon, I am to analyze through these brief encounters (some more than others), the “micro-temporalities” produced by state bureaucracies.

**Keywords:** Foreigners and Borders Office; Portuguese border; bureaucracies; temporalities of migration; micro-temporalities.

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## Introduction

‘May I see what else are you bringing?’ asked the inspector, without waiting for the passenger's consent. In an automated gesture, she pulled the transparent blue folder, making it slide from the countertop of the *box*, where it was backed, towards her. Over the computer keyboard she began to search, sure of what she would find. The passenger, incredulous and terrified, looked expectantly through the glass barrier. The ‘what else’, in the inspector's question, already anticipated the suspicion that the folder, despite being transparent, concealed other documents that would indicate the ‘true reason’ for the passenger to travel to Europe. The latter claimed to come as a tourist, however, what had caught the inspector's attention was the fact that, when he approached the *box*, he had presented a letter of sponsorship<sup>2</sup> issued by one person, however signed by another. Was also his first time in Europe.

The border agent started to inspect the passport pages on a very slowly notorious way, verifying that the passenger had a US visa until 2027. This slowdown on the pace of the documentation control, on the Portuguese border, is common when some inspectors want to reinforce the asymmetry of powers in the relationship that the encounter produces: between those who try to cross the border and those who define limits to their passage. The stamp in the passport is the administrative act that formalizes the entry of third-country nationals into the Schengen area. In the case reported here, the delay in this border movement<sup>3</sup> indicated that there were doubts on the part of the inspector about the ‘true reason’ for the passenger’s trip. And it was this prelude, which led to the pursuit for other indicators that would substantiate the decision of the inspector.

After slowing down, the inspector looked at me and, marking the visa page, in the passport, with her thumb, she mentioned, apparently without any concern that the passenger was also listening to her: “I don’t care about this, they [Brazilian citizens] are now coming here [Portugal]. I know it's very difficult to get one of these [US visas], but I don’t care”. When checking the folder where the passenger had organized his documents, she also found the birth certificate and the PB4<sup>4</sup>. The inspector then began to prepare the interception form and, at the

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<sup>2</sup> Article 12° of Act 23/2007. In the case of not having means of subsistence, “for the purposes of the above article, a third-country national may, alternatively, submit a letter of sponsorship signed by a Portuguese national or foreigner authorized to remain in Portuguese territory on a regular basis”.

<sup>3</sup> Border movement can be the act of stamping, the stamp in the passport or the registration of the entry in the digital border control system used by SEF.

<sup>4</sup> PB4, also known as PT-BR/13, is the medical assistance certificate (CDMA) that results from a bilateral agreement that Brazil formalized with some countries (Portugal, Italy, and Cape Verde). This certificate is requested when Brazilian nationals are moving to one of these countries and allows them to access the public health system. It works as a free health insurance.

same time, adjusted her posture in the chair, straightening her spine and changing her voice tone. She made it softer, and simultaneously challenging, since the documents she had found helped to corroborate her suspicion: that the passenger was not coming to Portugal for a vacation, but to *stay*.

She started by asking the passenger if he had a return ticket to Brazil. He said yes, showing a ticket with a shape of a supermarket receipt. The inspector looked, hesitantly, at the document he was shown. She asks me, and her colleague, who was in the same *box*, if we already had seen something similar. We both answered no. The passenger, realizing the increase of distrust, included himself in the conversation, saying that the ticket had that format, because his brother worked for Azul, the Brazilian flag airline and, therefore, he could get considerably more economic prices. He didn't think the format of the ticket would be an issue when trying to cross the border.

The arrivals hall was packed with the landing of the first flights of the morning. However, the inspector was not concerned about the long queue, since she “had to do her job”, that is, verify that the passenger has the conditions to enter the national territory (NT). As mentioned by Agier (2016: 5), “doing the work” is controlling, with sometimes objective cruelty, by those who play the role of filtering the border. I observed that the inspector picked the landline telephone up, inside the *box*, and called the Support Unit (SU)<sup>5</sup>. She started by asking: “how is it going? He [passenger] even looks good ...”, in a burst she interrupted herself, not finishing the sentence, when she noticed that the passenger split the return flight into a twelve times payment. At that moment, she said to the colleague who was on the other side of the phone line: “look at this one trying to deceive me ...”. Immediately decides to take the passenger to the SU, for a *better check of the situation*.

Although the passenger had an US visa attached to his passport that functions, in most of the cases, as a control device that favors and accelerates entry into TN, other documents can thicken and slow down the decision-making process. In this case, the letter of sponsorship<sup>6</sup> was the document that incited the unfolding of the entire scrutiny, as the name written in the form was not the same name of the signatory. However, this indicator was not mentioned again, during the decision-making process, by the inspector. It remained hidden, despite having influenced the decision. The suspicion raised with the finding of the birth certificate and the PB4. At this

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<sup>5</sup> Where, besides other tasks, the inspectors interview the passengers intercepted at the *first line* of the border.

<sup>6</sup> Acceptance of the letter of sponsorship, as referred to in point 2 of Article 12° of Act 23/2007, depends on proof of the financial capacity of the respective subscriber and includes a commitment to ensure the conditions of stay in TN.

border post, persists the idea that those who come for tourism do not need to bring their birth certificate, as well as the PB4. However, until this moment the inspector wasn't still sure whether to make the interception, or not, since the passenger "even looked good", *giving the benefit of the doubt*.

The brief assessment she made to his profile, based on his clothes and his way of communicating, did not indicate the so-called 'migratory risk'. What made her take the decision, was when realizing that there was an economic fragility since, when she looked more closely to the return ticket to Brazil, she noticed that the payment was divided into twelve times. As she told me: "it's a sign that he doesn't have enough money to be a tourist, he's probably coming to try his luck in Europe". That is, the fact that the passenger did not pay upfront for his return trip gave the inspector the necessary confidence to proceed with the interception. In her understanding there was a probability that the passenger would stay in Portugal. Her perception of the documents, that the passenger was carrying, formed the basis for the decision that he was not a tourist. Bureaucratic documents and records constitute biopolitical technologies that help transform migrants into particular types of subjects (Horton 2020: 13), build their moral value and, therefore, their worthiness (Abarca and Coutin 2018). The last two authors, through the reports of their interlocutors, show how migrants must still 'fit' in the state's understanding of value, reflecting the state's voice with their action. In the case of this passenger, would he have been intercepted if his trip had been paid upfront?

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Document control includes a configuration of features that, with a certain uncertainty, build the decision-making process. Abarca and Coutin (2018), Horton (2020: 4) and Wissink and Van Oorschot (2021), suggest that documents and their analysis constitute a useful place in which to analyze power relations between the state and migrants. It is through them that the bureaucratic process begins, giving the state some kind of implementation. As artifacts (Freeman and Maybin 2011; Hull 2012), they explore the material expression of the status (Anderson 2020: 55) of those who are socially imagined as migrants. They also offer a window for the creation and reproduction of social inequality, since, as mentioned by Heyman (2020: 241), "the documents and the status they transmit matter for life projects and opportunities".

I chose this vignette precisely because I consider that, due to the density of the documents and their particularities, they elucidate important aspects to be developed throughout this article. First, like other authors (Gupta 2012; Walters 2015; Heyman 2020; Wissink and Van Oorschot 2021), I want to emphasize the role of contingency during the process. This starts right at the

moment when the passenger, provided with his documentation, walked towards the *box* where I was. Later, the fact that the border agent, who I accompanied, interpreted certain documents and their particularities as control devices (Foucault 1994 [1976]; 2003 [1977]), having made use of them for an exercise of power. Documents are valued and presented as evidence of personal histories, as well as being results of such changes (Heyman 2020: 232). This last aspect suggests the diversity of indicators that cross the logic of the inspectors, allowing them to make a particular assessment of who can, or cannot, enter NT. This particularization of moments and stories soaked in everyday banalities, has an extremely intimate dimension as it guides those who are traveling to discover very unique aspects, not only of their personal existence, but also, in this case, of their family members. Documents, therefore, produce visibilities.

Contact with bureaucratic agents involves the exchange of information like any other social encounter (Graham 2003). In the case described above, even though it was not enough reason to prevent the interception, the passenger had to justify the format of his return flight ticket, revealing his brother's profession, an aspect that, from the point of view of bureaucracy, is unrelated to its entry into the NT. He involved his brother in the evaluation, making him visible, although he was absent and far from the border. This meeting also makes possible to understand that the advances, retreats, hesitations, and denials of the border guards are being cadenced by the doubts that are emerging, or dissipating, depending on the documentation that is provided to them.

The controlled subject was prevented from entering. What determined the obstruction was a judgment on his possible economic condition that cast suspicion on the real reasons for his desire to enter Portugal. In this regard, documents mark, periodize and shape life courses (Anderson 2020: 56), they are not just a fixed status, but constitute a 'moment' in the processes of agency and power (Heyman 2020: 231). Although the state exercises, deliberately or not, control over passengers, through opacity and arbitrariness (Bohem 2020; Coutin 2020), they do not passively submit to its power. The decision-making process, therefore, is not unidirectional since the passenger participates as a fundamental asset. However, passengers also recognize that, despite being prepared with paperwork, they do not control the process. As mentioned by Abarca and Coutin (2018: 15, 16), “no matter how many documents an applicant has, nor how convincing they are, the right, to deny or grant the entrance, is always reserved to the state”. The authors show that moments of sovereignty persist in border regimes, despite their control being fundamentally associated with the “governmentality of migration” (Walters 2015).

Secondly, this episode suggests that the border is made of immeasurable rhythms, in which, as seen in the previous encounter, some are imposed in a calculated way. The temporal dimensions of migration have had less attention by scholars (Anderson 2020), since it tends to be imagined as a spatial process, however, time is a critical element in defining who counts as “migrant”. In this sense, Jacobsen and Karlsen (2021: 1) refer that “migration involves human mobility across political borders, but also encompasses complex, multiple and layered temporalities”. One way of probing these complexities, as Heyman (2020: 230) suggests, is through “paper trails”, the social life of documents. The slow inspection of the passport, by the border agent, was done in such a way to destabilize the harmony that the passenger, initially, let appear, trying to break<sup>7</sup> and pressuring him to say what she considered to be the truth. Subsequently, the documents that the passenger has shown were breaking the process of control, until the inspector decided to deny the access to him.

This episode, so common on the Portuguese border, is characterized not only by a series of spatial mechanisms, but also by micro-temporalities made of specific and unequal rhythms and by a multiplication of temporal borders (Tazzioli 2018). Since these do not replace spatial boundaries, nor can they be analyzed autonomously. The Portuguese border, due to its sixteen arrival control positions, has multiple temporal borders (Mezzadra and Neilson 2013) at the same time since it is relational. As has already been mentioned by several authors (Foucault 2008 [1977-1978]; Lipsky 2010; Gupta 2012; Hull 2012; Fassin 2015; Lopes et al. 2017; Abarca and Coutin 2018; Mineiro 2021; Jacobsen and Karlsen 2021) the state it is not a configuration that exists independently of its relationship with citizens, foreigners or not. It only exists, at least partially, through that relationship. It is, therefore, “at all times a product of its time” (Fassin 2015: 4). And it is the unpredictability of these relationships, produced in these daily encounters, that will generate doubts or evidence about those who wait at the border line every day, yearning for the formalization of their entry. Considering that time is not a linear sequence (Shubin 2015; Tazzioli 2018) that measures and regulates life, and that it can be ordered and lived in different ways (Griffiths et al. 2013), “due attention to the temporalities of migration highlights the asynchronies between subjective experiences of time and administrative demands” (Anderson 2020: 62).

Despite having repeatedly heard that “here [at the border] we only assess entry conditions”, these conditions mean that common paperwork constitutes a new bargaining chip for

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<sup>7</sup> The expression “breaking people” was also identified by Heyman (2004: 311), who carried out ethnographic research with inspectors from the Immigration and Naturalization Service of the United States of America.

passengers: on the one hand they are valuable evidence about their work history, family life and moral character (Abarca and Coutin 2018; Horton 2020), on the other hand, these records can have the opposite effect (Coutin 2020), due to their transformative value. The transformation of a document depends on a series of practices engaged with its materiality (Wissink and Van Oorschot 2021). Having access to the state from the inside – which in the case of the first line of the border is: how inspectors operate in terms of practices and procedures, how they manage the process and what factors they pay attention to, who are the actors, their verbalizations and respective tones, the fluctuations of emotions of both the inspectors and the passengers – opens possibilities of interpretation different from what we could ask if we only observed the effects produced, which in the case of the first line are intercepting or entering.

The performance of the state should not be confused with its real functioning. As mentioned by Gupta (2012: 13, 14), “operating within that reified entity, the state, leads to misinterpretations of bureaucratic processes”, which have serious consequences for the lives of those whose entry is not allowed. Ethnography makes it possible to understand that the entire decision-making process is permeated with contingency. Since, as argued by this author, the bureaucratic action of these officials repeatedly and systematically produces discretionary results in the course of their daily meetings. Indifference to the production of arbitrary results (Gupta 2012: 14), became frequent and thus central throughout the time I spent in the field, aspects in which I was able to participate, experience and observe in detail due to my privileged position of proximity to the agents of control.

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