



Radboud Universiteit

Radboud University – Nijmegen, The Netherlands

A theoretical exploration towards the undemocratic nature of national borders.

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Thesis submitted in Partial Fulfilment of the Requirements for the Degree of master's in
human geography – MSc.

Specialisation: Europe, Borders identity, and governance

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31-12-2025

Word Count: 30.759

Abstract

This thesis examines the democratic legitimacy of border governance in the Dutch-German border region. While contemporary border scholarship has shifted from viewing borders as fixed territorial barriers toward understanding them as dynamic borderscapes, governance practices within the European Union remain largely state-centred. Drawing on border theory, democratic theory, and insights from an internship at the Euregio, the thesis analyses how this disconnect produces structural inequalities for borderlanders. Through illustrative cases such as cross-border healthcare access and environmental governance, the study demonstrates how policies with cross-border effects often lack inclusivity, accountability, transparency, and non-discrimination. To assess these dynamics, the thesis develops and applies five democratic indicators grounded in democratic theory and human rights frameworks. The analysis shows that democratic shortcomings in border regions are systemic rather than incidental. Building on borderscapes literature, the thesis explores the potential of participatory, cross-border governance arrangements as a normative pathway toward enhancing democratic legitimacy. By reframing borders as lived political spaces rather than jurisdictional endpoints, this research contributes to debates on border governance, democracy, and European integration.

List of Abbreviations

AEBR – Association of European Border Regions

ECHR – European Convention on Human Rights

EGTC – European Grouping of Territorial cooperation

TFEU – Treaty on the Functioning of the European Union

OGP – Open Government Partnership

UN – United Nations

EU – European Union

NATO – North Atlantic Treaty Organisation

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1. Introduction

Approximately ten years ago, as an unsuspecting seventeen-year-old resident of a Dutch town near the Belgian border, received a package from the government addressed to me. Upon opening it, I discovered iodine tablets, and the accompanying explanatory letter stated that individuals up to the age of forty were being provided with these tablets. Reasoning behind it was because I lived in the proximity of a nuclear research facility, and it was sent to us as a protective measure in the case a nuclear incident would occur.

This letter prompted a series of questions, the closest and only nuclear reactor in the Netherlands is far away in the province of Zeeland (Rijksoverheid, n.d.), hence, I was surprised I got the tablets. After some research I found out that Belgium operates two nuclear reactors, but they are also far away closer to the border with France. Instead, the potential threat came from a nuclear research centre just across the border in a town called Mol (Linders, 2017). While I initially considered it a commendable act of vigilance of the government, as time progressed, a feeling of injustice and powerlessness started to manifest itself. Leading towards me choosing this topic for this thesis as the experience gradually raised a broader concern regarding democratic accountability in border regions. A potentially hazardous facility that is so close to my home and threatens my wellbeing is something that lies completely outside of my influence. This raised questions as to why I at the time was, or the people that lived there before me, not consulted on the fact that a potentially dangerous nuclear research facility was being built just across the border. The reason for that being is probably that we as Dutch citizens have no say in what happens on the other side of the man-made border between the Netherlands and Belgium even though it has an impact on our lives. This experience is not merely an anecdote of something that happened in my personal life, it reflects a structural issue that exists within the architecture of European governance. Which has led me to ask the following question, are the European internal borders democratic?

In essence one could easily answer that question with yes. Especially if you compare the European internal borders with those in other regions of the world. The European union promotes the free movement of people, goods, services, and capital. This diminishes the functional significance of her internal borders. (European Commission, 2024). However, these internal borders have become more porous in administrative and economic terms, they remain obstacles of democratic authority (Gary Marks, 1996). Up until today, representation, political participation, and accountability are still mostly organised at the national level. Yet, the most pressing issues such as energy scarcity, public health, and environmental risks are issues that are transboundary in nature. Scholars of European integration such as Marks, van Houtum, and to a point Abizadeh, have said that such issues often escape the spatiality of national political systems. This

creates problems between the territoriality of democratic governance and the transnationality of policies.

Border regions provide some of the most vivid examples of the mismatch I described above. In these areas citizens often experience the consequences of decisions made in neighbouring states, without being able to partake in the decision-making process. However, the European Parliament does give EU citizens access to political representation across the entire union. And on the surface, this looks good, however, Schengen also came with some economic and social injustices and inequalities like I mentioned before. Institutions such as the European Grouping of Territorial Cooperation (EGTC), Interreg and the countless Euregions across Europe are trying to combat these regional inequalities in (border) regions, but to my opinion, its progressing slow. Bilateral entities do exist, such as the Euregioraad, where Dutch and German council members come together and are able to discuss and come to an advisory conclusion. However, as stated, these are advisory committees, and their judgement holds no obligations for national governments. Thus, it does not have such a significant impact.

This phenomenon that exists in border regions has led me to elaborate further on the rather small question I posed before. As merely asking, 'are borders democratic' does not cover the extend of the issue, as it is much broader. The question that I intend to answer within the scope of this thesis is as follows: are borders democratic if those most affected by them have no voice in shaping their governance?

Therefore, this thesis will be divided threefold. The first chapter will be an explorative journey. The starting point will be the moment of realisation of injustice when I received the iodine tablets. From there I will carve a path through the political debate that has been going on for decades together with personal experiences I have gained by doing an internship at the Euregio. Euregio, an institution that is currently based in more than a hundred border regions across Europe, is an institution that promotes and helps cross-border cooperation. (Euregio, n.d.). I did an internship at the office that was based on the border between Germany and the Netherlands, in a small border town in Germany called Gronau. During this internship I became more curious towards the existence of borders and how they work in practice. Experiencing the everyday struggle people have in the border regions made me want to dive deeper in the existence of borders, or rather, border regions.

In order to answer the main question, I will start with the who and the where. Because democracy, or Demos, as the word itself entails is about the people. Therefore, first will be determined who will be part of my research. Because people that live far away from border regions have a completely different relationship with borders than people that live within these border regions. Continuing on, I will analyse the idea that borders are still viewed as obstacles and barriers and will give examples of contemporary cases to verify this. And especially the disconnect between the praxis, the philosophical debate,

and the political debate. This first part of the thesis I will try to show how borders are often still viewed by political entities as the end of their policy area and whilst the theoretical debate and the people that live in those regions already have quite a unique experience. In order to reinforce this idea, I will give contemporary examples of issues created by the 'outdated' way of seeing the border. This will be supported by research surrounding border studies and going through policy texts of the European union, national and regional governments. Additionally, I will add my findings from an interview I held with an employee of the Euregio. Wherein his views will reinforce the idea of seeing the border as a barrier. Because, when seeing a border as an obstacle it inherently means that it is viewed as the end of a region or area. Indicating that whatever policy makers decide or do, it will stop there, even though it might still impact the other side of that border.

In the second part of this explorative thesis will look at several different studies that are done on the ideas of borders and borderscapes and how the focus of this has changed over time. According to Kolossov, border studies have changed from seeing the border as a barrier and the end of policy area to a more transboundary region (Kolossov, 2012). And although research has caught up with seeing border more as something fluctuating and ever changing, policy makers are often still lacking behind (Pijnenburg, 2019). That being said, this thesis will come with theories and research that will determine why governments still perceive modern day borders as obstacles has inherently led to an undemocratic situation. There are many different theories on the impact of borders and how we should or rather, should not, perceive them. Some say, like Abizadeh, that borders are apparent to border coercion and that policies applying to border regions should therefore be open to public scrutiny from both sides of the border (Abizadeh, 2008). Whereas others, for example like Rancière, claim that the creation of borders is inevitable. With these theories, which will be thoroughly examined in the thesis, I have created a framework to determine whether or not the existence of borders between nations are inherently undemocratic.

The third and last part of this explorative journey will present a framework that could prove useful in making border regions more democratic by nature. With the guidance of existing theories from researchers such as, Van Houtum, Pijnenburg, Mouffe, Sohn and Eker and more, I have produced a framework of five indicators that could help give an insight into making borderscapes more democratic by nature.

1.1 Social relevance

The underlying societal issue that will be addressed within this thesis is that borders and border regions create inequalities and injustices between people on either side of the border. This would not only manifest itself on such a scale as described above but could also be in the area of norms, values, rights, and obligations. Despite the decades past of European integration and the disappearance of internal border controls people that live in border regions often experience situations wherein they feel injustice or inequality or sometimes just inconveniences in comparison to their fellow EU citizens in the neighbouring state. Almost one third, or about 150 million people, of the entire European population live in these so-called border regions (European Commission, AEBR, 2024). Yet these people who may experience these inconveniences often lack any formal democratic channel to influence something that could shape their lives originating from neighbouring states. Research keeps proving that these people or so called 'Borderlanders' are often confronted with obstacles in areas such as healthcare access, taxation, labour mobility, and education (European Commission, 2017; Pijnenburg, 2019, Gielis & van Houtum, 2012). These obstacles can lead to unequal access to services, administrative burdens, and perhaps even a fundamental sense of democratic exclusion.

The research that I will be providing is to try and prove, up to a point, that the border system that we have created, creates these inequalities and undemocratic practices by default and that we should look towards an even more transparent border system within the European Union. Understanding this is essential if we are to improve the daily lives of borderlanders and with that also safeguard the broader democratic legitimacy within the European Union as several scholars warn that poorly governed borders will weaken the trust in the democratic institutions of the EU and strengthen nationalism (Rumford, 2008).

The social relevance of the thesis lies therein, that it addresses the democratic deficit that is at the heart of European borderlands. Most political decisions are made within nationally bounded political systems and often do not account for consequences that extend across the border. For European citizens that live and or work across borders, this could result in situations where they are affected by decisions by institutions that cannot be held accountable. By developing a framework that helps assessing democratic governance in border regions, this thesis contributes to addressing a persistent societal problem. It tries to offer a new way to reconsider border governance beyond the limits of a nation-state.

The reason I restrict myself to the European union is because frankly speaking on a global scale there are just too many diverse types of borders. Whilst borders within the European union are part of the Schengen agreement. This creates a homogenous 'type' of border that can be viewed or used as a research sample. As using the same research

question and method on the border of Germany and the Netherlands and for example the border between north and south Korea would provide completely different and incomparable results. Not only will limit myself to the European Union, but I will also restrict this thesis to the border between Germany and the Netherlands. Reason for this is for one my personal experience with working in this border region, and due to the fact borders within the European union are very homogenous, creating the opportunity that research on one of these border regions could possibly be applicable to all border regions in the European Union. I acknowledge that every border region is different, but the policies on border and border regions within the European Union are generally the same.

This thesis will not try and prove that the European Union should become a federation like the United States, rather it will focus on border regions and how these undemocratic practices could be solved. Perhaps the thesis will conclude that a federation would be one of the options but that is not in essence the main theory of this thesis. This thesis will provide research that borders and the border regions within the European Union, although they are already transparent, are still creating inequalities and that these regions are prone to undemocratic practices. In the end, trying to find a suiting solution to making border regions more democratic in nature, could create more beneficial living situation for people living in these regions.

1.2 Scientific relevance

In order to substantiate the ideas mentioned above, theories and debates will apply in order to prove the claims made above. Political debates on this topic are somewhat complicated. Because having a debate on how to govern border regions, whilst you only have political authority on one half of the region makes an issue, and trying to remove or blur the existing border will impact the question of one's sovereignty. Border studies have already undergone a significant transformation over the past decades. It evolved from a state-centred and territorial perspective to an ever fluctuating, process-oriented understanding of borders (Kolossoff, 2012). A couple of decades ago, borders were seen as fixed lines in the sand that separated nation-states by identity and history (Paasi, 1996). Whereas theories today are more based on the fact that borders are spatial entities that are ever-fluctuating, negotiated on, and contested (Rumford, 2008). This important shift has created terms such as b/ordering and borderscaping. These terms, or rather tools, allow theorists to analyse borders and how they shape relations, citizenship, identity and governance beyond the boundaries of a nation-state (van Houtum & van Naerssen, *Bordering, Ordering and othering*, 2002).

Despite the significant theoretical progress on the subject, border studies and democratic theory remain insufficiently integrated (Pijnenburg, 2019). Theorists of democratic theory such as Abizadeh (2008), Rancière (1999), and Mouffe (2005) raise critical issues about political membership, participation, and legitimacy. Yet to date, not much of that is witnessed in the shaping of policies for borderlands. To my opinion, this has to do mostly with the fact that politics, and border governance mostly focusses on institutional coordination such as Interreg or EGTC's as named before.

Within this thesis I will fill the gap by bringing border studies and democratic theory into one argument. Borderlands will be viewed, not as an administrative area but as an arena where democratic norms are constantly being tested and the limit of political authority is clearly visible. By researching who or who does not have a voice in border-governance, and how state-centred thinking still structures the decision-making process, this thesis will provide a theoretical assessment of democracy in a cross-border context.

Additionally, based on this theoretical assessment, this thesis will also provide a conceptual framework of five indicators. These indicators can be used to evaluate the democratic nature of policies in a cross-border context. These indicators will be based on insights from democratic theory, frameworks on human rights and theories on border studies.

This thesis will ultimately try to contribute to ongoing theoretical discussions about the future of border governance. Although it seems that much literature nowadays agree on the ever-fluctuating and multi-layered concept of borders, it is still unclear policy making and governing in these borderlands should be manifested. The thesis outlines how border governance should move from a state-centred approach to a more people-centred approach and it offers a theoretical vision for rethinking democratic practice in border regions.

2. Methodology

2.1 Research design

This thesis is based on a theoretical-exploratory research design. The aim of this thesis is not the necessarily generate new empirical data but rather to better understand how democracy can be conceptualised so that adheres to the context of European border governance. Border regions often fall between national jurisdictions and national policies; an empirical approach would not fully capture the in-depth conceptual tensions involved in this issue. A theoretical approach provides the means to analyse how borders or borderlands shape political membership, participation, and legitimacy. This is done by drawing on information and theories from both democratic theory border studies.

This design additionally reflects the path of my own research process. During my internship at the Euregio, I was confronted with several cross-border obstacles that raised more questions about democratic legitimacy in border regions. This increased my interest in the ideas behind border governance and has led to a more conceptual rather than an empirical approach. The goal therefore is the analyse and refine democratic principles in border regions not to measure them.

2.2 Literature selection and analytical strategy

The foundation of this thesis lies in two main bodies of literature: border studies and democratic theory. Rather than having two separate chapters on each they have been combined into a single conversation. With this approach I try to show the multi-faceted nature of border governance and the natural direction my research took me as I explored the democratic possibilities of borders.

Border studies offer a way to understand existing borders not as demarcations or lines in the sand, but as a more ever-fluctuating social processes. Theorists such as van Houtum (2021), Newman (2006), van Naerssen (2002), and Eker (2015) describe borders as something that is ever changing discourse, and institutional arrangements. This literature introduces concepts such as borderscaping and b/ordering that illustrate how borders inherently create inclusion and exclusion in ways that are often overlooked by national policy making or border governance. On the other hand, democratic theory provides tools to examine legitimacy, representation, and political membership in border regions. Theorists such as Benhabib (2004), Mouffe (2005), and Abizadeh (2008) challenge traditional ideas about how democratic authority can be justified. Their insights, and those of many more, are crucial for analysing border governance. This is

because borders inherently create questions about the democratic nature of decision that affect people on both sides.

The literature was received through extensive searches using keywords such as Bordering, Borderscaping, democratic legitimacy, and cross-border governance. To create an understanding of governance in practice, I added institutional reports from the European Commission and the Association of European Border Regions, which explains practical challenges faced by borderlanders.

Instead of taking each theory or article and analysing it separately, I apply the so called, thematic synthesis approach. This method involves identifying recurring ideas. In this case these are terms and ideas such as authority, territoriality, participation, institutional complexity and trying to analyse how they appear in both theoretical fields. This way, I tried to create a thesis wherein border studies and democratic theory challenge, inform and refine each other, this process ultimately provided the groundwork for the five democratic indicators that are developed later in the thesis.

2.3 Reflective Empirical Illustration

The base of this thesis is a theoretical exploration of a conceptual idea. However, it does include reflective empirical elements. Observations I made during my internship of government practices in border region clearly illustrate the democratic challenge that appears in everyday cross-border governance. I have also included an interview with a Dutch-German border advisor, this helped in understanding how borderlanders perceive and deal with some or most of the issues.

The examples given from my internship are not used as empirical evidence or data, instead they play an illustrative and supportive role to show how theoretical concepts are perceived in real situations. Or provide practicality to democratic concerns or, up to a point, help contextualise the broader debates within borderland governance.

2.4 Methodological limitations

The methodological approach used in this thesis comes with its limitations. Firstly, because I do not systematically collect and analyse empirical data, the thesis is unable to offer definitive conclusions about lived democratic experiences of borderlanders. The thesis its contribution lies more in the conceptualisation of an idea rather than empirical measurement. Secondly the reflective empirical elements I use come mainly from the Dutch-German and Dutch-Belgian border region. And although European internal borders are standardized up to a point, it may not capture the full diversity or

European border regions. In order to address this, I use the local illustrations in combination with broader European literature, to try to ensure that the insights I make remain relevant beyond one specific case.

2.5 Ethical Considerations

The thesis does not involve sensitive personal data. The interview used for context was voluntary and managed respectfully. All institutional and regional discussions are presented with care for those involved in cross-border governance.

3. Experiencing the border

3.1 Everyday realities as a starting point for a theoretical exploration

My interest in borders did not begin with academic study, but with an experience, that at the time, seemed trivial. Growing up in a small Dutch town called Eersel, just under ten kilometres from the Belgian border, the border was something I did not really think about. It was simply a part of my everyday life. That changed when, at seventeen, I received a package from the Dutch Ministry of Health. The package contained iodine tablets, my first and immediate thought was, for what do I need these. The enclosed letter described that they were a precaution in case of a nuclear incident coming from a nuclear research centre just across the border in Belgium, roughly twenty-five kilometres away. The ignorant teenager as I was at the time disregarded it, put the tablets in a drawer somewhere to be forgotten, and moved on with my life.

Only years later did I start understanding the significance behind that moment. A decision was made by authorities from across the border, by people whom I could not elect, influence, or hold accountable. This decision had real consequences for my wellbeing. Without recognising it at the time, I had gone through something that countless people living in border regions encounter daily. A disconnect between real life border realities and territory bounded political systems. The realisation of this moment resurfaced again when, during my internship at the EUREGIO in Gronau, a colleague asked me if I ever experienced something 'unfair' whilst living in a border region.

During this internship, I worked on a range of topics and projects related to cross-border mobility, healthcare access, child benefits, and taxations. My time spend at the EUREGIO gave me an inside into the workings of the border region between the Netherlands and Germany. A significant amount of my time there I spend on the topic of labour migration. During the days that I worked in the office, residents from both sides of the border would walk in with questions about their pensions, insurance and even regarding the education of their children. These were people that often lived on one side of the border and worked, or had worked, on the other side, or vice versa. By listening and analysing the stories of these people, the friction between the two national systems became noticeably clear. Mismatched tax policies, different childcare subsidies, limited access to insurance when working cross-border or simply bureaucratic hinderance due to incompatible administrative systems and procedures.

Although these seem to be mere technical issues, they illustrate deeper structural problems. It became clear that these people, borderlanders, have no political body to address the root causes of their problems. Dutch citizens affected by German regulations could not influence German decision making and vice versa. Daily

experiences by borderlanders are shaped by decisions taken by governments to which they do not belong. This reveals a democratic deficit that, to my opinion, is not accounted for in traditional border or governance theories.

The insights and experiences I encountered during my internship helped me in forming my conceptual focus in several ways. Firstly, the daily struggles that cross-border workers experience shows that borders are not simply lines in the sand, or geographic markers but rather, active administrative, social, and political structures. This necessary navigation of different political and legal systems reflects what scholars refer to as bordering (Vaughan-Williams & Parker, 2012). Secondly, the inability of these borderlanders to influence these decisions affecting their daily lives and the structural voicelessness closely aligns with ideas such as *'the part with no part'* from Rancière (1999) and Abizadeh's (2008) theory that borders impose coercion on those outside the political community. Thirdly, my time withing the EUREGIO helped me experience what Brambilla (2015) calls borderscapes. Borderscapes, an area here legal, cultural and institutional boundaries become vague, but still exist (Brambilla & van Houtum, Grenzegaenger in the borderscapes of Berlin, 2012). It helped me perceive the border not just as a line or a boundary, but a lived space wherein communities work together yet remain divided politically. This helped endeavour to see the Dutch-German border region not as two separate units, but more as a single shared socio-political zone. Finally, it revealed the limitations of institutions such as EUREGIO or Interreg are bound to. Their mandate is more administrative and have little political influence. This observation increased the interest to add a solution to this thesis and helped develop the five indicators I will come back to later.

Together these experiences at the EUREGIO created a solid perspective for this research. It does not necessarily serve as empirical evidence, but more as examples that highlight theoretical blind spots. They raised questions about democratic legitimacy and helped finding an analytical direction of the thesis. The conceptual frameworks named above, which will be discussed more in depth later on, where therefor not chosen at random, but because the illustrate dilemmas and decisions I had to cope with during my internship.

Apart from my desk work at my internship, I helped organise an event in Osnabrück, a rather large city in Germany, about how regions and municipalities on either side of the border could be more supportive for the people that cross it daily for their work (Euregio, n.d.). This showed that I need to think of an important question. As said, the goal of this thesis is to determine whether or not national borders are democratic or not. But the crucial question that needs to be answered before that is, who borders affect or in what ways. The 'who' are for example are the border landers I mentioned before, they are a large part of the group that it effects. Additionally, to these border landers, which people that live in border regions, there is another group, aptly named 'dwellers. These are the

people that lived in border regions in a transnational way. So either they live in country A and work in B, or their children go to a school in another country because it is closer to home (Gielis & van Houtum, 2012). . I make this distinction between borderlanders and dwellers because there are people that live in border regions that still focus more on their country of origin and do not partake in the daily cross-border struggles. And there are people that live a more transnational life and incorporate the border into their daily lives.

The article by Gielis dives into why and how some Dutch people that physically live in the border region within Germany while still, to a considerable extent, maintain their social, cultural, and economic lives in the Netherlands. It describes the reason for most Dutch people moving just across the border being a mostly financial one, and in so doing most dwellers only move their home there, but keep their respective social and work lives in the Netherlands (Ruben & van Houtum, 2012). This creates a situation in which their physical residence and their social orientation do not correspond to the same political authority, placing them precisely in the kind of ambiguous situation border scholars seek to understand.

A crucial point that is borrowed from an article by Noel Parker and Nick Vaughan-Williams in another article within the same periodical. Parker and Vaughan-Williams make the point that borders are becoming increasingly fluctuating, dynamic and shifting rather than still seeing it as a stable and immobile line in the sand (Vaughan-Williams & Parker, 2012). This shift in thinking aligns with the broader movement in border studies toward understanding borders not as fixed structures but as processes. Something that is ever-changing through daily practices. Their argument is foundational for the later development of concepts such as bordering and b/ordering, which I will elaborate on later. The idea of ever fluctuating borders reminded me of an article also written by van Houtum together with Mark Eker. They once created a conceptual zone, a borderscape, of about 20 km land inwards from pre-existing national borders between the Netherlands, Belgium and Germany, as can be seen in figure 1 (H. van Houtum & M. Eker, 2015).

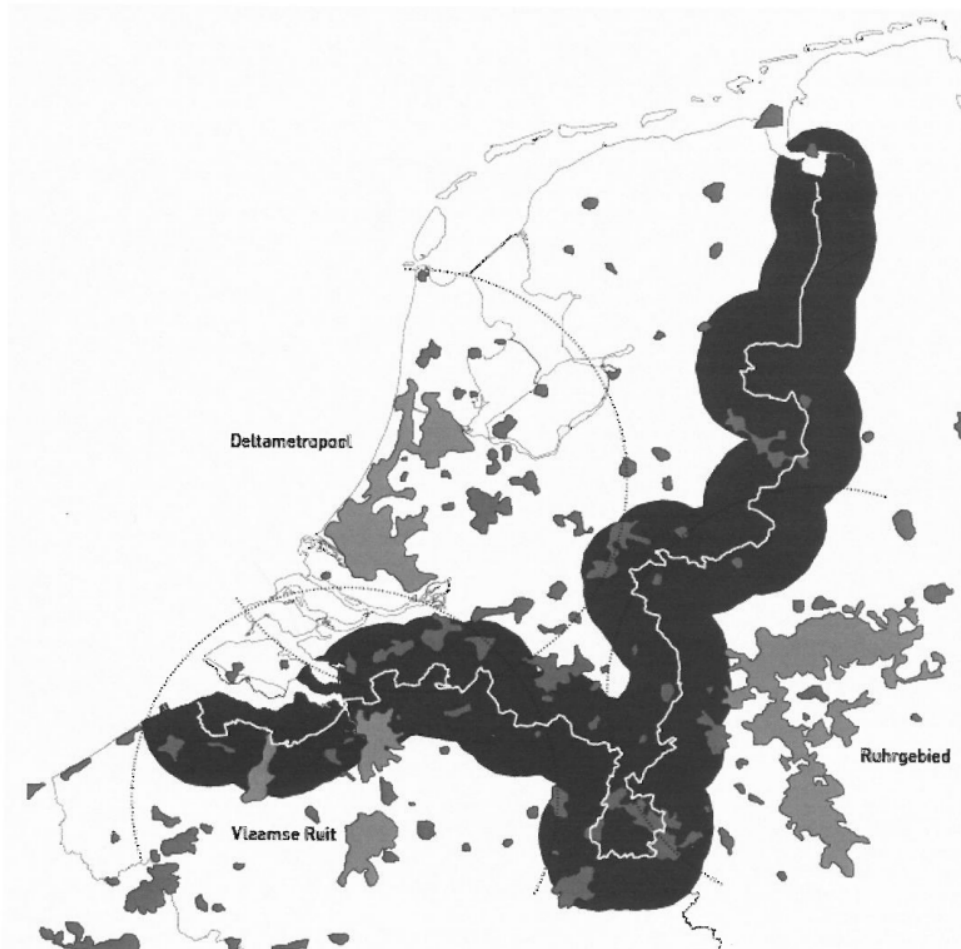


Figure 1: The borderlandscape of the Netherlands-Belgium-Germany (M. Eker, 2015)

Although they created this idea for the arbitrary purpose of allowing someone to talk and think about the region, not as two halves, but as a coherent socio-spatial whole (H. van Houtum & M. Eker, 2015). The borderscape they created illustrates that border Therefore, I also think that this zone, this transitional space full of dwellers from both the Dutch side and the German side could provide a good insight in how the border functions for these people that encounter it on an almost daily basis.

The point that van Houtum and Eker ultimately challenge in this article is the assumption that a border is a fixed division between sovereign entities. They argue that borders have depth. The effects extend beyond the actual physical border and affect people land inwards. It may even affect people that rarely cross the physical border yet are impacted but the institutional and cultural differences (H. van Houtum & M. Eker, 2015). In the borderscape van Houtum and Eker create, the borderlands are no longer separate entities, but interconnected zones where cross-border mobility, shared economic and social flows reveal the inadequacy of treating the border as a static line.

It echoes the broader developments in border studies that conceptualise borders as dynamic entities of people, institutions and discourses (Vaughan-Williams & Parker, 2012).

This perspective of a borderscape aligns with my own experience while working at the EUREGIO. The daily reality of people moving from one side to the other, dealing with administrative disconnectedness, or issues with disconnected welfare policies shows that the influence of a border is not restricted to a static line. The idea of the borderscape helped in understanding that these experiences are part of deeper issues rooted in bordering policies. Even within the so-called 'open-borders' in the Schengen zone, the fact that every member state of the EU has its own taxation system, healthcare, education requirements, and labour regulations proves the bordering practices as explained by Parker and Vaughan-Williams.

To come back to these dwellers. Which I at first marked as a group next to the border landers. Perhaps it is more accurately to state that they are a part of the border landers. As they are still people that live in the border regions but have a much larger transnational aspect to their lives. They live in a space where territorial sovereignty does not block their everyday lives. They live a hybrid lifestyle where their home is in one country and their social lives in another. This everyday bordering illustrates the constant division between nations by administrative bureaucracy rather than actual border controls (Vaughan-Williams & Parker, 2012)

This concept of dwellers and the borderscape also provided a bridge to another term coined by van Houtum together with van Naerssen, *b/ordering*. This concept emphasizes how borders and social orders cannot exist without each other. The policies created by one government do not just stop at a border, it actively creates one (van Houtum & van Naerssen, *Bordering, Ordering and othering*, 2002). *b/ordering* is an elaborate concept that will be elaborated on later in the thesis.

Now that is determined who it concerns, being the dwellers and the general border landers, and in what ways, being the administrative boundaries within the arbitrary borderscape mentioned above, it is time to dig deeper into our way of seeing borders.

3.2 Evolution of Border Studies

I would like to begin with a little history on border research over the past decades. As Vincent Pijnenburg puts it, the Dutch-German border is an international border that is not physically present in the form of, say, a wall, yet becomes apparent through the discernible differences in landscape at both sides of the border (Pijnenburg, 2019). This subtle but visible difference reflects on a long tradition in which border was primarily understood as fixed territories. The first border scholars started with seeing borders as a static and physical result of decision-making processes (Newman, 2006). Especially before 1950, border regions were viewed as a tool to protect from invasion. They were seen as territorial markings to safeguard state sovereignty (Pijnenburg, 2019). In the period following the second world war, relatively little innovative research on borders was done. Perhaps this was due to the world recovering itself from the atrocities from the past war or perhaps the ongoing cold war that slowed down research on this topic. According to van Houtum, there were some theories that focussed on a more sophisticated way than seeing borders as a line in the sand, but these were ignored at the time (van Houtum, 2000). Border studies remained tied to what Agnew later called the 'territorial trap', the assumption that political, social and economic processes are naturally contained within national boundaries (Agnew, 1994). This idea of traditional border studies was done around the idea of the Westphalian state model. This originated from the peace of Westphalia that ended the 30 years' war or 80 years war, depending on where you are from (Pijnenburg, 2019). With seeing the state as an institution and borders as a demarcation between the economic policies of neighbouring states. This nation-centric framework indicates that borders were natural, inevitable and, neutral components of politics, rather than socially constructed instruments that shape and restrict everyday practices. This conceptual territorial trap is a good starting point, because these nation-centric ideas are the main issue that concerns the democratic legitimacy of borders.

Starting from the late sixties and early seventies of the last century, border studies changed their perspective from borders to border regions (Wilson & Donnan, 2012). The change of perspective to seeing it as border regions, as can be clearly seen in figure 1 above, is something that I found remarkably interesting. Personally, coming from a border region, the border is a part of my everyday life, but for someone coming from Amsterdam, they might perceive the border as a whole different entity. Showing that there is more to it than just a line in the sand. Furthermore, cooperation between states in border regions also grew in this time. Regions known as Euroregions, emerged more and more in the internal border regions of the European Union. A fitting definition of what a border region is, is the one that Pijnenburg wrote in his thesis by Markus Perkmann:

‘Cross-border regions are characterized by homogenous features and functional interdependencies because otherwise there is no need for cross-border co-operation’ (Perkmann, 2003).

This transition from seeing the border as a region rather than a boundary indicates a crucial shift in theory. Borders are no longer static markings and endings of political authority, but become spaces of social, economic, and institutional cooperation.

Continuing on, starting from the nineties, cross border cooperation has been seen as an instrument to overcome the negative effects of the border as a barrier (Pijnenburg, 2019). Especially the end of the cold war and the fall of the iron curtain and thus the reunification of Germany showed an increasing openness to borders as a whole (Pijnenburg, 2019). At this point, there were several scholars thinking that borders would become increasingly obsolete, and some would even claim that this would be the end of the nation state system as we knew it (Alexander Diener, 2009). Although as we can see nowadays that surely is not the case. Borders around the world have become less open over the last years. Take Trump’s wall for example between the United States of America and Mexico, or the outer borders of the European Union. This inadvertently, as van Houtum says, creates a division between an us and them, coining the term Othering (van Houtum, 2002). We do see that the internal borders of the European union have become increasingly ‘irrelevant’ by means of European integration. However, they do still mark a difference in lifestyle, economic policies, culture and so on. Or as Carolyn Green and Karen Ruhleder put it.

‘State borders continue to have significance beyond merely being territorial barriers. The opening of borders does not mean that those borders have ceased to exist. The metaphor of a ‘borderless world,’ therefore, has lost its validity and relevance’ (Carolyn Green, 1995).

These developments show that borders simultaneously weaken and intensify while administrative frictions weaken in some regions, symbolic, cultural, and political boundaries often deepen. This paradox illustrates the persisting democratic deficit even when borders seem ‘open.’

Attention shifted from seeing the border as a line in the sand to the more spatial approach of a borderland, a space of transition consisting of diverse socio-spatial scales (Pijnenburg, 2019). This has led to the idea of a Janus face character of how a border works (Van Houtum, 2012). Where on the one hand, politicians want borders to be open for economic benefits and on the other hand more closed border in terms of national protection (Kolossoff, 2012). This Janus-faced quality shows the issue with modern border governance. Borders are expected to be porous enough to sustain economic integration but strong enough to uphold political separation. This paradox is what theorists such as Abizadeh, Mouffe and Rancière interpret as evidence of

democratic illegitimacy. If borders must be open for economic participation yet closed for political participation, then the people, or the demos, becomes fragmented. This is contradictory to the essential idea of democratic legitimacy that stems from popular sovereignty. These theorists argue in their own respective ways that the existence of both cross-border interdependence and territories bound political authority structurally creates forms of exclusion (Abizadeh, 2008). Nowhere is this paradox, or contradiction, more visible than in border regions where the daily mobility collides with democratic immobility.

And this is where we slowly get to the point where van Houtum and Eker authored their book *Borderlands*. In where they discussed different designs of borders and looked at different variety of scenarios of what a border could be. The reason I wanted to incorporate a little historical background on the evolution of the political debate on border research is to give an idea that borders, in and of themselves, are not easily understandable constructs. The traditional way of seeing borders, as territorial demarcations, is in my opinion, a more easily understood idea of what a border is. But it is much more than that, as is seen in the research throughout the last century. And from what I understand from most of the research that I have done, is that the scientific community has grasped this concept of a border is more than a territorial demarcation and sees it as more. But on the other hand, the political debate on this topic is far from over, and policy and politics still tends to stop at national borders, but more on that later.

This gap between the political and academic debate creates drive behind this thesis. If borders are experienced in multidimensional ways by border landers and dwellers but still governed in an outdated nation-centric logic, then democratic legitimacy becomes questionable. This theoretical history states the foundation for the next part where critique on modern democratic systems illustrate why border governance remains difficult in the political debate.

3.3 Democracy, Exclusion, and the Politics of Bordering

Van Houtum and Eker mentioned Rancière in their book *Borderlands* which I referred above. Jacques Rancière, a French philosopher, best known for his work on politics and education, provides some insight into the idea of a border. In his book, *The Disagreement*, he explores the idea behind democracy. He argues that politics is not just about governance, but actually, about the disruption of hierarchical orders through equality (Rancière, 1999). He distinguishes between what he calls police order and politics. In this sense 'the police' is not the law enforcement agency that enforces the law. But rather the existing social system that structures power, determining who has a voice and who does not (Rancière, 1999). In context of a border this somewhat the point that van Houtum and van Naerssen make with b/ordering, namely, distinction that is made between citizen and non-citizen. As the police order allocates certain roles and identities determining who has a voice and who is excluded. And on the other hand, politics in Rancière his idea means when those excluded, or more famously named 'the part that has no part', from the political landscape challenge the distribution of power and redefine what counts as participation (Rancière, 1999). He uses the term 'mésentente' or disagreement, which Rancière does not see as a simple difference of opinion, but more a fundamental dispute over the terms of discourse itself. For Rancière, it occurs when a group or entity that is denied participation in politics, still forces their way into the political debate, exposing the general public of why they have been silenced. That is why Rancière speaks of politics as the struggle of the part of those who have no part, referring to the marginalized who demand to be recognized in a system that is designed to exclude them (Rancière, 1999). What I take from his book is that he is extremely critical of the modern democratic system that requires and prioritizes consensus. He argues that this form of democracy is more a means of bureaucratic management rather than a space for political struggle (Rancière, 1999). For Rancière, true democracy is not about consensus or smooth functioning of institutions, but about the constant disruption and constant challenge to the existing system. What I take from that is that you can only achieve equality and democracy when you disrupt the established order of society. To do this, according to Rancière, is when people that have no power or equality act like they do already, disrupting the system and forcing it to change and adapt (Rancière, 1999). In practice this would look like Germans acting like they have power in the Dutch decision-making process.

When I read this, I immediately had to think about Arash Abizadeh's work on border coercion. As mentioned before, Abizadeh claims that a state border is coercive and restricts people's movement (Abizadeh, 2008). He argues that state borders exercise coercion over individuals. Not only to those that fall under the authority of the state in question, but also those outside of the state in question (Abizadeh, 2008). You can

clearly see the overlap between Rancière his idea on 'politics and the coercion of outsiders in Abizadeh's theory.

Now, of course the Dutch German border is part of the Schengen agreement, therefore it being an open border, for a select group of people. Non-EU citizens, migrants and stateless people are not being considered equal to European Union citizens when it comes to the Schengen agreement (European Commission, 2025). Indicating that even though the border might seem open, they still are restricting to a certain group of people. When you read Abizadeh's theory, these people also, the non-EU citizens, migrants and stateless people, should be able to have a say in a policy that affects them also (Abizadeh, 2008). As according to Abizadeh, democratic principles apply to all those affected, not just the citizens of the state in question. (Abizadeh, 2008). When applying the democratic theory of popular sovereignty to both these ideas I see a clear issue with the idea of a border. As the enforcement of a border has direct impact on outsiders by for example restricting access, nowadays often by the use of force, shows that democratic systems cannot justify border policies solely by consent of its own citizens. The Demos in the democratic theory of popular sovereignty, which most democratic nations abide by, in Abizadeh's eyes, has no boundaries (Abizadeh, 2008). Abizadeh confronts the idea that national self-determination can justify exclusionary immigration policies. He argues that self-determining communities (nation states) cannot have the right to control membership to that community as they see fit. He claims that border policies should be subject to democratic deliberation that include all those affected. Showing that people that are affected by the, in a sense, coercion of a government's border policies should have a say in the matter, and this could only be changed when, like Rancière claims, people demand it or act like it (Rancière, 1999).

When comparing these two theories, they both criticize the political structure in the European Union and recommend a more inclusive idea of democracy. Although for Rancière the problem lies in what he calls the 'police order,' the structure that decides who has a voice and who does not. Whilst the problem for Abizadeh lies in the fact that a state wants to enforce its rule over people that cannot participate in the decision-making process. Additionally, Rancière criticises the consensus-base democracy, viewing it as a non-optimal way of democracy. He wants democracy to be ever disruptive and new voices constantly emerging to challenge the existing structure. On the other hand, Abizadeh who is also critical about these existing state structures, mostly wants democracy, as a principle, to extend beyond the borders of nation states. Although they have different approaches, they share a view that challenges the existing boundaries of the established hierarchy.

Another theorist that adds to the previous made arguments by Rancière and Abizadeh is Chantal Mouffe. Mouffe, a political theorist from Belgium authored a book called the Democratic paradox. In this book she explores the tensions that, according to her, are

inherent to liberal democracies. Because she argues that, the paradox of a liberal democracy is just that. It tries to combine liberalism, which is about individual rights and rule of law, and democracy, which is about popular sovereignty and majority rule (Mouffe, 2005). She argues that these two concepts cannot be reconciled as liberalism often limits democratic decision making, while on the other hand, democracy challenges liberal individualism. She mainly critiques writers such as John Rawls and Jürgen Habermas. As these two are proponents of deliberative democracy, a form where deliberative democracy means that in order for a decision to be made and legitimatised, it must be foregone by substantial deliberation and not just the process of voting (Rosenberg S. , 2007). This idea of deliberative democracy is a form of democracy that would better suit borderlands and borderscapes than traditional representative democracy that most of Europe use. However, Mouffe argues that these forms of democracy depoliticizes democratic conflict, by the assumption that, in a sense, people are capable of reasonable debate to solve issues (Mouffe, 2005). For Mouffe, politics are inherently agonistic, meaning that it is driven by constant conflict between diverse groups of people with opposing values. For her, democracy does not exist to end these conflicts but to provide a framework wherein this can be discussed to prevent it from turning into violent antagonism.

Mouffe refers to Carl Schmitt's definition of enemy and friend. Carl Schmitt, a German political theorist and notable critic of democracy, sees political identity defined through animosity towards the other, where Mouffe argues that it should move away from animosity and more towards the feeling of adversaries (Mouffe, 2005). Having different opinions within the existing political system but respecting that other opinion is a vital point in a democracy, although nowadays often forgotten. What Mouffe tries to say with that is that political struggle, or disagreement, should not aim to dominate the other side and claim total victory, but should aim for ongoing debate between different viewpoints within a pluralistic democracy. Mouffe goes even further by also criticising neoliberalism, blames it for reducing politics to technocratic management (Mouffe, 2005). Overall, Mouffe argues that affective, collective identities can challenge neoliberal consensus to improve and maintain democratic values and pluralism.

Combining Abizadeh, Mouffe and Rancière helps clarifying the theoretical tension. Linking the arguments of these three writers together not only shows a critique on the existing democratic structure. But also, an insight in how the concept of a border itself adds in the creation of the democratic deficit. Rancière claims that bordering practices a so called 'police order' which is a distribution of roles that create a framework of those who are politically relevant and those who are not (Rancière, 1999). Borders in this way of thinking, are not just boundaries, but mechanisms of ordering that silence certain groups by making this distinction between citizens and non-citizens. Mouffe adds to this argument by claiming that the silencing of the non-citizens is not just the absence of a voice, but a direct obstruction of legitimate democratic practice (Mouffe, 2005). As

What I take from Mouffe her argument in this sense is that when borders focus on one dominant political community, that of the nation-state, they eliminate the agonistic struggles on which democratic legitimacy is based and constantly redefined. (Mouffe, 2005).

Abizadeh pushes the argument then by challenging the idea that democratic communities, or nation-states, can mark their own boundaries unilaterally. For Abizadeh, borders that impose coercion on outsiders cannot be democratically legitimate unless all those coerced have a say in shaping those borders (Abizadeh, 2008). One central idea emerges when combining these three theories together, that democracy as we know and use it today, relies on national borders that pre-emptively exclude those whom, by its own principles of popular sovereignty, should be included. Whereas Rancière highlights the silencing of non-citizens, Mouffe criticises the absence of conflict in the liberal consensus model and Abizadeh just claims, how can you impose law on someone who has no voice?

Taking these perspectives together, they show that the democratic illegitimacy of borders is not a flaw in institutional design or political representation. It stems from the fact that a political community, or a nation-state, is built on territorial boundaries. This fact is clearly visible through everyday bordering practices. Through b/ordering, by means of border governance or national policy making, the state constantly reaffirms who belongs and who does not (van Houtum & van Naerssen, 2002). Especially when taking contemporary idea of borderscapes into account. Where a borderscape is an institutional, discursive and experiential field where multiple ideas of belonging intersect (Brambilla & van Houtum, Grenzegaenger in the borderscapes of Berlin, 2012). Taking the Dutch-German borderscape as an example, the theoretical concerns of Rancière, Mouffe, and Abizadeh clearly become visible. Administrative mismatches between Dutch and German welfare systems enact a police order that indicates who can access certain rights and under which conditions (Rancière, 1999). Cross-border employees experience Abizadeh his coercion theory when rules made by foreign governments limit their pensions, insurances, and taxes (Abizadeh, 2008). and lastly, Mouffe her agonism becomes visible in everyday dispute, and frictions among cross-border institutions, municipalities, and citizens (Mouffe, 2005).

When I look at the main question of this thesis and the theories of Rancière, Mouffe and Abizadeh, the answer cannot come from restructuring institutions alone. In my opinion, it requires a lot more. A complete reimagining of how borders, political communities, nation-states, and democratic participation is organised. This of course is a massive project that threads outside the boundaries of this thesis, yet the indicators posed later in the thesis will help to at least make a start. Taking these theories and my personal experiences at EUREGIO, I conceive that the small issues that people have are part of a much larger and broader issue that is nation-state political imagination in a

transnational world. Borderscapes reveal the disconnect between how democracy is theorized and governance is performed. They reveal the limits of territory bounded politics in a world where political decisions can be felt across the border. Understanding this gap is essential for debating if borders in and of themselves can be made democratic.

3.4 Deliberation in Borderscapes

Now I want to pick up something I mentioned earlier about deliberative democracy. I referred to it briefly before because it offers a potential way of addressing the central question of the thesis: if borders are democratic. To explore this possibility, it is necessary to understand the idea of deliberative democracy and how it fits within the broader debate on democratic legitimacy.

Several scholars such as John Locke, John Rawls, and Dennis Thompson, have theorised on the assumption that humans are inasmuch capable of thinking logically, considering evidence, rational behaviour and able to reason deductively and inductively (Rosenberg S. , 2017). Rosenberg does not deny these assumptions in their regard; however, he claims that they are outdated. For his time, Locke was very influential and regarded as the 'father of Liberalism' (Standjofski, 2021). Locke was a stout supporter of liberalism and in consequence liberal democracy, political equality, individual liberty, and majority rule (Standjofski, 2021). Due to these assumptions made by Locke and his like-minded theorists, the idea of a liberal democracy seemed very much possible and thus also necessary. and is indeed possible because people do indeed have the capacity to acquire the qualities needed for responsible liberal democratic citizenship but are not ready and able to live up to these qualities. (Rosenberg S. , Unfit for Democracy? Irrational Rationalizing, and biologically predisposed Citizens, 2017). Some say Locke was ahead for his time and his ideas would fit more with the present time than the past. And perhaps this used to be true, but perhaps events in our time prove otherwise.

Nevertheless, the assumptions of liberal democracies and the possibility thereof have been debunked by more conservative philosophers. The argument made, by for example Edmund Burke, an Irish philosopher, is that these assumptions are grossly overstated. They believe that people's minds are only narrowly focusing on smaller and more specific actions and events, especially in times of crises. This makes people more likely to be illogical, irrational, and unreasonable (O'Neill, 2004). Rosenberg continues by saying that an authoritarian state provides a simplistic and consistent governmental structure that people can understand. A more open democratic government will only cause confusion and loss of direction (Rosenberg S. , 2017). Rosenberg continues to argue, that especially in times of crisis, or demanding situations, people tend to look for a strong leader (Rosenberg S. , 2020). He argues that when people live in tricky situations, they require guidance. According to Rosenberg, a democracy requires people to be able to be sufficiently independent and to be able take care of themselves. However, as history has shown many times, challenging times require a lot from people, leading to an unreasonable decision-making process. Therefore, he explains, it is not unreasonable for people to vote for strong leaders even when they know that those for whom they are voting for will restrict freedoms. These restrictions of people's freedom

only make life easier and provides guidance (Rosenberg S. , 2017) . And this is where right-wing populism tries to come in and fill the gap.

Again, according to Rosenberg, Right Wing populism is inherently built out of the same principles as liberal democracy, however much simpler. For example, where liberal democracy sees ‘the collective’ as a combination of several actors of different levels of a society, generally for right wing populism the collective is defined as simple and as concrete into one term; the nation (Rosenberg S. , 2020). Additionally. Liberal democracy requires its citizens to participate in the decision-making process, whereas right wing populism often leads to authoritarianism, simply requires the obedience of its subjects. Herein lies a weakness of democracy, in its structure. Democracy in and of itself is much more complex and harder to understand than a simpler authoritarian system wherein people are just required to follow what is told then to actively participate in the decision-making process. Even throughout the rise of democratic systems and the institutionalization of democratic governance, theorists recognized that the mass of people did not understand the political issues of the day or the complexities of democratic systems (Rosenberg S. , 2020). One of these theorists was John Stuart Mill. Rosenberg indicates that Mill was an important influence in his work and refers to an important quote that Mill once outed about a liberal democratic system. Mill said the following and I quote ‘if all mankind minus one were of one opinion and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind’ (Forbes, n.d.). In my opinion this can be interpreted as the power of the masses. No matter if the larger group is wrong and the smaller group is right, the larger group will always win due to the concept of majority rule.

Furthermore, now that I have laid out several issues that come with liberal democracy as according to Rosenberg. He also poses a solution that, according to him, would solve these issues, at least up to a point. Rosenberg coins the term deliberative democracy. In short, deliberative democracy means that in order for a decision to be made and legitimatised, it must be foregone by substantial deliberation and not just the process of voting (Eagen, 2025). Perhaps by more deliberation instead of just forwarding a motion pursued by a vote, legislative trajectories might become even longer than they already are, however it would solve a more present problem, and that is the alienating of citizens of the democracy. Rosenberg says that deliberative democracy could potentially help to let the citizens of a democratic state familiarize themselves with the political system (Rosenberg S. , 2017). Throughout the electorate people from diverse backgrounds and social groups would be chosen to deliberate with politicians on certain matters, to make this more concrete, think of the jury system in the United States. These focus groups would be comprised of people that are affected by the decision that is to be made, from all groups and backgrounds of society. In this way, a decision that affects all the people of a society will be taken with the input of all the

citizens affected. Now one could think of this as a referendum, alas, the difference here is, is that a referendum is a simple voting mechanism used by a liberal democratic system to imply direct democracy and lacks the deliberation that is needed to come to a viable decision.

And this is where Rosenberg his theory on deliberative democracy intertwines with border theory. If democratic legitimacy requires the inclusion of all those affected by the decision, as Abizadeh argues, then the group of people involved concerning border policies should involve those on the other side. But in order to accomplish this a political stage or as Mouffe calls it, an agnostic space, needs to be formed to create constructive engagement (Mouffe, 2005). The borderscape, in essence, already acts as this agnostic space. With all the overlapping policies, cultural norms and the continuous b/ordering practices by nation-states, it just lacks the political body for it to be a legitimate stage. In this sense, deliberative democracy could be a practical solution to the issues in the borderlands. As it essentially requires the voices of all layers of society before a decision can be made.

3.4 Structural Obstacles in European Borderscapes

As I mentioned before, obstacles and barriers exist in border regions in Europe. As I have shown above, the scientific community has advanced from seeing borders as physical barriers to an ever-changing transboundary space of potential. However, apart from having experienced these on a personal level due to the nuclear research centre in Belgium, more barriers and obstacles exist on a large scale. These range from 'simple' tax differentiations to events or decisions that have a significant impact on someone's livelihood. According to a compendium written on the instruction of the European Commission, almost a third of the European population lives in a border region, that is roughly a 150 million people (European Commission, AEBR, 2024). In my opinion, this is a tremendous amount of people to be living in unequal standards. This compendium has categorised border related obstacles as they call them into three main topics. One: Institutional cooperation, two: Cross-border public services, and three: Employment and education. The three categories within the compendium are quite recognisable as they have been mentioned before several times. These three categories are clear illustrations of what theorists and scholars call bordering. The everyday administrative and legal practices through which borders are constructed and maintained (Vaughan-Williams & Parker, 2012). What this compendium also shows is that although European integration has made a considerable move by physically removing the internal borders and creating a free flow of people, goods, and services. The real-life reality for borderlanders shows that there is still a very state-centric point of view that shape their lives.

Within the first part of this thesis, I looked through the lens of how border studies were conducted in the nineteenth hundreds up until now. Although the lens and focus of border studies has changed over the course of the past decades, especially in the time of the emergence of the European Union, border studies, as seen above, used to be mostly focussed on the allocation, demarcation and delimitation of post-war borders (Kolossoff, 2012). During this period, borders were viewed as physical barriers between two nations and policy making stopped there. Kolossoff, a Russian geographer, further explains that throughout the past century, border studies and theoretical approaches towards border problems have changed from seeing the border as a barrier to seeing it as a transboundary region, as can be seen by the theories in the previous chapter. However, as I will show through some examples given below, although the theoretical approaches and debates have changed, it is my opinion that policy makers are still far behind. Through my readings and research I have noticed that, many policy makers and policies still stop at the border and that every nation still has their own ideas about certain regions (European Commission, AEBR, 2024). This gap, which I have also mentioned before, perfectly illustrates what van Houtum and van Naerssen call b/ordering. Where the slash is deliberately put to show that bordering cannot exist

without ordering groups (van Houtum & van Naerssen, 2002). And I cannot stress it enough, this is not just a concept, it is something people experience on a daily basis.

To best highlight this I will now proceed to give several examples of the mismatch between theory and policy. In addition, I will conceptualise the examples given by linking those theories on bordering and othering as written by van Houtum and van Naerssen. I will stress that although the thesis itself is focused on the border region between the Netherlands and Germany, I am of the opinion that, for the sake of context, it is also important to mention obstacles that can be found in most if not all of the European border regions. The compendium I mentioned above details several issues that occur in cross-border regions within the European Union.

For example, healthcare for cross-border workers. Although according to Article 47 TFEU, cross border workers are entitled to insured healthcare when living in one Member State and working in another. However, in practice there is a lengthy procedure a citizen must go through in order to apply for this healthcare and there is always a period for up to 30 days where they are not insured (European Commission, AEBR, 2024). Not only creates this a feeling of uncertainty because for almost a month you would have to go to work and hoping that nothing happens to you that would require you to be in need of healthcare services, this also refrain people from working across the border due to this unnecessarily long procedure and the uncertainties that come with it. This is a clear example of where bordering can be in its administrative form. Even without the physical barrier or border-crossing, institutional borders, such as health insurance, produce insecurity and exclusion (Newman, 2006). The border, although physically absent, still exists in an administrative and bureaucratic form.

Another issue concerning cross-border working is when people are employed in one member state, albeit self-employed or under a parttime contract, are recruited or want to work in another member state. This case is mostly applicable to institutions that are in service of two or more member states such as Euregio institutions. Another good example is a project on the French Spanish border of a cross-border hospital. The Hospital de Cerdanya, or Hôpital de Cerdagne in French, is Europe's first cross border healthcare centre. And although I do believe this is a notable example of a cross-border project, it does come with its cross-border obstacles. Because the healthcare centre is subject to both French and Spanish law it creates implications to people who are employed in both countries (European Commission, AEBR, 2024). This is a good example of when two different legal systems intersect. People in this case can end up 'between borders' because the hospital is subject to two legal systems (van Houtum & van Naerssen, 2002). It may be unclear to people what their exact right and obligations are because the hospital wields two legal systems. Hence, the intention to bridge the gap between the two countries paradoxically might make it even bigger.

Another example entails the simple practise of learning how to drive which is different in each country. Now, in general, traffic regulations across the world are quite similar, however there are always some nuanced differences per country. Therefore, especially for people in border regions, it would be advisable and commendable if driving instructors could take their students across the border. For people living in border regions this would be useful as driving in their neighbouring country could become part of everyday life (European Commission, AEBR, 2024). However, the issue herein lies that the profession of driving instructor is often not recognized in another country, as rules might slightly differ (European Commission, AEBR, 2024). To add to this, and stay in the world of driving, dealerships also often come across issues with cross-border related work. As dealer plates are often not recognized by another country its law-enforcement (European Commission, AEBR, 2024). This makes transporting, testing, and delivering cars more complicated than it should be. Even these simple and minor examples prove how a border can shape everyday life. This illustrates the administrative border in a subtle but quite powerful way, as it might lead to unnoticed illegal practices due to minor differences in laws.

With these pan-European border related issues, I try to show that although within European Union, that consists of democratic nation states, the borders seem open and fair, however when looking closer, one can see that there are many irregularities and issues that come with living in a border region. This discrepancy highlights the argument of this thesis. Those European internal borders, although physically absent, continue to create structural unequal access, voice, and recognition across national boundaries (Rumford, 2008). The above-mentioned examples also, up to a point, impact the border regions of the Netherlands as a whole. Therefore, in the next section I would like to zoom in on some regional issues that I came across during my internship at the Euregio.

During my internship I did at the Euregio in Gronau, during the summer of 2024, which encompasses the region compiled of Osnabrückerland, Münsterland and Emsland on the German side and de Achterhoek, Twente and parts of Overijssel on the Dutch side, I encountered several of these irregularities first hand. During the four months I was there I performed research on cross-border policies, organised events and led projects concerning renewable energy and education. But next to this, a daily task for me was being responsible for helping individuals that came in with cross-border related issues. I have seen many people come into the office with several issues and obstacles they had encountered in their personal lives. Albeit tax related, insurance related, educational or something else. these were sometimes small bureaucratic issues that would severely complicate the lives of people for no other reason than that they had worked across the border. This also inspired me further to do the research I am doing now as it felt unfair towards the people living in border regions that have to deal with this on a regular basis.

During my time at the EUREGIO, I spoke with one of the consultants of the 'Grensinfopunt,' Martin Schuttenbeld. The Grensinfopunt, or Grensinfopunkt in German is an advisory body that helps people with personal related issues. These people are specialised in a certain region and give objective and independent advice, taking regional irregularities in mind (Euregio, n.d.). They work together with tax and pension authorities to give people that have done cross-border work at some point in their life the advice they need. Additionally, they combine and analyse legal issues to improve on one hand advise people and on the other hand improve policies on both sides of the border (Euregio, n.d.). Martin Schuttenbeld, a colleague of mine at the time of my internship worked at this Grensinfopunt. Out of curiosity, and also, I thought it would be a great addition to my research, I asked him some questions on the topic of border related issues or irregularities he encounters on a daily basis. I will incorporate parts of the small interview I took with him in the following section. Through his remarks I try to illustrate that bordering is also imposed from above. But can also be internalised by people themselves trying to navigate the uncertainty and fear of the unknown, the 'other.' This way the border is not only a political barrier, but also a psychological construct (Brambilla & van Houtum, Grenzegaenger in the borderscapes of Berlin, 2012).

The first question I asked Martin was the following: What are the main obstacles people encounter when living in these border regions.

In general, what you could say is that either being a private individual or a company that is looking to work/live on the other side of the border, the main point you will encounter is different rules and laws. Every country has its own system, according to taxes, social security etc... Of course there are certain things, headlines, being coordinated by the EU, but in reality, every single member state has its own take on how to do taxes for example.

And another big obstacle for people in my opinion is that it is the unknown. People are generally not comfortable with something they do not know and tend to stay away from it. And a part of this is due to the lack of personal interest from the individual. However, I also believe that the system we have does not help in this. Say you are looking for work and you go to the site of the UWV, your 50 km search radius stops at the border, although there could be plenty of jobs there. In addition, healthcare has the same issue. Living in a border region, the closest hospital could be on the other side of the border, yet often this is not even considered. Not only by the people themselves, but also insurances will complain if you go to the hospital in another country. Martin Schuttenbeld (2024, 05 September)

The previous mentioned issues, as supported by Mr. Schuttenbeld, in general relate to everyone's individual situation. Another issue I encountered during my internship was one of a more regional scale. A dubious project that came up during the time I was there surrounds a green-energy project instigated by German authorities in the border regions. There has been quite some controversy surrounding the plan to build wind turbines on the border between the Netherlands and Germany. The main problem is that the German authorities based their calculations on what is allowed in accordance with laws solely on German soil, and did not take into account that it would impact the Dutch citizens living close to the border (Omroep Gelderland, 2024). Up until 2022, German law prohibited the construction of wind turbines within a minimal distance of 1000 meter from a populated area (Ministerium für Wirtschaft, Industrie, Klimaschutz und Energie des Landes Nordrhein-Westfalen, 2024). Ever since that law was retracted, 178 new wind turbines have been built within the border region of the Netherlands (Lanov, 2024). A large amount of these wind turbines is placed in accordance with German law on because there is none anymore. However, when looking at Dutch law, these wind turbines are within the minimum distance of four hundred meters (Volker, 2024). In this particular case, it seems like the German government, or more specifically, the state government of Nordrhein-Westfalen, has not taken into account households just across the border on Dutch soil. And there is a plethora of examples just like this that shows the disregard for the rights of citizens of bordering nations.

When I presented this issue to Mr. Schuttenbeld he said the following:

This is somewhat of a difficult one, but it is a prime example of the ignorance in border regions. In essence, before a plan such as this would have even come into existence, it should have been discussed with every stakeholder, which includes those on the other side of the border. But evidently, this did not happen. In the Netherlands we would have a say. However, because it technically is German soil, Dutch people have no say in the matter. Martin Schuttenbeld (2024, 05 September)

When I asked him, do not you think that this is unfair he answered to following:

Well, yes, but then we come back to the point I made earlier about laws being dictated nationally. And of course there are themes coordinated through the European Union, but the placements of in this case, wind turbines, is a national issue, hence only applicable to German law.

And the idea that Dutch citizens should have a say in German politics is an optimistic one. But I do believe that it is an idea that should be experimented with, that citizens in border regions should be able to participate in those issues that also affects them on the other side of the border. Martin Schuttenbeld (2024, 05 September)

This case about the wind turbines clearly demonstrates coercive bordering. German authorities legally comply with their own national framework while simultaneously imposing it on Dutch residents that have no political recourse (Abizadeh, 2008). Which also precisely reveals the kind of democratic deficit that Rancière identifies when he talks about 'the part with not part' (Rancière, 1999).

What I am trying to show with these, sometimes very specific, examples are that the way most institutions and governments see a border is still, or at least quite often, as a barrier or a wall, in contrast to the scientific community as I have shown before. This sums up the central paradox of European border governance. While border theory has moved forward, political practice is still stuck in the Westphalian ontology of territorially bounded authority. The consequences of this manifest themselves in the lived borderscape through uncertainty, denial of voice, and infrastructural inequality (Brambilla & van Houtum, *Grenzegaenger in the borderscapes of Berlin*, 2012) (H. van Houtum & M. Eker, 2015). Within the scientific community this Westphalian idea is a very outdated way of perceiving borders or borderscapes, at least within the European Union (European Commission, AEBR, 2024). To illustrate that, van Houtum and Eker have already played with the idea of seeing a border as a totally separate political entity like was shown in the figure at the start of the thesis.

A good example of this is when I looked at the final report on 'Easing legal and administrative obstacles in European border regions' they defined about 239 obstacles that exist within European Border regions and encompasses about 26 pages of the 60 page report (Commission, *Easing Legal and Administrative Obstacles in European Border Regions*, 2017). So, what they did in this report is trying to explain how to overcome border obstacles, but about half of that report was just about naming all the obstacles that exist instead of writing about ways on how to solve these problems.

When it comes to my own work, what I have been doing up until now is basically the same. And what I try to prove with that is that when you look at many policy texts of the European Union, and also up to a certain extent, those of national and regional governments, borders are still viewed as an impenetrable wall. and even when you look at the words Mr. Schuttenbeld uses, although he tries to make the border between Germany and the Netherlands disappear, he acknowledges that issues persist, and certain things are preserved to the respective national governments. And I acknowledge that it is difficult to move away from this idea of the border as a barrier in many respects, and that it would include massive political reforms within the European Union and also the national governments to make this work. Nevertheless, it is needed.

Reason for this is because, as the word democracy itself entails already, democracy is about governance by the people, for the people. As Abizadeh mentions, borders define who belongs to a political community, those who are allowed in and who is kept out, hence they play an important role in shaping what is the demos in democracy

(Abizadeh, 2008). If rules that surround borders are decided upon without public input, from both sides, they undermine the very foundation of what we call democracy (Carens, 2013). Furthermore, governing borders in such a way for that everyone their rights are protected and respected is a necessity. As when that is not the case, practices such as discrimination and/or abuse of human rights is likely to happen at state borders (Abizadeh, 2008). These practises may vary in severity between different states, as between Germany and the Netherlands these might not be as severe as between Poland and Belarus or Greece and Türkiye. Nevertheless, as the Universal Declaration of Human Rights state, ‘all human beings are born free and equal in dignity and rights’ (United Nations, 1948).

Apart from it being, in that sense, about the people. Having a democratic border, or borderscape, is also of the utmost importance when it comes to upholding the values of democracy itself. Because, as Mark Bovens states, borders are spaces where the power of the state is most concentrated (Bovens, 2005). In a democratic system power must always be accountable, held in check, transparent and subject to legal oversight (Bovens, 2005). When power is not held in check, the risk of discriminatory actions increase significantly as can even be seen on the European Union its outer border. As according to a report from the European Union its committee for the prevention of torture and inhuman or degrading treatment or Punishment, or CPT, about systematic abuse of migrants at the border of the European Union (CPT, 2023). In an article written by Amnesty International on this report by the CPT, they write about the gruesome practices people have to go through on the outer borders of the European Union. They write, and I quote:

‘law-enforcement officials hitting people with batons, firing bullets over their heads; pushing them, sometimes with their hands bound, into rivers; forcing them to walk barefoot, in their underwear, and in some cases, fully naked across the border; and using unmuzzled dogs to threaten or chase them’ (Amnesty International, 2023).

This is just an indication of what happens if you leave borders unchecked and unaccountable. Even within the democratic society of the European Union. Which brings me to my last reason. Which is to preserve the democratic values and institutional integrity that, for example the European Union, holds dear. As, one of the arguments Bonnie Honig makes in her book: *Democracy and the Foreigner*, is to look at how a democracy treats outsiders at its borders also reveals how seriously it takes its own values (Bonnie Honig, 2001). Which links back to the work of Jürgen Habermas mentioned before, on the argument that political legitimacy depends on public reason and justification (Habermas, 1996). Taken together, these examples show that contemporary border obstacles within the European Union cannot be dismissed as separate incidents or irregularities. Rather they reveal the structural effects of b/ordering and borderscaping as continuous processes through which states reproduce

territorial authority despite the rhetoric of European integration (van Houtum & van Naerssen, 2002) (Brambilla & van Houtum, *Grenzegaenger in the borderscapes of Berlin*, 2012). What appears, at first glance, as just administrative friction is in fact a manifestation of deeper democratic tensions: unequal access to services, expose to foreign coercion, and unequal political voice for those who live in the borderscape (Abizadeh, 2008). The lived reality of border landers demonstrates that the border continues to operate as a region where state power is most visible yet least accountable.

This insight brings the argument of this thesis to its central question of: Are borders democratic if those most affected by them have no voice in shaping their governance? As the theories of Rancière, Mouffe, Abizadeh, Rosenberg, and many more have shown is that borders, as currently designed, do not meet basic democratic standards. Therefore, the task of the next chapter becomes, how might we at least attempt to make border governance more democratic? To do this, I will introduce five indicators. I will not try and pretend that these indicators will resolve the democratic paradox of borders. Rather, they offer a tool to evaluate and improve the democratic quality of governance within borderscapes. They translate theoretical criticism into criteria, bridging the gap between theory and practice. Offering a foundation for exploring what a more democratic border might look like.

4. A framework for Assessing Border governance

What I have tried to establish in the previous part is that in a lot of perspectives the political entities such as, the European union, national and regional governments see borders as a barrier or obstacle and often do not care to look on the other side of that same barrier or obstacle. This leads to the creation of unequal and in some way undemocratic situations as shown above. Policies enacted by one side of the border often have impact on the other side, yet only half of the impacted people will have the ability to say something about it.

With that, I do want to stress that borders themselves, the physical lines in the sand, are not inherently democratic or undemocratic. However, the processes and policies surrounding them can reflect democratic or authoritarian values. The theories discussed earlier: Rancière his police order, Abizadeh's coercive border and Mouffe her agonistic democracy suggest that borders, as they currently exist, make democratic equality nearly impossible. Yet they also highlight where democratic improvement might begin. With this insight, I have created a framework of five indicators that show if a border is democratic or not.

These indicators do not come from a sole source or article that states 'these are five indicators that show if a border is democratic or not.' Rather, these indicators have been defined on the basis of basic democratic understanding, the practice of rule of law and human rights frameworks. They reflect recurring themes in border studies: inclusion, accountability, transparency, non-discrimination, and normative legitimacy. All of which are challenged and often undermined in contemporary borderscapes. With each indicator I will show how and where the indicator derived from and how it connects to the theoretical debate. Following will be a brief introduction to the five indicators, after that, I will present a more in-depth explanation of the indicators implemented on a contemporary issue.

The first of these indicators is inclusive policy making. When policies are enacted on one side of the border they often also impact, up to a point, the other side of the border (Pijnenburg, 2019). Hence when creating the policy, the other side of the border should also be taken into account. Within a democratic state policies should be shaped through public participation and representation (Mill, 1865). I apply Abizadeh his argument that democratic legitimacy extends to all affected and Rousseau his notion of the social contract, reinforcing that border governance cannot be legitimate if it excludes those it coerces.

The second indicator is accountable enforcement. Accountability is still somewhat of a vague term when it comes to international politics, yet it forms a central pillar of democratic governance. As Mark Bovens states,

Public accountability is the hallmark of modern democratic governance. Democracy remains a paper procedure if those in power cannot be held accountable in public for their acts and omissions, for their decisions, their policies and their expenditures (Bovens, Public Accountability, 2005).

This principle is reinforced by international norms such as those of the UN (United Nations) and the ECHR (European Court of Human Rights). Within the Convention of the ECHR it is stated that all law enforcement agencies must operate transparently, respect due process and be subject to legal oversight (European Council of Human Rights, 1970).

The third indicator is transparency and openness to public debate. A particularly good outline of why transparency is important can be found in the work of Jürgen Habermas. Especially his ideas on Deliberative democracy. For Habermas, transparency is a vital part of creating a democratically stable political system because the legitimacy of a democratic system comes from public reasoning and rational discourse (Habermas, 2022). As without transparency, citizens cannot meaningfully deliberate, nor can they hold institutions accountable. In border contexts, transparency counters the bureaucratic opacity that often characterizes cross-border administration, where decisions affecting thousands are made with minimal public visibility.

The fourth indicator is non-discrimination. Policies surrounding borders must not violate basic human rights or exclude groups arbitrarily. This indicator is grounded in international agreements such as the International Convention on the Elimination of All forms of Racial Discrimination (United Nations, 1965) and the Universal Declaration of Human Rights (United Nations, 1948), as well as John Rawls' theory of justice, which emphasizes fairness, equal rights, and the moral illegitimacy of discrimination. Given that borders often function as zones of heightened vulnerability where people can be detained, excluded, or denied protection, this indicator is especially crucial.

The fifth and last indicator is that policies should be in compliance with international norms. Which is essentially a combination of all the previous and a little more. Policies that are incompatible with widely recognized international standards generally fail to meet the baseline requirements for democratic border governance. In other words: if border practices contradict the normative commitments states claim to uphold, their democratic legitimacy is fundamentally compromised.

Having outlined the rationale behind these five indicators and the principles from which they are derived, it is now necessary to examine each of them more closely. By unpacking the theoretical foundation and clarifying the democratic norms they

represent can the framework function as a meaningful tool for analysing contemporary border governance. I shall therefore elaborate each indicator in depth, tracing its origins in democratic theory and human rights law before demonstrating how it can be operationalised in the context of the Dutch-German borderlands.

4. Indicators for a democratic framework

4.1 Inclusive policy making

According to my experiences in working in a cross-border environment and reinforced by the findings of Vincent Pijnenburg in his work: Collaborative borderscaping in the Dutch German borderland cross-border policy making remain predominantly national in orientation. Despite decades of European integration, spatial visions, administrative maps, and policy processes still stop where the dark line of the national border is drawn (Pijnenburg, 2019). This again reflects the point made by van Houtum and van Naerssen on b/ordering.

During my time at the Euregio I witnessed first-hand of how national policy making stops at the border. There were simple things such as people wondering what will happen with their pensions because they did cross-border work, or health insurance policies for cross-border work. However, there are also the larger issues that have more impact on the region or, as Brambilla and van Houtum call it, the borderscape. Take the seemingly domestic policy examples of difference in price of petrol, or the Dutch government deciding that tabaco is now prohibited from being sold at convenience stores. These might seem like national issues. However, these issues penalize store owners in the border region at a disadvantageous level compared to the rest of the country. Contradictory, this policy actually benefits the German side of the border as people from the Netherlands will cross that open border to save on some money (de Telegraaf, 2024) revealing an uneven democratic exposure of the consequences policies have on borderlanders.

Another, even more recent event that occurred on the Dutch German border, is the reinstatement of border controls instigated by the German authorities (NOS, 2024). And this brings me to the principle of border coercion by Arash Abizadeh to show that unilaterally deciding to instigate border controls is a decision not backed by democracy. Abizadeh states that and I quote:

According to the state sovereignty view, the control of entry policy, including of movement, immigration and naturalisation, ought to be under the unilateral discretion of the state itself: justification for the entry policy is owed solely to members. This position, however, is inconsistent with the democratic theory of popular sovereignty. Anyone accepting the democratic theory of political legitimation domestically is thereby committed to rejecting the unilateral domestic right to control state boundaries. Because the demos of democratic

theory is in principle unbounded, the regime of boundary control must be democratically justified to foreigners as well as to citizens, in political institution in which both foreigners and citizens can participate (Abizadeh, 2008).

I include this rather long quote for the reason of making clear that in my opinion, the dominant ideology of how the interstate system of entry policies, the state sovereignty view, is flawed. And although I do acknowledge that this theory of border coercion by Abizadeh focusses mostly on movement and immigration policies, I also find it could apply to border regions as an entity itself. As I argue that a policy implemented by state A, in this case for example the Netherlands, has a direct impact on people living in state B, Germany, then by the democratic theory of popular sovereignty, I argue that both sides of the border should have the ability to influence this policy. This argument is reinforced by the other scholars present in this thesis. Rancière's part of no part theory exemplifies the ambiguous space borderlands live. As they are affected by this closed border but are no political subjects of the state that enforces it (Rancière, 1999). Leading to issues such as not being able to get to school or work. Mouffe adds to this by arguing that these kind of one sided decision making supresses the agonistic conflict, necessary in democracies, in favour of territorial coherence (Mouffe, 2005). In border regions, this results in political issues being frames as bureaucratic technicalities rather than as questions of democratic inclusion. Conflicts that should be acknowledged and debated, such as the examples given above on taxation or border controls, are depoliticized and confined within national boundaries. Hence the border becomes a mechanism of democratic suppression, preventing legitimate cross border debate from entering the political sphere.

Here I would like to add another perspective, Wendy Brown, and American political theorist, argues that borders increasingly function not to defend sovereignty, but to enforce it (Brown, 2010). As global interdependence makes states less autonomous, governments symbolically reassert control through intensified bordering practices. In the context of the EU, this means that even where the borders are legally open, states continue to assert territorial authority through administrative differentiation, national legal autonomy and unilateral decision-making (Brown, 2010). Brown's argument adds to my idea by showing that the persistence of border-based policymaking is not accidental. It is a political performance designed to reaffirm state identity. This aids in explaining why inclusive policy making has been so slow in development, even where cross-border interdependence is obvious and institutionalized.

Based on the theories above I have come to a central insight: territorial democracy artificially restricts participation even when the effect of governance is felt on both sides of a border. This contradicts the basic principle of democracy and popular sovereignty

as stated by Rousseau that all those governed must also be the ones that authorize the governing (Jean-Jacques Rousseau, 2017).

The democratic theory of popular sovereignty, as was first coined by Benjamin Franklin, and edited by Ralph Ketchum is as follows 'Popular sovereignty is the principle that the leaders of a state and its government are created and sustained by the consent of its people, who are the source of all political legitimacy' (Franklin, 2003). However, in its more modern sense we look at the work of Jean-Jacques Rousseau in *The Social contract* wherein he adds to the work from John Locke and Thomas Hobbes. Although all three of these writers, Locke, Hobbes and Rousseau came to a conclusion that all individuals enter in a social contract wherein they give up some of their freedoms in order for protection against the freedom of others (Rousseau, 1968). Rousseau took it a little bit further by claiming that the central idea of popular will is the that the legitimacy of a government 's authority and of its laws is based on the consent of the governed (Rousseau, 1968). Meaning that, in my opinion, all those impacted by the policy, law or other directive, should also consent to this, even when those do not belong to the same nation state.

Reasoning behind why this is important is because a state border is the place where the limits of state power, democracy and citizenship is shown most clearly (Habermas, *Between Facts and Norms*, 1996). Inclusion in border regions is desirable not from a political standpoint but also necessary from an ethical point of view. At a border, or border region, people, or especially non-citizens find the power of a state without enjoying the voice of citizens. In essence, people can be detained, deported, denied or outright refused entry without having any say in the rules that apply this to them (Abizadeh, 2008). This again brings me to the paradox I have raised in an earlier chapter as to how a democratic state can exercise power over people that have had no voice in the policies that apply to them. This is because border regions often work as a zone of exceptions (Agamben, 2003). Agamben, an Italian philosopher argues that modern states increasingly govern through states of exception. These exist of situations where normal laws are suspended and laws of crises are applied (Agamben, 2003). Although Agamben's has a more direct application to indicator number three, I did find it necessary to also name it here already. The reasoning for that is as part of inclusive policy making, rules and laws should be applicable in an equal way to everyone of a nation. And what often happens according Agamben is that border zones are seen as exceptions. Although his reasoning goes more towards times of crises, I also find it applicable to border regions in general as these are areas that fit into the descriptions Agamben gives. As border regions are also often regions where rights can be suspended, and oversight is often minimal. I will apply Agamben's theory more in the third indicator.

Another point made by Honig as to why inclusivity in border regions is important is that when discriminatory policies are applied in border regions and are being accepted there they could spill over and create an increasing feeling of xenophobia within the society as a whole (Bonnie Honig, 2001). Honig even goes as far as to claiming that these non-exclusive policies excluding non-citizens could lead to a normalizations of exclusionary logics within all facets of society such as education, healthcare and labour (Bonnie Honig, 2001). Although I do find this claim to be somewhat ungrounded, I do acknowledge the possibility of the repercussions non-inclusive policy making can have on the rest of society.

Ensuring inclusive policymaking in border regions thus requires confronting a structural democratic tension that lies at the heart of territorial governance. The examples posed above, from pension confusion to cross border healthcare procedures, mismatched labour regulations to unilateral energy projects, illustrate that borders are still treated as administrative and political endpoints. Even though many contemporary border theories have repeatedly demonstrated that borders function as dynamic, socio-spatial processes. What becomes visible through these cases is that borderlanders live in a political environment in which daily life extends across the border, while political legitimacy remains confined within it.

From the collection of theories above, it shows that inclusive policymaking in border regions cannot be achieved merely by improving administrative coordination. Instead, it requires rethinking how political authority is distributed across the borderscape. On essential step is to create cross-border institutions that do not just facilitate communication, as current institutions like the Euregio often do, but possess actual co-decision powers over issues that affect both sides of the border. These institutions would align with Abizadeh's claim that border governance, must be justified to all affected parties (Abizadeh, 2008). This would add to Mouffe's argument that democratic legitimacy emerges not from suppressing conflicts but from creating spaces where competing perspectives can be debated (Mouffe, 2005). Rather than replacing national sovereignty, these institutions would complement them by governing shared spaces in which neither sovereignty alone is adequate.

Another avenue for inclusion lies in the procedural domain. Taking deliberative democratic theory, and in particular Habermas' insistence that democratic legitimacy depends on public reasoning (Habermas, 2022) and Rosenberg's argument that sustained deliberation strengthens democratic competence (Rosenberg S. , 2017). These theories show that border regions would benefit from a permanent cross-border citizen assembly. Such an assembly would bring together dwellers, commuters, and local residents to deliberate on issues such as spatial planning, labour regulation, or environmental impact, to name a few examples. The aim would not be to produce

binding decision but to create reasoned recommendation that political institutions would be required to address publicly. In doing so, these assemblies would give form to Rancière's part of those who have no part, transforming borderlanders from policy subjects to political participants. Additionally, this is directly in line with the principle of popular sovereignty. If, as Rousseau argues, laws require legitimacy from the consent of the governed, then these assemblies would aid in moving away from policies being debated unilaterally. This would support the fact that policies with cross-border impact are subjected to 'affectedness-based' decision making procedures in which individuals and municipalities across the border have an institutionalized opportunity to express positions and opinions (Rousseau, 1968).

Taken together, these approaches demonstrate that inclusive policymaking in border regions is not simply a matter of inviting stakeholders to the table it requires reimagining political membership, reshaping institutional structures, and transforming the spatial and procedural foundations of governance. This is exactly why a framework of democratic indicators is necessary. Not because borders themselves possess democratic qualities, but because the governance practices surrounding them can either uphold or undermine democratic values. Inclusive policymaking thus serves as the conceptual foundation upon which the remaining indicators build.

4.2 Accountable Enforcement Across Borders

Where the first indicator reveals who ought to have a voice in shaping border policies, the second addresses an equally fundamental democratic requirement: what happens when those policies are enforced, and by whom. Even if policymaking were perfectly inclusive, democracy would still fail if those responsible for implementing policies cannot be meaningfully held to account. In this sense, accountability functions as the operational backbone of inclusivity. Where inclusive policymaking determines who participates, accountability determines who answers for the decisions taken. Without the latter, the former risks becoming symbolic rather than substantive.

The second indicator involves that the bodies that enact and enforce the policies or laws that may have an impact on citizens on the other side of the border are open to be held accountable by everyone that it has an impact on. The idea of accountable enforcement stems from the very basic principles of democracy. Because without accountability, democracies would very easily turn into autocracies if those in power are not able to be held accountable for their actions (Addink, 2019). In our case it is not that either the Dutch or German government cannot be held accountable for their actions. Citizens from each respective country are more than able to hold their governments accountable for their actions. Albeit through voting every parliamentary

period or suing their government. The problems arise at the border, where decisions made by one state have direct consequences for the people on the other side who have no formal democratic participation with the decision-maker. For one, German nationals are not allowed to vote in Dutch parliamentary elections and vice versa. Thus, the only option they have is to go to court, and suing a government or an institution, which is part of said government, is quite an ordeal.

There are certainly options to sue a person or business or institution in another country. According to the Brussels regulation, which is a European council regulation on authority and the recognition and enforcement of judgments in civil and commercial matters (Regulation 1215/2012/EC). It is a regulation that creates a framework for determining which national court has authority in a cross-border dispute and ensures the recognition and enforcement of judicial rulings across Member States without needing special procedures (Regulation 1215/2012/EC). In short, this regulation states that you would have to find out which member state court has jurisdiction over the case, which in most cases is the court of the member state where the defendant is residing in (HM courts & Tribunals, 2017). And although there are limits to the extent of this regulation as it could potentially harm the sovereignty of a nation if courts from other Member States could infringe in their neighbour its domestic judicial system. However, the mutual recognition of judgements clause does prevent people from going through parallel proceedings or forum shopping to see which court would rule more in their favour.

This is necessary to ensure cross-border legal certainty, to protect the 'weaker parties' and ensure fair and due process in case of a judicial cross-border conflict. Companies or private citizens should have the ability to sue their counterparts across the border. The fact that this regulation exists shows the, at least partial, willingness to cross-border cooperation across the entirety of Europe. It gives people in border regions the ability to pursue legal options if they have been wronged by their neighbouring country's citizen or business. However, a crucial gap remains, these mechanisms primarily concern civil and commercial disputes, not public law, or political accountability. A German citizen will find a hard time using this to pursue legal action against the Dutch government. This shows a limitation of current EU arrangement where cross-border private law is somewhat integrated but cross-border public accountability less so.

However, as stated by Curtin, the term accountability, although it is increasingly being used within the terms of international law, still has no clear defined legal meaning (Curtin, 2007). Thus, when it has no clear legal meaning, how can it be enforced. Well, the short answer would be, It cannot. Mark Bovens, in his work also argues that accountability, now widely used in political science and public administration, lacks precision, and that the EU suffers from serious accountability deficits (Bovens, 2007) . Bovens continues to explain that the word accountability is used as an umbrella that

serves for words such as; transparency, equity, democracy, efficiency, responsiveness, responsibility and integrity (Bovens, 2007). Bovens goes on with explaining several types of accountabilities such as political, legal, administrative, professional, and social. To my opinion, all five accountability options as named by Bovens, are crucial in border governance. And if the institutional actor is not clear, as it will be one of the five above, the legal pathways will remain opaque and thus unaccountable. Leading me to the point that Bovens tries to argue in his article is that the word 'accountability' is an ever elusive word and that the assessment of what is accountable cannot be separated from what good democratic governance is (Bovens, 2007).

What Bovens his article shows are that accountability, however elusive it is, is very much necessary. As without a government that can be held accountable, we would probably be living in a dictatorship or autocracy. Therefore, it is vital that there is the possibility to hold institutions and governments of other countries accountable. however, it will cost you a lot of time and effort and you would have to go through the European judicial system in order to hold another member state its government accountable (European Parliament, 2019).

Ensuring accountability in border regions requires moving beyond the nation-state logic that currently limits who can hold whom responsible. As it stands, accountability follows citizenship and territory, while the effects of policies cross borders freely. To address this mismatch, accountability must be reimagined as relational cross-border, and multi-level, shaped not only by where power originates but also by where its effects land.

A first step would be to create formal processes through which borderlanders can question and influence decisions made across the border. This would require institutionalising reciprocal accountability mechanisms, such as joint Dutch-German oversight bodies with mandated powers to review cross-border impact assessments, evaluate policies and respond directly to citizen complaints from both sides. Such institutions would ensure that Abizadeh's argument on border coercion can be minimalised as authors of policies can be held accountability. Additionally, cross-border public hearings and participatory procedures could strengthen cross-border accountability. If a spatial planning decision, such as the wind turbine decision, affects people across the border, the Dutch in this case, should have guaranteed procedural standing. Not like the informative and administrative consultation like the Euregio facilitates but a formal hearing where their voices are heard and considered.

This would require legal pathways that extend beyond the current limitations of the Brussels framework. While civil and commercial matters are regulated across the EU, public law accountability remain territorial. To resolve this, borderlanders should have access to shared legal mechanism, such as joint administrative tribunals authorised to

hear cases against authorities from either state. This would address the accountability deficit as described by Bovens and Curtin.

To add this up, these measures suggest that ensuring accountability in border regions is not about adding minor procedural adjustments but about reconfiguring how responsibility flows across borders. Accountability must track the movement of power, not stop where the border begins. Only then can borderlanders cease being the excluded subjects of decisions made elsewhere and instead become rightful participants in the democratic governance of their own everyday lives.

4.3 Transparent Laws and Processes

In a democracy, or democratic state, transparency is and always will be a key feature. It is, as mentioned above, a foundational principle of democratic legitimacy and accountability. As without transparency, a government could just do whatever it wants without its people being able to control its actions (Habermas, 1996). Without this, democratic authority would be invalid as it depends on citizens' ability to know, scrutinise, and challenge the decisions made in their name. The risk of non-transparency becomes exceptionally visible in a border region because, as mentioned before, it often also impacts the life of non-citizens. For the individuals living in these border regions, transparency would not only just be a civic expectations, but it is often the only basis through which they can understand or contest the authority exercised over them. (Habermas, 1996).

The European Union recognised this and has therefore implemented a directive that states that individuals should be governed by laws they can know and understand. This not only holds for comprehensible texts but also the availability of multiple languages so that everyone has the opportunity to be informed (Directive 2013/32/EC). Of course, this does not only apply to laws and regulations made by the national governments on rule sets for a nation state, but also to, and maybe even more importantly, border authorities. Every decision a border authority, such as the Dutch Marechaussee or the German Bundesgrenzschutz, makes has to be accompanied by a written explanation or justification in a or multiple languages every individual involved can understand (European Council of Human Rights, 1970). Albeit entry denial, detaining someone or deportation, all these decisions need to be explained in written form, in a manner the subject is able to read and understand it. As when individuals cannot understand the justification for the power exercised over them, access to legal remedies becomes illusory. A border without transparency thus becomes a border without accountability.

Yet border governance is not only characterized by a lack of transparency, but by what Mezzadra and Neilson describe as strategic opacity (Mezzadra & Neilson, 2013). With this term they argue that governments deliberately use ambiguity and partial invisibility as a mode of governance. rather than being a failure of transparency, they claim that opacity is actively produced to manage borders, labour, and mobility (Mezzadra & Neilson, 2013). They mainly apply it to the migrants but in my opinion a case could be made for borderlanders within Europe. Therefore, borderlanders could face not only linguistic barriers but also deliberate bureaucratic opacity, which undermines democratic access to legal remedies.

This opacity what Mezzadra and Neilson describe inadvertently produce what Fricker calls epistemic injustice. Situations in which individuals are structurally prevented from accessing the knowledge necessary to participate politically (Fricker, 2007). To demonstrate this, Dutch state information is primarily in Dutch. And the two other recognised languages by the kingdom Frisian and Papiamento. German state information is primarily in German. Often you can also find this information in English, yet this only partially fills the gap. As, according to several studies, 'only' 90% percent of Dutch citizens claim they understand English where only about 60% of Germans do (Education First (EF), 2025). This results in a nationally bounded transparency as information is open to insiders but effectively, at least partly, closed to neighbours who could be living only a couple of meters away.

In short that means that everything a government does should be transparent and open to public scrutiny. Being democratic nations, both Germany and the Netherlands have the obligation to be open and transparent about everything that they do. The Dutch government has a law in place called 'wet open overheid' that makes the Dutch government liable in case they fail to do so (Nederlandse overheid, n.d.). In turn, the German government has somewhat the same law but also has institutions in place to specifically watch over governmental transparency (Bundesregierung Deutschlands, n.d.). in addition to that, both countries are part of the OGP (Open Government Partnership), which is a partnership between more than seventy-five nation states to promote government transparency around the world. Furthermore both the Netherlands and Germany are part of the European Union and one of the key principles of the European union is transparency, although this is also open to debate on how transparent the European Union really (European union, n.d.).

However, one of the key points Habermas and the UN make is that all information needs to be available in a language the subject understands. This, as according to Habermas, this means that borderlanders cannot enter the public sphere in which border policies are discussed, justified, or contested (Habermas, 2022) they are governed by decisions created in so called communicative spaces they cannot fully access. This therefore creates a communicative asymmetry as this creates a transparent sphere of

information for their own citizens respectively, but not to their own neighbours. When a German national, not fluent in the English language has an issue in the Netherlands he will thus face some language-based obstacles. I am of the opinion that neighbouring countries should help each other and thus it would not be such a demanding thing to make information of your government, especially information that matters to and concern your neighbours, available in their language. Not only would this be beneficial to trade and a sense of community, it also, in my understanding of the directive, is technically obligatory to do so.

To come back to Curtin, even the European Union as said before champions transparency, is fault to a transparency paradox (Curtin, 2007). Not necessarily in a sense of language, as almost everything the European Union does is available in all twenty-four languages of the Union. Yet the complexity of multi-level governance, national governments, regional authorities, EU institutions, and border agencies makes it incredibly difficult to figure out who is responsible for what. Which results in a maze for people, or in this case, borderlanders to find the transparency that is promised.

To ensure transparency, especially in border regions, the structural opacity that characterises border governance must be addressed. As Mezzadra and Neilson point out in their book, borders are not merely physical checkpoints but regimes of visibility and invisibility (Mezzadra & Neilson, 2013). Border governance often selectively reveals and conceals depending on one state's priorities. This means that transparency must be understood as a solution, not only to the maze of bureaucratic secrecy, but the deeper political tendency to obscure responsibilities and accountabilities in the border regions. Because democratic legitimacy, as Habermas states, is only viable when subjected to public reasoning which in turn is only possible when all relevant information is accessible and intelligible to those affected (Habermas, 2022). To ensure this in border regions, where those affected is often transnational, the mechanisms of transparency should extend across the territorial boundaries. Doing so boils down to three main commitments governments should abide by.

First, states must make sure that all legal and administrative texts are linguistically accessible to neighbouring populations. This goes a bit further than the obligations set in Directive 2013/32/EC. It means actively translating relevant legislation, administrative procedures, and border enforcement guidelines into the languages of neighbouring states, especially when these laws affect borderlanders. As, according to Fricker, epistemic injustice exists when an individual is denied access to information that is of concern to them, when it affects their livelihood for example. In borderlands, language barriers for such a denial creating a structurally inadequately informed population.

Second, procedural transparency should hold true for all institutions, including border authorities. All decisions, such as detentions, entry denials, or border enforcement should be by a written justification in every language it concerns and a clear view of who

or what made the decisions. This means for example public registers for border enforcement actions, cross border ombuds-offices and shared oversight bodies that review both states' authorities. This is to ensure that, like Habermas states, legitimacy is verified through the visibility of the state and that individuals can meaningfully contest a state's power (Habermas, 2022).

The third and final commitment extends to the structural level. States should inform the public on both sides of the border when national laws have impact across the border. Mezzadra and Neilson emphasise that policies and laws often have a cross-border effect. Take the example given before on pensions, taxation, environmental policies, or spatial planning, it must make the impact of these legislations publicly available to all those concerned in a way that can be interpreted by everyone (Mezzadra & Neilson, 2013). This could be coordinated by for example institutions such as the Euroregion, enabling citizens on both sides to understand and discuss impending decisions.

In short, transparency not only is an instrument to good governance, it also is crucial to democratic legitimacy. Without clear and accessible information, borderlanders are placed in an opaque and weaker position. They need to deal with policies and laws unintelligible to them creating the marginalisation Rancière describes as the police order.

4.4 Non-discriminatory Policies

Where the first three indicators show the democratic shortcomings through exclusion, limited accountability, and opacity, the fourth addresses the normative core of democratic legitimacy. A government cannot claim to be democratic if it systematically disadvantages or excludes individuals based on characteristics unrelated to political agency, such as nationality, language, or place of birth. This principle is firmly stated in article 21 of the EU Charter on Fundamental Rights and also in article five of the universal Declaration of Human Rights by the United Nations as stated below:

'Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language religion or belief, political or any other opinion, membership of national minority, property, birth, disability age or sexual orientation shall be prohibited.'

Despite Germany and the Netherlands both being liberal democracies and part of both the European Union and the United Nations, discriminatory practices still occur in borderlands. Not necessarily on purpose or through explicit exclusion, but through the inherent state centric design of how borders are created.

When reading this statement from both the EU and the UN I find two disparities when it comes to the policy making of both the Netherlands and Germany namely, language and birth. More importantly, this shows what Fricker means with epistemic injustice, as different peoples and nationalities being incorporated into a state's legislation yet under unequal terms. Although I am of the opinion that neither German or Dutch governments intentionally discriminate against their neighbours, the way state centric design of institutions does inherently create an unequal access to knowledge and representation. The democratic consequences of this unequal access are significant. This again shows the 'part of those who have no part' principle of Rancière and the border coercion theory of Abizadeh as decisions made by governments are expected to be complied with yet through these unintentional discriminatory practices, remain beyond political reach (Rancière, 1999) (Abizadeh, 2008).

Now of course, I do not mean to say that all the information a government puts out in the world should be available in all languages. However, I am of the opinion that whenever it impacts another nation directly, it should be available in their language. There is the expectation that most if not all of the people have the ability to speak, read and listen to English, but not everyone's level might be adequate enough.

Furthermore, the issue that I pose with 'birth' is directly linked to the previous part. It is not that Dutch policies and laws directly discriminate against people born in Germany or vice versa. Nevertheless, because those people were born in another country, they do not speak the same language, and thus in a sense, not making it available in their language might be considered as a discriminatory act.

Lastly, to ensure non-discriminatory practices in border regions, it would require a more transnational, borderscape oriented approach that recognises the interdependence of neighbouring communities. As discrimination in border regions often emerges not from intentional exclusion, at least within the European Union, but from structurally embedded asymmetries such as language and legal systems. In order to combat this, states must recognise the fact that their policies do affect people on the other side of the border and can therefore directly impact their lives. This would for example include institutionalising multilingual communication infrastructures. So that all relevant information regarding regulations, procedures or legal matters would be available and understandable for everyone affected. Which would also entail the creation of cross-border consultation mechanisms through which borderlanders can contribute into the decision-making process. To add to this, border authorities must operate under a harmonised system that standardises accountability, oversight, and due process. Ensuring that non-citizens are not treated unfairly in order to negate the idea of differential inclusion as stated by Mezzadra and Neilson. Thus, to achieve non-discriminatory governance requires embedding border regions into a shared normative framework. A framework that transcends the bilateral system of national sovereignty

and instead treats the border as a relational political space, as suggested by van Houtum and Eker's borderscape paradigm. Only through such a structural recognition can the shift occur from a reactive, toward an initiative-taking commitment to equal treatment grounded in universal democratic principles.

Now if applying the framework of indicators, I have set up to the border between The Netherlands and Germany, the conclusion to me is quite clear, the Dutch German border remains a site where the limits of democratic legitimacy are sharply exposed. The Dutch German border, despite it being part of the Schengen area, still remains an area where we can clearly see the boundaries and limitations of democratic legitimacy. It shows that border areas are in a sense, a democratic blind spot where standard rules do not necessarily apply. There is an ongoing disconnect between cross border relations and the boundaries of national policies. The first indicator clearly showed that national policies of either country of our case fail to see and reflect the realities of the border regions as shown with the examples of healthcare and economic (dis)advantages. The second reveals that although systems of accountability formally exist, their accessibility for non-citizens is often so complex and resource intensive that, in practice, accountability becomes unevenly distributed across the border. Moving to the third indicator, although The Netherlands and Germany have, through numerous legal mandates and international commitments, hold transparency in high regard, they often fail to include non-citizens. Although fairly easily solvable, this compromises the foundational democratic right to understanding the laws and regulations of an individual, as it should be according to Abizadeh. And fourthly, although direct discrimination may not be a large issue at, for example, the Dutch German border, the systematic exclusion stemming from linguistic and national access to information threatens both countries democratic foundations.

What these findings underscore is that the Dutch-German border, or any border for that matter, is not simply a line dividing two democratic states, it is a magnifying glass revealing how democratic principles weaken when confronted with territorial logics of nation-states. Borders continue to operate as exceptions where rights become conditional, participation remains fragmented, and political voice becomes territorially constrained. This mirrors the democratic deficits as depicted by Mouffe, Rancière, Abizadeh, and van Houtum and the borderscape literature. Borders continuously exclude those they affect preserving a state-centric governance model that does not correspond to socio-spatial reality of border life. Recognising this, the challenge is no longer merely to describe these deficits and deficiencies, but to consider how the democratic legitimacy of a border itself might be strengthened. The indicators therefore not only serve as tool to diagnose the democratic nature of a border, but also as a starting point for possible innovations that could realign border governance with democratic norms of inclusion, accountability, transparency, and equality.

It is here that the work of van Houtum and Eker becomes especially relevant. Their proposal for a borderland construct, as seen in the figure at the beginning of the thesis, could serve as a governance model that treats the border region as a shared, transnational space rather than a demarcated administrative zone. By revisiting this idea in the next chapter, I will explore how such a construct could respond to the democratic shortcomings revealed through the indicators, and how it might contribute to a more equitable, participatory, and accountable governance of the Dutch-German border. The following chapter therefore moves from analysis to imagination, from diagnosing democratic deficits to considering how a border region like that between the Netherlands and Germany can evolve toward a more genuine democratic borderscape.

5. Borderlands, a new construct

For this last chapter I want to come back to the article Eker and van Houtum wrote called, *Borderlands: Atlas, essays, and design* in which they discussed the design of so-called borderlands. As I explained shortly in the beginning of this thesis, one of the ideas was to distinguish a 20km zone on either side of the border and call it the borderland (H. van Houtum & M. Eker, 2015). The 40km wide surface area has a higher population density on the Dutch side than the rest of the Netherlands (H. van Houtum & M. Eker, 2015), hence making it an important and also perfect region to conceptualise the democratic border concept. This idea of a borderland is not a move to call for territorial restructuring, but rather an invitation to see the border not as a thin line dividing sovereignty, but as a lived space shaped by social ties, administrative frictions, and overlapping identities. (H. van Houtum & M. Eker, 2015). Within this 40km wide region, where the Dutch side contains high population densities through cities such as Nijmegen, Arnhem, Enschede and Roermond and the German side vital agricultural and industrial zones the paradox of ‘open borders become visible’. While the Schengen Agreement removed physical border checks, the border persists in governance, planning, bureaucracy, and the daily experiences of people who move across it. (H. van Houtum & M. Eker, 2015). Therefore, they propose a more imaginative, inclusive, and spatial approach designing the way we see border regions.

The core of the argument of this article is the concept of ‘borderscape’ which is a way of thinking about borders not pre-determined lines that separate nation-states, but more fluctuating social constructs that are constantly being negotiated (van Houtum, *Borderscapes*, 2018). A borderscape is as much about feelings of belonging, emotional attachments, and mobility patterns as it is about legal competences or lines of jurisdiction (H. van Houtum & M. Eker, 2015). This understanding challenges the assumption, which is still dominant amongst policymakers, that borders are edges of sovereign authority. Instead, they are better understood as dynamic processes of b/ordering. Where everyday practices, institutional routines, and discursive acts continuously reproduce distinctions between insiders and outsiders (van Houtum & van Naerssen, 2002). It is though these acts of b/ordering that the border’s democratic blind spots emerge those most affected by cross-border decisions often have the least formal political voice.

This is where my earlier analysis, through the framework of democratic indicators, reveals its significance. Inclusive policymaking, accountability, transparency, and non-discrimination expose not just legal shortcomings, but deeper structural democratic

inequalities embedded within the borderscape. For instance, when Germany temporarily reinstates border controls in 2024, Dutch borderlanders who commute daily into North-Rhine Westphalia were directly affected by delays, checks, and uncertainties, yet had no formal political voice in the decision that disrupted their mobility. This shows how a unilaterally enacted policy can reshape the daily lives of non-citizens. Another example is the wind turbine issue where German authorities placed wind turbines according to German laws, but completely disregarded the Dutch citizens affected by this. These examples show that borderlanders do not simply face isolated administrative issues, but also encounter democratic inequalities produced by government architectures that still privilege on the nation-state over the lived borderscape.

They criticise the current cross-border cooperation programs such as INTERREG or institutions such as the Euregio, as although there has already been over two decades worth of experimenting with cross-border cooperation, there is, according to them, a general lack of power, courage or will to really make an integral design of the border regions siding next to each other (H. van Houtum & M. Eker, 2015). Out of my personal experience working at one of these Euregios, I can concur that that while the idea behind the institution is to promote cooperation, they are constraint with the priorities of the national governments they are supposed to cooperate with. This leads to a struggle to produce a viable vision for the border region to meaningfully engage with people living in these border regions. Borderscapes literature allows us to take this critique further. Where scholars such as Brambilla, Newman and Paasi emphasise that border regions contain many actors such as workers, students, families, municipalities, civil society organisations, the border governance still remain overwhelmingly in the hands of national governments (Paasi, 1996). The question that then arises is: whose voice constitute the demos of the borderland? Here is where again Rancière's 'the part with no part' becomes relevant. Borderlanders, despite living within a transnational social reality, remain politically represented only as Dutch or German citizens, never as dwellers of a shared socio-political region. This critique is reinforced again by Abizadeh and Mouffe, where current border governance suppresses political voice and keeping public institutions separate.

With these theoretical 'tools', the application of the democratic indicators to the Dutch/German border becomes clearer. Inclusive policy making reveals that national legislative processes still end at the border, even when some repercussions do not. This can be clearly seen in healthcare uncertainties and something as mundane as petrol price disparities. Secondly, although EU regulations technically enable cross-border legal action, holding something accountable across the border remains an immense burden that is placed on the individual. Accountability stays structured on national lines, reinforcing the asymmetry that bordering practices create. Third, the indicator on transparency illustrates that linguistic and administrative barriers prevent non-citizens

from accessing and or understanding policies that directly impact their lives and livelihood. This is a form of epistemic exclusion, as borders become or often already are sites of differential access to rights, knowledge, and mobility (Mezzadra & Neilson, 2013). And fourth, the passage on non-discrimination only shows that, although often indirect and not on purpose, these policies and exclusions from participation reinforce unequal access to information, institutions, and rights across the border.

Taken together, the indicators show that the democratic shortcomings of the border are not accidental but systemic. They emerge from governance architectures that continue to privilege state-centred territorial logics over the lived realities of border regions (Agnew, 1994) (H. van Houtum & M. Eker, 2015). Borderlanders are positioned as peripheral political subjects deeply affected by bordering practices, yet excluded from meaningful participation in their design and justification (Abizadeh, 2008) (Rancière, 1999) (Gielis & van Houtum, 2012). Cross-border relations are consequently framed as technical or administrative anomalies rather than as fundamentally political questions, reinforcing a depoliticised approach to governance within the European Union (Mezzadra & Neilson, 2013) (van Houtum, 2018) (Vaughan-Williams & Parker, 2012). This confirms a central insight of borderscapes scholars that democratic legitimacy cannot be secured as long as governance remains tied to linear, state-centric understandings of territory rather than to the relation and contested nature of borderscapes (Brambilla, 2015).

Continuing on this argument, Eker and van Houtum say that the border regions need to reflect the people that live there, therefore they invited artists, architects, filmmakers, town planners, social geographers and it became clear that they all looked at the border region in a very different way (H. van Houtum & M. Eker, 2015). For Eker and van Houtum this enlightened them to stress that border regions should not be treated as leftovers spaces, but as laboratories for experimentation. We need to see the region as an area that reflects lived experiences, social ties, and symbolic meanings of border regions. This would help make the overlap and the innovative idea to see a border as a social, ever fluctuant construct instead of a fixed line in the sand (H. van Houtum & M. Eker, 2015).

To stay with Eker and van Houtum and go back to the borderland they created, they do state themselves, that the concept of this inclusive and imaginative borderland is a construct that simply allows someone to think about and study the area as a whole, to make it manageable to investigate (H. van Houtum & M. Eker, 2015). But also, to see and use it as a laboratory of experimentation, and this gave me an idea. This concept of a borderland and borderscapes gave me the idea that perhaps some form of mutual and bilateral area of government could be a solution to the undemocratic practices of border regions. However, their proposal, and also my earlier draft on this risked falling into state-centric frame by imagining a bilateral governance structure. a council

composed merely of state-appointed representatives, even if bilateral, ultimately reaffirms the border as a division between sovereign units rather than a shared political space. It risks reproducing the very logic that created democratic deficits in the first place: the assumption that political legitimacy comes from states rather than from the people who inhabit the border.

Therefore, a more democratic approach would require a governance model that reflects the multi-voiced, co-produced nature of the borderscape itself. This means rethinking the borderland not simply as a bilateral zone, but as a participatory political community in which cross-border workers, non-citizen residents, municipal actors, civil-society organisations, minority groups, and youth are all recognised as legitimate political actors. To give a clearer understanding of how this could look I would like to again show you the following figure.



Source 1: Eker and van Houtum, 2013

As can be seen in the figure above, which also includes the area between the Netherlands and Belgium, many important economic regions are included within these borderlands. Think of the technological hubs of Eindhoven and Twente, the agricultural sector of Limburg and the industrial Ruhrgebiet and the German side and when looking further even the important harbour of Antwerp in Belgium. It is within this area that the daily experiences of navigating two legal, social, and cultural systems give the

borderlanders a form of situated knowledge or so-called embodied expertise. Embodied expertise in short means that all knowledge comes from a position, therefore who you are, where you live and what you experience shapes what you know (Haraway, 1988). And in my opinion, borderlanders should be understood as bearers of embodied expertise through the daily navigation of cross-border legal, social, and administrative systems (Haraway, 1988) (Brambilla, 2015). Creating this participatory political community would align with deliberative democratic principles as written by Rosenberg, which requires that those affected by policies must be able to participate in their formulation, and with the agnostic perspectives of Mouffe as you would create an area where borderlanders can voice their concerns and diverse and conflicting position.

Consequently, rather than a pure top-down bilateral council, this participatory political community, requires is a form of borderland assembly. A democratic institution composed not only of elected representatives from both states but also of dwellers, cross-border workers, non-citizens, and cultural organisations. Such an assembly, embedded within the spatial boundaries of the borderscape, would possess the authority to evaluate and contest national policies that produce cross-border effects. It would not replace national sovereignty, nor would it require territorial restructuring. Instead, it would add a vital democratic layer to governance. one that reflects the lived transnationality of the region it would also serve as an institution mechanism through which the indicators developed in this thesis could be operationalised. Inclusive policymaking through participatory deliberation, accountability through cross-border oversight, transparency through multilingual accessibility, and non-discrimination through the recognition of diverse borderland identities.

The Dutch-border region, with its dense cross-border practices, economic interdependencies, and existing institutions such as the Euregio, is an ideal site for such democratic experimentation. Eker and van Houtum's borderscape are therefore not only a conceptual tool but a potential political project, a space where democratic innovations can be evaluated and refined. While implementing such a model would require extensive research, legal exploration, and participatory design, it offers a promising pathway for addressing the longstanding democratic deficiencies of border governance. As mentioned before, the Euregio already exists to remove the barriers between the two countries and to encourage greater and better cooperation between the regions on either side of the border. Right now, they do have a bilateral parlement, or rather council, which meets three times each year to discuss cross-border issues. However, this council only has an advisory and coordinating role and thus does not possess any real power or influence in national policy making (Euregio, n.d.).

Building on this, the question is not whether entirely new institutions must be invented but whether existing cross-border structures can be fundamentally reoriented. In this

regard, the Euregio presents both a limitation and an opportunity. At present, the Euregio functions primarily as a coordinating and advisory body, facilitating projects, information exchange, and administrative cooperation between national and regional authorities (Euregio, n.d.). While this role has been valuable in mitigating some practical obstacles of cross-border life, it remains firmly embedded within a state-centred governance logic. Its mandate is derived from national and regional governments, its political influence is limited, and its decision-making structures largely exclude those who experience the border most directly. As such, the Euregio currently risks reproducing the democratic deficits identified throughout this thesis: governance without meaningful participation of borderlanders themselves.

Transforming the Euregio into a Borderland Assembly would therefore require some reform. It would demand a qualitative shift in how political legitimacy is conceived in border regions. Rather than acting as an intermediary between states, such an assembly would need to draw its legitimacy from the borderscape itself, the people that inhabit, traverse, and negotiate the border on a daily basis. This implies expanding the representation beyond appointed officials to include a municipal delegate to include cross-border workers, non-citizen residents, civil society organisations, and minority groups. In doing so, the Euregio would no longer function merely as a technical facilitator of cross-border cooperation, but as a participatory political forum capable of articulating borderland interests independently of national priorities.

This transformation would also require rethinking the scale and purpose of authority. A Borderland Assembly embedded within the Euregio framework would not replace national sovereignty, nor would it create a new territorial state. Instead, it would operate as an additional democratic layer, one that evaluates, contests, and advises on national policies as far as they produce cross-border effects. Its authority would be procedural rather than sovereign. Giving it the power to deliberate, issue binding opinions, demand justification, and to make visible the lived consequences of bordering practices. In this sense, the assembly would function as an institutionalised expression of borderscaping, translating bottom-up experiences into political claims.

Such a reorientation would also align the Euregio more closely with the democratic indicators developed in this thesis. Inclusive policymaking would be strengthened through participatory deliberation grounded in embodied expertise. Accountability would be enhanced by creating a forum in which cross-border effects of national decision can be scrutinised collectively. Transparency would improve through multilingual communication and open deliberative procedures. And finally, non-discrimination would be addressed by recognising borderlanders not as peripheral subjects of governance, but as legitimate political actors within a shared borderland polity.

Reimagined in this way, the Euregio would no longer risk reproducing state-centric assumptions about democratic legitimacy. Instead, it could become a site of democratic experimentation where border is governed not merely as lines between states, but as shared political spaces shaped by those who live their realities. This does not offer a final solution for the democratic paradox of borders, but it does provide a concrete pathway for moving from diagnoses to democratic innovation. One that remains faithful to the insights of borderscapes theory while responding directly to the lived challenges of the Dutch-German borderland.

Now, transforming existing cross-border institutions such as the Euregio into a participatory Borderland Assembly could inevitably invite a number of valid criticisms. One central critique concern could concern the risk of reproducing state-centred logic under a new institutional guise. Even if such an assembly were to include people from the lived borderscape, it could still be argued that it would operate within the frameworks ultimately defined by national governments. In that sense, the proposal risks reinforcing the assumption that political legitimacy originates from states rather than from the people who experience and enact the border in their everyday lives. This concern resonates with critical border studies literature, which warns that many forms of cross-border cooperation symbolically soften border while leaving the territorial foundations of governance intact (Brambilla, Exploring the Critical Potential of the Borderscapes Concept, 2015) (van Houtum & van Naerssen, 2002).

However, this critique rests on a narrow understanding of legitimacy as necessarily tied to sovereignty and coercive authority. The Borderland Assembly proposed here is not intended to replace national institutions or to exercise sovereign power. rather, its democratic value lies in operationalising inclusive policymaking, the first indicator developed in this thesis. By granting a structured voice to those who are directly affected by cross-border policies. The assembly would address the democratic deficit that Abizadeh identifies that those subject to coercive effects are excluded from decision-making processes. This is also in line with Rancière's understanding of politics, as such an institution would function as a space where excluded voices can disrupt existing distributions of political visibility, rather than as a technocratic extension of state authority.

A second critique could consist of the difficulty of defining the demos. Expanding participation beyond citizens could raise questions about who qualifies as a legitimate political actor, and risks producing new exclusion. Yet this tension would not be a failure of the proposal, but an inherent feature of democratic politics. Democracy is not about eliminating boundaries but about making them contestable (Mouffe, 2005). From this perspective, the Borderland Assembly would not fix the demos once and for all but would instead institutionalise ongoing negotiation over inclusion. This directly strengthens the fourth indicator on non-discrimination, by preventing national

citizenship, language, or place of birth from functioning as unchallenged criteria of political relevance.

A third criticism could be the proposal's speculative character. Given the limited empirical scope of this thesis, the Borderland assembly may appear more normative than practical. Yet this objection would overlook the analytical role of the borderscape itself. As the borderscape is meant to be a laboratory for experimentation rather than a ready-made governance solution (H. van Houtum & M. Eker, 2015). In this sense, the assembly should be understood as a heuristic intervention that renders democratic shortcomings visible and testable. It provides a framework through which accountable enforcement can be meaningfully addressed by creating cross border oversight mechanisms that challenge the current fragmentation of responsibility (Bovens, 2005).

Another criticism would address the internal power asymmetries within participatory forums. Deliberative spaces often privilege those with linguistic capital, institutional familiarity, and socio-economic security, thereby reproducing inequality under the banner of participation (Fricker, 2007). This underscores the importance of embedding transparency into the institutional design itself. Multilingual accessibility, facilitation, compensation for participation, and safeguards against epistemic exclusion would be necessary conditions for democratic functioning. Here, the recognition of experiential border knowledge aligns the concept of situated knowledge, challenging technocratic dominance and reinforcing democratic legitimacy (Haraway, 1988).

A final critic could be whether national governments would meaningfully respond to such an assembly in the absence of binding authority. Yet democratic influence is not reducible to formal power alone, legitimacy also emerges through public justification and communicative contestation (Habermas, 1996). Even without veto power, a Borderland Assembly could exert normative pressure by demanding justification for cross-border impacts, thereby reinforcing compliance with international norms, particularly those related to human rights, equality before law, and democratic accountability.

This list of critics is not exhaustive. However, those listed here do not undermine the proposal but clarify its purpose. The indicators developed in this thesis demonstrate that democratic deficiencies at border are not accidental but structural, rooted in governance architectures that privilege territorial sovereignty over lived experiences. The Borderland Assembly does not claim to resolve this tension definitively. Instead, it operationalised the indicators by translating them into an institutional experiment capable of politicising border effects, redistribution voice, and rendering governance accountable within the borderscape itself. In doing so, it reframes the border not as a democratic exception, but as a critical site for democratic innovation.

Therefore a recommendation for further research would be to investigate the possibility of a bilateral governance system in border regions. To research how this would work in practice and in what way this could improve the posed issue in these border regions. The best way to do this is to take a full border region, or perhaps one of the laid-out areas that are assigned to the Euregions on the borders of Member States. And try and implement policies, initiatives and perhaps institutions that counter the issues of undemocratic practices that I stated by means of the indicators I have given.

Limitations and further research

This thesis has deliberately adopted a theoretical and conceptual approach to the question of democratic legitimacy in border governance. While this allows for a critical integration of border studies, democratic theory, and borderscapes literature, it also entails clear limitations. Most importantly, the analysis is not based on systemic empirical data collection. The examples drawn from the Dutch German border region, particularly those from my internship at the Euregio, serve as illustrative rather than evidentiary material. They highlight structural patterns and democratic tensions, but they do not allow for causal claims or generalisation across border regions.

A second limitation concerns the normative character of the proposed Borderland Assembly. Although grounded in established theoretical debates on democratic inclusion, accountability, and participation, this proposal remains speculative. The thesis does not provide a legal feasibility analysis, nor does it assess the political willingness of national governments or regional authorities to support such an institutional transformation. Moreover, while the framework of democratic indicators offers an analytical tool for evaluating border governance, it has not been empirically evaluated across multiple cases.

These limitations point directly towards promising avenues for future research. First, empirical studies are needed to examine how borderlanders, dwellers, and cross-border workers perceive democratic representation and political exclusion in their everyday lives. Qualitative interviews, participatory workshops, and surveys within specific borderscapes would provide crucial insight into who feels represented, who remains unheard, and why. Second, comparative research across different European border regions could assess whether the democratic deficits identified in the Dutch-German case are systemic or context-specific.

Further research should also explore the legal and institutional feasibility of participatory borderland governance. This includes analysing how existing frameworks, such as the Euregio, EGTCs, or EU level coordination mechanisms, could be adapted to support more inclusive and accountable forms of decision-making without undermining national sovereignty. Finally, future work could refine and operationalise the democratic indicators developed in this thesis, evaluating their applicability in policy design, evaluation, and cross-border governance practice. Together, these directions underline that the aim of this thesis is not to provide a definitive institutional solution, but to reframe borders as critical democratic sites. By doing so, it opens space for empirical,

legal, and participatory research that can further explore how border might be governed more democratically in practice.

Conclusion

This thesis set out to critically examine whether European internal border, despite the rhetoric of openness, integration, and cooperation, can genuinely be considered democratic. What initially appeared as a personal and seemingly trivial experience of living in a border region gradually unfolded into a broader political and democratic problem. Receiving iodine tablets as a precaution against a potential nuclear incident originating not from my own country but from across the Belgian border revealed, in hindsight, a fundamental democratic tension. A decision with potentially profound consequences for my safety and wellbeing was taken beyond my political reach. At the time, this experience passed unnoticed. Only years later did it manifest into a sense of democratic unease that would come to shape the central inquiry of this thesis.

From this starting point, the thesis developed into a systemic exploration of border regions as spaces where democratic principles are evaluated, strained, and often undermined. The central question asked at the beginning: whether European internal borders are democratic, was approached not as a binary problem but as a layered and structural one. Rather than asking whether border is democratic in themselves, the analysis focused on how borders are governed, experienced, and legitimised, and who are included or excluded from these governing practices. Discovered was that while academic understandings of borders have evolved significantly, political, and administrative practices often remain anchored in territorial state logic. Even within the European Union, where internal borders are formally open under the Schengen agreement, policy-making, legal authority, and democratic participation largely stop at national boundaries. This disconnect from the structural backdrop of the democratic deficit explored throughout the thesis.

The second part of the thesis brought this theoretical insight into dialogue with lived reality through the empirical context of the Dutch-German border region. My internship at the Euregio provided a unique opportunity from which to observe how border governance operates in practice. On a daily basis, individuals confronted bureaucratic obstacles related to taxation, pensions, healthcare, education, and labour mobility. These problems were not incidental but structural. These were not failures of European integration in abstract terms, but concrete consequences of mismatched national systems imposed on people whose lives are lived transnationally. The examples discussed, from cross-border healthcare access and tax disparities to environmental decision-making and the placement of wind-turbines, illustrated how national policies

routinely produce cross-border effects without cross-border democratic input. Particularly telling was the case of renewable energy planning, where the German authorities approved wind-turbine projects in accordance with domestic law while disregarding the impact on Dutch residents living just across the border. This case exemplified how borders continue to function as democratic cut-off points, even when their material and social effects extend far beyond the territorial line.

To analyse these patterns systematically, the thesis turned to democratic theory. Rancière's distinction between politics and the police order illuminated how borders operate as mechanisms that determine who is visible, audible, and politically relevant. Borderlanders, dwellers, and other cross-border workers frequently occupy what Rancière calls 'the part with no part.' They are subject to decisions that shape their lives but are excluded from the processes through which these decisions are made. Abizadeh's theory of border coercion further strengthened this critique by demonstrating that borders exercise power not only over citizens but also over non-members, thereby undermining the democratic justification of unilateral border governance. Mouffe's agonistic pluralism added an important corrective by showing that democratic inclusion does not imply consensus but requires institutional spaces where conflict, disagreement, and competing interests can be articulated legitimately. Together these perspectives revealed that the democratic problem of borders is not merely procedural or technical but deeply political. Borders are sites where sovereignty, democracy and inclusion collide. They expose the limits of democratic systems that define political legitimacy exclusively in national terms while governing increasingly transnational realities.

In response to this diagnosis, the thesis developed a framework of five democratic indicators: inclusive policy making, accountable enforcement, transparency, non-discrimination, and compliance with international norms. These indicators were not presented as a checklist guaranteeing democratic borders, but as analytical tools for identifying where and how democratic legitimacy breaks down in border governance.

Applied to the Dutch-German border, the indicators revealed persistent shortcomings. Policy making remains predominantly national, even when policies have clear cross-border consequences. Accountability mechanisms exist but are fragmented, complex, and difficult to access for non-citizens. Transparency is formally upheld yet practically limited by language barriers and administrative opacity. While overt discrimination is rare, structural exclusion persists through unequal access to information, participation, and legal remedies. Compliance with international norms is largely maintained on paper, but their spirit is often diluted in everyday border practices. Taken together, these findings suggest that the democratic deficiencies of the Dutch-German border are not accidental or temporary. They are systemic, rooted in a governance architecture that prioritises state sovereignty over lived transnationality. Border regions thus emerge as

democratic blind spots, spaces where the promise of European integration is rhetorically affirmed but institutionally constrained.

The final part of the thesis explored how these democratic shortcomings might be addressed. Returning to the work of Eker and van Houtum, the concept of the borderscape offered not only an analytical lens but also a normative horizon. By conceptualising border regions as shared socio-political spaces rather than peripheral zones between states, borderscapes open up possibilities for reimagining democratic governance beyond territorial exclusivity. Building on this idea, the thesis proposed a speculative model of bilateral borderland governance, drawing on existing institutions such as the Euregio while critically reflecting on their limitations. Rather than establishing a new sovereign entity or replacing national authority, the proposal envisioned an additional democratic layer, a participatory borderland assembly embedded within the borderscape itself. Such an institution would not derive legitimacy solely from states but from the people who experience the border in their everyday lives.

This proposal directly responds to the critiques raised throughout the thesis; it seeks to operationalise inclusive policymaking by incorporating affected voices from both sides of the border. It enhances accountability by creating a forum for cross-border oversight and contestation. It strengthens transparency through multilingual accessibility and shared deliberation. It counters discrimination by recognising diverse borderland identities as politically relevant. And it aligns with international norms by embedding democratic principles into the governance of transnational spaces. While at the same time, the thesis has been careful not to present this model as a ready-made solution. The proposal is intentionally exploratory, acknowledging the legal, political, and institutional challenges involved. It does not claim that borders can be made fully democratic under existing state-centric systems. Rather, it argues that borders can be made more democratic by shifting the locus of legitimacy from territory to experience, from sovereignty to participation.

In this sense, the thesis arrives at a nuanced conclusion, borders are not inherently democratic or undemocratic. However, as currently governed, even within the European Union they systematically produce democratic deficits for those who live in and through them. Recognising this is the first step toward change. Border regions should no longer be treated as administrative margins or technical anomalies, but as critical political spaces where democracy must be actively rethought. Ultimately, this thesis contributes to the broader debate on European integration by highlighting a paradox at its core: the EU's ambition to transcend borders has been matched by a corresponding transformation in democratic governance. Addressing this gap is not only a matter of fairness for borderlanders, but a test of the EU's commitment to its own democratic ideals. By reframing borders as lived, contested, and participatory spaces, this research

hopes to contribute, modestly but meaningfully, to imagining a more democratic future for Europe's border regions.

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Annex I

Interview-Martin Schuttenbeld

B. Ja, nou, als jij hem dan achteraf naar mij terug zou willen sturen, dan is het ook opgesteld.

M. Ja, oké, goed. Maar je hebt toch vragen?

B. Ja, ik heb een viertal vrij open vragen, waar ik gewoon een beetje jouw perspectief over zou willen hebben en hoe jij en misschien ook wel de EUREGIO als een instantie hier een beetje instaat.

B. En de eerste is eigenlijk heel globaal en dat is gewoon zowel op individueel niveau als een beetje meer regionaal. Wat zijn nou eigenlijk een beetje de grootste obstakels waar je als mens, als instantie tegenaan loopt in grensregio's?

M. Ja, ik denk dat je in zijn algemeenheid kunt stellen dat je met, ja, of je nou als bedrijf of als burger, privépersoon, grensoverschrijdend actief wordt gaan worden, zeg maar. Dat je gewoon te maken krijgt met andere wet- en regelgeving, op wat voor gebied dan ook, zeg maar.

M. Dus als het een onderneming betreft die iets wil opstarten aan de andere kant van de grens, ja, je zult je toch eerst moeten verdiepen in de regelgeving van het land. Een aantal dingen zijn natuurlijk wel vanuit de EU geregeld op hoofdlijnen, maar wat je in de praktijk ziet is dat landen allemaal hun eigen systemen hebben als het gaat om belastingen, sociale zekerheid, ja, alles op het gebied van rechten. Dat zijn natuurlijk allemaal nationale regelgevingen en ja, voordat je überhaupt weet waar je aan begint, zul je je toch eerst moeten verdiepen in die materie, denk ik.

M. En ik denk dat dat wel een belangrijk ding is en ja, of er nog gelijk een obstakel is, daar kunnen natuurlijk wel wat obstakels uit voortvloeien, maar het begin is eigenlijk om daar kennis van op te doen. Dat je weet waar je mee te maken krijgt, waar je aan moet voldoen, waar je rekening mee moet houden en dat is natuurlijk wel een drempel, want ja, je zult dat toch eerst moeten doen om die stap te kunnen zetten.

B. Precies, want kijk, jullie zijn er vanuit het GIP inderdaad om mensen te helpen met die drempels, ja, om daar overheen te stappen zeg maar, om die informatie te verstrekken.

Maar in die zin zou je denken, mag je verwachten van bijvoorbeeld de provincie Overijssel of Gelderland of de nationale overheid, dat ze daar eigenlijk vanuit hun perspectief al meer aan moeten doen om de grensregio daarin te ondersteunen?

M. Ja, en dat gebeurt in feite ook wel, want als je kijkt naar wie ondersteunt het Grensinfopunt, als het gaat om financiën, dan zijn dat natuurlijk wel de partners die je noemt, zeg maar. Het Grensinfopunt bestaat eigenlijk uit de financiële ondersteuning van het ministerie van Sociale Zaken, bij gelegenheid de provincies in ons gebied dan Overijssel of Gelderland. Aan de Duitse kant de deelstaten, Nedersaksen en Westfalen, en dan wat kleinere partijen, zeg maar, regionale partijen die daaraan bijdragen.

Dus in zekere zin kun je wel zeggen dat wij er niet zullen zijn als zij dit niet zullen ondersteunen, zeg maar. In die zin zien zij denk ik wel het belang en ondersteunen zij dat ook.

B. Ja, aan beide kanten willen verschillende organisaties hebben jullie eigenlijk opgericht om daarvoor het aanspreekpunt te zijn.

M. Ja, klopt. Kijk, je hebt natuurlijk EUREGIO en het Grensinfopunt, dat zijn eigenlijk al twee verschillende afdelingen. Grensinfopunt houdt zich specifiek bezig met de burgers, de ondernemers, de studenten die over de grens actief willen zijn en de partners die we net noemden ondersteunen dat specifiek.

M. En de EUREGIO is meer op een toch ander niveau grensoverschrijdend actief. Je zal wel bekend zijn denk ik met het hele INTERREG-programma dat vanuit de EU gestimuleerd wordt en ondersteund wordt om heel algemene andere thema's, zeg maar, samenwerking te realiseren tussen Duitsland en Nederland. Dat zijn thema's als gebied van gezondheid,

milieu, klimaat, noem het maar op. Alle thema's die hot zijn op het moment. En dan zie je ook dat die INTERREG-projecten zich daarop een beetje concentreren op het moment.

B. Dan had ik nog een vraag. Misschien krijg jij hier niet op dagelijks basis per se vragen over, maar ik ben wel benieuwd naar jouw blik hierop. Als je dan bijvoorbeeld kijkt naar de ophef rondom het windmolenbeleid van Duitsland.

B. Dat ze dat dus op de grens aan het plaatsen zijn en dat de Nederlandse burgers daar het dus niet mee eens zijn. Hoe denk je dat in jouw expertise dit voorkomen had kunnen worden, dat dit zo'n probleem is geworden?

M. Ja, dat is een lastige. Dat is nu eerst een voorbeeld van investeringen, initiatieven die door het land, de gemeente of de deelstaat, ik weet het niet eens precies, geïnitieerd en beslist worden.

M. En natuurlijk, als dat pal op de grens is, dan krijg je vanuit de andere kant van de grens natuurlijk een reactie op. In welke vorm dan ook. En hoe kun je dat voorkomen? Dan zal je toch voordat je plannen maakt, al eigenlijk met elkaar in contact moeten komen om daarover te spreken.

M. Hoe daarmee om te gaan, met name in de grensregio. Dat zal wellicht niet gebeurd zijn. Ik denk dat dit meer reacties achteraf en dat er nu achteraf gedacht wordt van oké ja, misschien was het toch beter geweest om daar eerder met een grensoverschrijdende blik naar te kijken.

M. Maar ja, dat is niet gebeurd. En het was wellicht beter geweest om het wel te doen. Maar ja, dat zijn wel lastige dingen natuurlijk. Want over het algemeen kun je zeggen, dat doen we in Nederland al, mensen willen het liefst iets niet in hun achtertuin hebben. Zeker niet zoiets. Maar zeker grensoverschrijdend. Binnen Nederland, als het binnen een land is, dan heb je als belanghebbende omwoner daar natuurlijk wat eerder inspraak in. Dan kun je daar misschien zienswijze over meedenken. Maar ja, nu is het waarschijnlijk, ik weet niet precies hoe het gegaan is, maar aan de ene kant van het land al besloten en denkt het dan pas door over de grens wat de gevolgen zijn.

En dat kan misschien beter door eerder daarover te spreken met elkaar. Ja, dat is interessant. Dat is eigenlijk een beetje de rode draad van mijn scriptie.

B. Je woont in zo'n grensregio, en als ze aan de andere kant van het land iets beslissen, maar dat heeft wel impact op jouw leven in zekere zin, waarom heb je daar geen inspraak op?

B. Het stukje van, is de grens ansich democratisch, dat is de hoofdlijn in mijn scriptie. Dus zou je dan verwachten dat als zo'n plan gemaakt wordt binnen x afstand van een grens, dat de andere kant daar inspraak op zou moeten hebben?

M. Ja, ik denk dat dat weer waar we het begin over hebben gehad, dat wetgeving vooral nog een nationaal gebeuren is. En natuurlijk zijn er wat EU-richtlijnen rondom verschillende thema's en onderwerpen, maar als het om dit soort zaken gaat, dan kunnen dit soort dingen aangevraagd worden en goedgekeurd worden binnen de nationale wetgeving, zeg maar.

M. In die zin is er dan nog niet een inspraak mogelijkheid, voor zover ik weet, over de grens heen, dus op EU-niveau geregeld. Ik weet niet eens precies welke, maar er zijn diverse EU-richtlijnen die te maken hebben met grensoverschrijdende mogelijkheden, en of er hier überhaupt iets voor is, zeg maar, ik heb geen idee.

M. Maar daar zou het misschien wel mee moeten beginnen, zeg maar, want in de zorg heb je ook wel mogelijkheden om iets over de grens te laten doen, maar als burger moet je dan weten dat er überhaupt een mogelijkheid is. Ik weet dat daarvoor wel een EU-richtlijn is, en er staat ook wel beschreven wat wel en niet kan. Maar er zal niet een richtlijn zijn voor alle situaties en alle thema's, zeg maar.

M. Om dat te voorkomen zou, denk ik, een begin zijn om op dat niveau richtlijnen te hebben, bijvoorbeeld over inspraakmogelijkheden.

B. Ja, dat brengt mij al een beetje naar mijn laatste vraag straks. Er zijn een aantal wetenschappers, waaronder mijn scriptie-supervisor, die hebben een beetje gespeeld met het idee om de grensregio, dat is een bepaald gebied, zij hebben er twintig kilometer van gemaakt, aan weerszijde van de grens, om dat als eigen provincie of gemeentepolitiek orgaan te beschouwen. Ze hebben er een beetje gespeeld met dat idee. Zou je denken dat

dat een oplossing biedt? Want dan zou je bijvoorbeeld kunnen stellen dat de Euregioraad daar de volksvertegenwoordiging van is, dus binnen de grensregio heb je daar dan alweer een inspraakmogelijkheid. Zoals ze het dus eigenlijk hebben onderzocht, of gespeeld hebben met het idee, in dit geval Duitsland maakt een beslissing, dat valt dus binnen die twintig kilometer grens van de landsgrens, het dan onder het gezag van bijvoorbeeld zo'n Euregioraad vallen.

B. Dat vind ik heel lastig om dat zo snel even te overzien, wat daar dan weer de voor- en nadelen van zouden zijn. Ik denk op zich, als je zeg maar, al eens een inspraakmogelijkheid zou hebben als burger, dan kun je een straal of een afstand van de grens voor bedenken. Aangaande dingen die aan de andere kant van de grens gebeuren, dan heb je in ieder geval al iets.

M. Om dat nou te overkoepelen, dan krijg je ook weer te maken met bevoegdheden van, wat jij dan noemt, een Euregioraad. In hoeverre is die bevoegd om mede te beslissen, of een investering aan hun kant van de grens wel of niet door kan gaan.

B. In hun huidige rol, als ik me niet vergis, hebben ze een puur adviserende rol. Als je daar dan een uitvoerende rol aan zou kunnen toevoegen, denk ik dat dat een oplossing biedt. Als bijvoorbeeld de Duitse regering wil die windmolens op de grens, dat moeten zij dan voorleggen bij het binationaal parlement, om het zo maar te zeggen, in die EUREGIO. Zou die dan mogen zeggen, nee, dat gaan we niet doen? Zou je denken dat ze die bevoegdheid zouden moeten hebben?

M. Ja, of het zo ver moet gaan, dat kan ik eerlijk gezegd helemaal niet overzien.

M. Misschien wel dat zulke plannen in kaart moeten zijn, of misschien ook gemeld moeten worden bij zo'n raad. En dat die iets kunnen sturen in betrekking tot inspraakmogelijkheden of zo, zinswijzers, dus toch een beetje operationeel in die zin kunnen fungeren. Dat zou misschien nog wel iets zijn om te realiseren en rekening te kunnen houden met de andere kant van de grens, zeg maar, wat de impact voor iets is.

M. Bevoegdheden of beslissingsbevoegdheden, dat is natuurlijk wel een heel ander verhaal, omdat dan krijg je er eigenlijk weer een dimensie bij, zoals ik het nu even snel zie. Dus niet alleen landen, Duitsland kan je ook nog weer met deelstaten bijvoorbeeld te maken, die

beslissingsbevoegdheden hebben, best wel veel, als je het vergelijkt met Nederland, zeg maar. Dus dat lijkt mij best complex, zeg maar, om zo iets te kunnen realiseren.

M. Dat overzie ik ook even niet op dit moment.

B. Dan komen we in die zin redelijk op dezelfde conclusie uit, want ik las dit artikel dus, en dan denk ik, nou, is dit een goed idee? Ik denk dat je dan inderdaad heel veel andere, nog complexere problemen kunt veroorzaken. Je verlegt eigenlijk de grens twee kanten op, je krijgt twee nieuwe grensregio's in die zin.

B. En wat je dan ook creëert, in mijn optiek, is dat die mensen ook weer gekozen moeten worden. En nu zijn het volgens mij gewoon de hoofden van de gemeentes, de provincie, de delegaties, noem het maar op. Maar ik denk, als je het zo wil gaan maken, dan moet het ook daar, in zekere zin verkiezingen komen.

B. En ja, wie mag allemaal stemmen, en wie mag zich verkiesbaar stellen, en dat soort dingen allemaal. Dus inderdaad, het zou wel zo'n hoop extra problemen kunnen veroorzaken. Het lijkt me niet zo makkelijk, nee, nee, nee, nee.

B. Dan had ik hier, want ik had er een viertal vragen, nu heb ik er nog eentje. En dat is een van de theorieën die ik gebruik, of theorieën. Wat mij opvalt, is dat als ik heel veel teksten lees, van tankers en ook van de Europese Unie zelf, is dat daarin, in die teksten, zeker uit het begin van het jaar 2000, dat het woord grens en obstakel heel veel in één zin genoemd wordt.

B. En daar zijn mijn supervisors heel terecht, ja, maar als je denkt in obstakels, dan zijn er obstakels. Dus, en hoe meer je nou theorieën van deze tijd gaat lezen, zie je dat denkers meer gaan zien dat de grens als een, en het Nederlands woord hiervoor weet ik eigenlijk niet, maar een grens als een resource, bron in zekere zin, voor meerdere mogelijkheden. En dat valt natuurlijk redelijk in jouw wijk niet, want mensen die over de grens willen werken, dat is wel een resource voor de andere kant.

B. Maar, zeg maar, dit grens en obstakels denken en de verandering naar de grens als een bron, als een resource. Denk je dat dat weer een verandering is, of denk je dat het denken in

obstakels juist de denkwijze creëert van, oké, er zijn obstakels die moeten we oplossen. Want als we die dus niet meer gaan zien, in zekere zin, dan gaan we ze ook niet meer oplossen.

B. Als het duidelijk is.

M. Ja, nou ja, kijk, in het algemene, het is de visie natuurlijk van een EUREGIO, Grensinfopunt, om die grens een beetje uit de hoofden van de mensen te halen, die er in zekere zin bij iedereen wel is altijd.

M. Mensen die op zoek zijn naar een baan bijvoorbeeld, die nemen bijvoorbeeld de vacature sites, geeft een straal van je woonplaats in, die kijkt maar één kant op, zeg maar, die kijkt niet over de grens heen. Het komt vaak niet in mensen op, zeg maar, om überhaupt daarnaar te gaan kijken, of je moet echt persoonlijk heel erg geïnteresseerd zijn in het internationaal, het grensoverschrijdende, zeg maar, dan ga je zoveel op zoek. Maar ik denk dat heel veel mensen gewoon niet bij stilstaan, dat het gewoon mogelijk is om over de andere kant van de grens iets te doen, zeg maar, qua werk of ondernemen.

M. In hun hoofd is dat misschien een hele hoge barrière, onbekendheid. En natuurlijk heb je te maken met andere dingen, waar je kennis van zult moeten nemen, je laten voorlichten, om te weten waar je aan begint. Of het echt zo'n obstakel is of niet.

M. Ik denk vaak als je goed voorgelegd wordt, en je weet wat je te wachten staat, en je weet wat je moet doen, dat het in die zin al niet meer zo'n obstakel is. Dan heb je concreet een beeld van wat het gaat betekenen, wat je moet doen. Dat merk ik ook vaak aan mensen die hier komen, informeren, en je legt ze een aantal dingen uit.

M. In het begin is dat best wel veel informatie, ook voor ZZP'ers bijvoorbeeld, die iets over de grens willen doen. Dat kan misschien een beetje afschrikken, zeg maar, maar als je heel concreet met hen de stappen bespreekt, en iemand wil het echt, dan, als je over die fase heen bent, dat het eigenlijk gewoon loopt. Net als dat je in Nederland zou werken, of niet over de grens zou werken.

M. Dat kan gewoon dan ook jaren doorlopen, totdat er misschien iets verandert in de persoonlijke situatie. Dan zijn er weer momenten dat je even moet kijken of dat ook consequenties heeft, of dat er dingen gaan veranderen. Maar ja, het blijft volgens mij wel heel moeilijk om in zijn algemeenheid mensen, om die drempel die er in de hoofd zit, zeg maar, om die weg te krijgen.

M. Dat is gewoon lastig, zeg maar. Ja, dat blijft me tussendoor moeilijk denken. Misschien is het ook wel met de persoonlijke interesse van mensen te maken, dat de mensen het gewoon helemaal niet willen, en helemaal niet open voor staan.

M. Ja, wat we weleens te horen krijgen, is dat we moeilijk te vinden zijn voor mensen. En mensen weten niet dat wij bestaan, bijvoorbeeld. En hadden we het maar eerder geweten, het geeft ook aan dat mensen echt in de situatie komen, zeg maar, of achteraf, dat ze ons weten te vinden.

M. Ja. Kijk, de EU is daar natuurlijk wel actief mee. Gewoon het label mobility in de EU is wel een thema, dat het allemaal makkelijker moet en vanzelfsprekend moet zijn.

M. En in die zin is het dat ook wel. Mensen hoeven geen visums of zo aan te vragen of ergens te mogen werken. En het is ook handig voor seizoensarbeid, dat je toch vrij makkelijk mensen vanuit EU-landen, zeg maar, kunt overhalen naar een ander land voor een aantal maanden.

M. Kijk, maar het levert ook wel weer problemen op, met migranten, arbeidsmigranten en huisvestingen, dat soort dingetjes, zeg maar. Dus ja, het is lang niet, zeg maar, één EU wordt vaak genoemd, maar in de praktijk heb je nou eenmaal toch wel steeds weer met wat obstakels en dingen te maken. Dat is een lang proces, zeg maar, denk ik, om dat steeds maar weer makkelijker te maken.

B. Ja, wat je dan zegt inderdaad, dat jullie nog vrij onbekend zijn bij de mensen. Dan zou je bijna denken van, moet er dan op een andere schaal hiervoor bekendheid gemaakt worden? Ik bedoel, op scholen al, en in zekere zin gebeurt dat, want er zijn natuurlijk heel veel uitwisselingsprogramma's voor basisscholen en middelbaarscholen, Maar zou dan ook, in die zin van, bijvoorbeeld, neem het Saxion, als ze daar de opleiding bedrijfskunde of

ondernemerschap volgen, dat ze gewoon in zekere zin verplicht worden om een keer bij jullie langs te gaan?

M. Ja, nou ja, goed.

M. Kijk, wij zoeken natuurlijk wel mogelijkheden om ons bekend te maken. Ik bedoel, inderdaad wel eens presentaties. Ik ben zelf begin van het jaar nog op Saxion geweest van een groep fysiotherapiestudenten. Het thema werken in het buitenland. Dus we proberen wel, in die zin, te wijzen op de mogelijkheden. En het is niet zozeer onze taak om mensen de grens over te halen, maar wel te wijzen op de mogelijkheden die er zijn, en dat ze daar informatie over kunnen inwinnen.

M. Dus dat proberen wij wel. Maar we zijn toch ook niet zo'n organisatie die zoveel mensen heeft dat we constant onderweg kunnen zijn en ons overal kunnen presenteren. Dus daar zit ook wel een bepaalde spanning tussen. Qua bezetting en qua individuele aanvragen is het gewoon hartstikke druk. Dus daar zijn we toch wel 80% van onze tijd mee bezig. En voor de rest proberen we natuurlijk ook wel zoveel mogelijk naar buiten te treden en voorlichtingen of op evenementen. Immigratiebeurzen hebben we bijvoorbeeld altijd, om ons ook zichtbaar te maken.

B. Duidelijk. Je zou bijna hopen, eigenlijk in zekere zin, dat het op een of andere manier onderdeel van het curriculum wordt op die scholen.

B. Zeker niet dat jullie daar iedere keer naartoe moeten, maar dat er wel een presentatie namens jullie erover gegeven wordt.

M. Ja, we zijn ook constant aan het denken van hoe kunnen we onze naamsbekendheid vergroten. We zijn geen commerciële instanties, dus we kunnen niks met reclame of wat dan ook doen.

M. Dus we moeten echt hebben van informatiebrochures bij instanties, gemeenten of scholen, om mensen op onze aanwezigheid te wijzen. Het is wel altijd iets wat altijd weer terugkomt en waar we ook altijd over nadenken. Vooral ook omdat we toch steeds weer de

vraag opmerking krijgen van mensen van we wisten helemaal niet dat jullie er waren. Dus je houdt je wel constant bezig, hoe kun je dat verbeteren.

B. Dat geloof ik ja. Dan ben ik eigenlijk al een beetje door mijn vragen heen.

B. Zoals ik zei, het duurt maar een half uurtje, drie kwartier, want het waren maar een aantal wel redelijk vrij open vragen natuurlijk. Daarvoor bedank ik jou heel erg voor jouw antwoorden. Die gaan mij zeker helpen, want ik heb nou zeker ook een beetje de blik van een expert in de regio, hoe hij erover denkt.

B. Dat is helemaal top. Dan mag je voor mij nu de recording stoppen.

M. Ja, ik laat het stopzetten.

