Illegally Staying in the EU: An Analysis of Illegality in EU Migration Law, by B. Menezes Queiroz (Oxford and Portland, OR: Hart Publishing, 2018, ISBN 9781509912872); viii+207pp., £65.00 hb.

Pierre Baudry

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Pierre Baudry. Illegally Staying in the EU: An Analysis of Illegality in EU Migration Law, by B. Menezes Queiroz (Oxford and Portland, OR: Hart Publishing, 2018, ISBN 9781509912872); viii+207pp., £65.00 hb.. Journal of Common Market Studies, 2018, pp.1680-1681. 10.1111/jcms.12827 . hal-02415029

HAL Id: hal-02415029

<https://hal.science/hal-02415029>

Submitted on 16 Dec 2019

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Illegally Staying in the EU: An Analysis of Illegality in EU Migration Law, by Benedita Menezes Queiroz (Oxford and Portland, Oregon: Hart Publishing, 2018, ISBN 978-1-50991-287-2); viii+207 pp., £65.00 hb.

In *Illegally Staying in the EU: An Analysis of Illegality in EU Migration Law*, Benedita Menezes Queiroz, Lecturer at the Faculty of Law of Lisbon, tackles one of the most sensitive questions in the European Union (EU): irregular migration and the definition of illegality. In this book, which is drawn from her Ph.D. written at the European University Institute, the author asks how one can grasp the concept of illegal stay and the status of irregular migrants in the EU. She considers that the existing scholarship does not address these questions in a satisfying way. The concept of illegality is often interpreted as a binary opposition between legal and illegal migrants, citizens and foreigners. The author challenges this too simplistic distinction by focusing, first, on a holistic conception of illegality in the EU (chapter 1 to 3) and, second, on the implications of the EU's approach toward illegality (chapter 4 to 5).

A holistic conception leads one to analyze not the opposition between citizen and non-citizen, but the process of entry, and of staying and departure as considered from both the migrant's and the state's perspective: a temporal approach captures more convincingly the "cycle of illegality" (p. 15). EU citizens staying unlawfully, illegally-staying third-country nationals or non-removable migrants are examples of people who are neither legal or illegal, but in a grey zone. This shows the inadequacy of the categories applied on migrants because a unified concept of regularity is still lacking at the European level.

In the second part, Menezes Queiroz shows the consequences of this fragmented legal framework. She focuses on databases like the Schengen Information system or EURODAC. They contribute to the phenomenon of "crimmigration" which conflates criminalization and immigration. The data gathered originally for regulating asylum application are increasingly used for law-enforcement purposes in spite of the European Convention on Human Rights on privacy protection. The author addresses the last phase of the illegality cycle by focusing on the Portuguese "golden visa". This visa allows foreign investors access to a fast-track procedure to obtain a legal status. This constitutes an instrumental form of legalization. The author distinguishes it from a corrective one aiming at regularizing irregular migrants, who are victims of the imprecise definition of illegality in the EU.

In conclusion, Menezes Queiroz covers a broad range of issues and material. She proposes a dialogue between legal studies and critical political theory, but without fully developing this approach. For instance, she does not use Foucault's concept of governmentality in spite of its critical value. Besides, a discussion of notions such as sovereignty or legitimacy would have been useful to understand the distinction between legality and illegality. However, every student of migration law in the EU should find this book of interest for its innovative conceptualization of irregularity.

PIERRE BAUDRY, *Ecole Pratique des Hautes Etudes/CNRS (PSL, Paris)/University of Tours*