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Abstract

This article sets out to summarise the policies, practices and experiences of immigration detention in contemporary Greece, as well as outlining how they have been critiqued domestically and internationally. The article proceeds to address the ways in which the Greek state has reacted to criticisms and pressures for reform, especially from abroad. It is argued that neither domestic nor international interventions have succeeded in bringing about substantive progressive change in the Greek immigration detention system. Rather, Greek state authorities have systematically neutralised criticisms by employing an array of rhetorical techniques, most notably through evocation of philoxenia (broadly meaning hospitality to foreigners and strangers more generally) as a natural trait common to all Greeks. In addition to highlighting the dubious and paradoxical dimensions of the rhetorical defences deployed by the state in Greece, particularly concerning its discourse of philoxenia, the article goes on to discuss the main socio-political functions that have subtly been served inside the country's borders through maintenance of deplorable policies and practices of immigration detention, including the symbolic management of public anxieties in accordance with what may be termed the 'more eligibility' principle. In pointing to these functions, the article helps to explain why the Greek state persists in making use of rhetoric that is blatantly indefensible and bound to attract further disapprobation.

Keywords

Irregular migration, immigration detention, Greece, state responses to criticism, philoxenia, 'more eligibility' principle

Despite variation in the ways in which so-called 'host' countries in Europe have responded to migration flows over recent decades, there is no doubt that immigration is a hot political issue across the continent, both within individual nation-states and at

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European Union level, particularly with reference to irregular migrants. But few, if any, countries in Europe have concerned themselves with immigration and have found themselves at the epicentre of pertinent international attention as much as Greece. In good part, this has been due to the fact that Greece's extensive coastal and mainland borders with Turkey are the main point of entry for irregular migration in the EU, hence also the exceptionally large numbers of migrants entering the country clandestinely. Indeed, although irregular migration into the EU as a whole has dropped in recent years, entries into Greece have grown to constitute the large majority of detected illegal border crossings into the continent (see e.g. FRONTEX, 2010). Additionally, however, immigration in Greece has increasingly been debated in terms of how immigrants are treated in the country, with several domestic and especially international actors levelling heavy and sustained criticism against the Greek state for what they commonly describe as its unjust, inhumane and degrading policies and practices towards immigrant populations. Central to this debate have been the excessive use and harsh conditions of administrative detention of irregular migrants in Greece.

Bringing together material from a range of sources in both Greek and English, from official documentation by government and independent actors to media reports and scholarly research, this article sets out to offer a systematic summary of the policies, practices and experiences of immigration detention in Greece, as well as outlining how they have been critiqued domestically and internationally. Against this background, the article proceeds to shift the focus to the ways in which the Greek state has reacted to criticisms and pressures for reform, especially from abroad. State reactions to such interventions have remained relatively understudied to date, whether in relation to Greece or other jurisdictions. Scholarly research has been mainly preoccupied either with the scope and validity of criticisms as such or the specific structure and operations of the institutions that raise them (e.g. inspectorate and judicial bodies). Much less is known about the nature of reactions from the states concerned, the forces that determine them and their respective influence on the effectiveness of censures (for partial exceptions see Cornelisse, 2010; De Genova and Peutz, 2010; Wilsher, 2012).¹ Greece readily lends itself as a case study through which to advance understanding of these issues, given both the variety and intensity of criticisms the country has received of late.

This article finds that neither domestic nor international pressure have succeeded in bringing about substantive progressive change in the Greek immigration detention system. As is shown, Greek state authorities have systematically neutralised criticisms by employing an array of rhetorical techniques, most notably through evocation of national heritage in the form of both direct and indirect claims that Greeks are the philoxenous people *par excellence*, descended straight from the ancient Hellenes of the days of Xenios Zeus, the god of hospitality to foreigners and strangers more generally. In addition to highlighting the dubious and paradoxical dimensions of the rhetorical defences deployed by the state in Greece, particularly concerning its discourse of philoxenia, the article goes on to briefly address the main socio-political functions that have subtly been served inside the country's borders through maintenance of unjust and inhumane policies and practices of immigration detention. These functions have ranged from facilitating the sustenance of a vast exploitable labour pool, in line with what is referred to in pertinent Anglophone literature as the 'less eligibility' principle, to allowing for the symbolic

management of a variety of discontents amongst average Greek citizens, including by compensating for their spreading pains of downward mobility and falling living standards since the financial crisis hit Greece in 2009, in accordance with what this article terms the 'more eligibility' principle. Once one begins to grasp these functions, one has already gone a long way towards explaining why the Greek state stubbornly persists in making use of rhetoric that is blatantly indefensible and bound to attract further disapprobation.

Irregular migration in contemporary Greece

Greece first became a country of net immigration in the 1990s, following the fall of communist regimes in Eastern Europe and the Balkans. Despite variations in terms of size and composition over the years, the population of migrants entering Greece illegally has grown overall to constitute a large part of the total population of immigrants in the country. In 2011, for example, out of an estimated total of 887,658 immigrants in Greece (itself amounting to around 8% of the country's total population), close to half are believed to have been unregistered, with a substantial decrease recorded in the proportion of irregular migrants from Albania and a concomitant increase in the proportion of Asians and Africans (see Triandafyllidou, 2012; also Maroukis, 2012a, 2012b).

What has made Greece such a common destination for irregular migrants is, on one hand, her extensive land and coastal borders with several migrant source countries (e.g. Turkey, Albania), which also renders Greece the main gateway for irregular migration to the European Union, and, on the other hand, her large informal labour market (including e.g. agriculture, the construction industry, and domestic services), which in practical terms has readily absorbed unskilled and semi-skilled workers without papers (see further Lawrence, 2005; Papadopoulou-Kourkoulou, 2008). Opportunities for long-term settlement, however, are few and far between in Greece, not least due to state reluctance to recognise the status and address the needs of asylum seekers and irregular migrants. Although, for example, the volume of asylum applications to Greece has grown to be amongst the highest in Europe, the country has maintained one of the lowest rates of asylum recognition in the continent, having long avoided putting in place an efficient and effective system for processing applications (CPT, 2011; Karamanidou and Schuster, 2011). Similarly, whilst irregular migrants are overrepresented in Greece amongst the poorest and most vulnerable, there is no clear legal basis for them to submit claims for emergency social assistance (European Committee of Social Rights, 2010; see further Cheliotis and Xenakis, 2010).

Immigrants' prospects for integration in Greek society are further undermined by the treatment they receive by the police. Immigrant communities in Greece are systematically subject to over-policing, including a greater likelihood of being stopped and searched and so-called 'sweep' or 'cleaning operations' launched in the name of fighting illegal immigration, drug-related criminality and prostitution (see further Cheliotis and Xenakis, 2011). Practices of police violence against immigrants have also been reported with notable regularity, from the unwarranted use of force and the deliberate destruction of residence permits during routine identity checks to physical maltreatment in police stations (see e.g. Amnesty International, 2012a). Police authorities have shown

remarkable restraint, on the other hand, in cases where members of the neo-fascistic party Chrysi Avyi (Golden Dawn) have perpetrated open attacks on immigrants and their property (Xenakis, 2012), and where they have issued threats against activist organisations that offer assistance to immigrants in need (see *Eleftherotypia*, 8 February 2013). More generally, according to data provided by Greek and international NGOs, racist violence has been a serious and rapidly growing issue in the country (Xenakis and Cheliotis, 2013a). It comes as no surprise that the number of immigrants who wish to leave Greece has reportedly been on the rise (although this has also been due to the contraction of employment opportunities in key sectors of the informal labour market, such as the construction industry, amidst conditions of financial crisis since 2009; *BBC*, 17 April 2011, 20 February 2012).

An accumulating throng of reports from domestic and especially international media and organisations have strongly condemned Greece for the unjust and harsh treatment immigrants receive in the country, as well as for the continuing failure of the Greek state to tackle the issue (see e.g. Amnesty International, 2012a; Human Rights Watch, 2013a; UNHCHR, 3 December 2012). This criticism, described by segments of the Greek press in such terms as ‘international ridicule’ (*To Vima*, 20 July 2012) and ‘repeated slaps’ (*Kyriakatiki Eleftherotypia*, 3 March 2013), has not yet brought about substantial remedial action on the part of the Greek state and its authorities, who have rather chosen to erect walls of denial.

As recently as March 2013, the Greek government reportedly tried to exert diplomatic pressure upon the US State Department to exclude critical reference to Greece from the introduction to its annual human rights report (*To Vima*, 16 March 2013). When criticisms come to light, as they increasingly do, they are typically dealt with by the Greek state, whether directly or indirectly, through various rhetorical defences: from rationalising the type of treatment immigrants experience in Greece by emphasising the criminal and other dangers their presence allegedly creates (a technique aptly captured in the all-too-common phrase ‘I am not a racist, but’), to explaining away failure to address the problem by reference to the exceptionally large number of irregular migrants in Greece and a lack of financial resources, especially since the onset of the financial crisis in the country (see e.g. *To Vima*, 19 November 2012), to undermining the extent of the problem (see e.g. *To Vima*, 21 January 2013) or even denying the very possibility that racism can manifest itself amongst Greek people. As the Greek prime minister himself put the latter point in a highly publicised speech he gave in March 2013, Greeks have been against racism ‘from the depths of centuries’, because they are both culturally and biologically predisposed to oppose it; because ‘their tradition does not allow them [to do otherwise]’ and because ‘there are very powerful antibodies in our DNA, in our gene, which fight that “virus”’ (Prime Minister’s Press Office, 17 March 2013).

It is little wonder that harsh state policies towards immigrants have not only continued unabated, but have also intensified and expanded in recent months and years. In 2012, for instance, a barbed-wire fence was constructed along a section (12.5 km) of Greece’s mainland borders with Turkey in the prefecture of Evros in a bid to prevent irregular immigration. Similar developments have taken place inside Greece, although often under the familiar banner of Greek philoxenia. Most notably, an unprecedentedly massive police operation to capture irregular migrants was launched around the country in 2012,

during which several thousands of suspects were temporarily detained, and many of them, including tourists, were also allegedly subjected to physical abuse by officers (*BBC*, 10 January 2013). The operation was named after the ancient Greek god of hospitality, Xenios Zeus, and has been portrayed by the Minister of Public Order and Citizen Protection, Nikos Dendias, as an effort to restore the human rights of illegal immigrants (*SKAI*, 6 August 2012), if also, ironically, as part of a broader strategy of deterrence, aimed at turning Greece into an ‘unfriendly destination’ for those considering entering or staying in the country clandestinely (*SKAI*, 4 October 2012).²

The most controversial developments, however, have occurred on the front of immigration detention, even though Greek state authorities have once more responded with denial to criticism from inside the country and abroad.

Immigration detention in Greece

Greek law formally provides for the administrative detention of irregular migrants from non-EU (or ‘third’) countries as part of a process whereby their deportation can be organised. At the time of writing, following a series of extensions of the legal maximum duration of administrative detention, irregular migrants may be detained in the country for a period of up to 18 months, until their eventual deportation becomes possible. Similar to pertinent international legislation, Greek law stipulates that administrative detention pending deportation should be used only when there is a risk that the migrant in question might abscond or pose a danger to public safety. In practice, however, Greek authorities enforce detention as a matter of course, automatically and indiscriminately, which raises issues of arbitrariness (ICJ and ECRE, 2013; see also Amnesty International, 2012c; MSF, 2010a; UNHCHR, 2013). As far as asylum seekers are concerned, they must remain in detention until a decision is reached on their application. Yet procedural delays are typically so excessive that asylum seekers whose deportation is deemed unfeasible are often essentially forced to withdraw their application in order to expedite their release (see further MSF, 2010a), whilst the long legal maximum duration of detention for asylum seekers, also raised to 18 months for those who lodge an asylum application once detained, is perceived by many as a means of dissuading them from seeking international protection in the first instance (UNHCHR, 2013; see also Amnesty International, 2010, 2012c).

Upon arrest, irregular migrants are routinely subject to a temporary detention order that is issued by local police authorities and does not need to be approved by a judge. Temporary detention may last up to three days, during which time an administrative deportation order must be issued in order for detention to continue further without contravening pertinent legislation. Indeed, the deportation order is usually accompanied by an order for the continuation of detention. Most detention orders only briefly state that the individual concerned is considered to be at risk of absconding or poses a danger to public safety, but they provide no evidence or additional details in either of these respects. Although practices may vary from one locality to another, but also according to the nationality of the apprehended migrant, the vast majority of migrants are held in detention beyond the initial three-day period. Not all remain in detention until its legal maximum duration is reached, because, for example, preparations for deportation are

completed, or, conversely, because deportation is deemed unfeasible and the migrant has to be released. Detainees who have applied for asylum and whose applications are still pending at the time of release, are usually issued a deportation order and a note to leave the country within 30 days, as if they had never lodged an asylum application (see further Amnesty International, 2010, 2012c; FRA, 2011; Pro Asyl, 2012).

The administrative detention infrastructure in Greece includes two main types of facilities: first, police and border guard stations, which are meant to be used for the purposes of short-term detention and screening of apprehended migrants; and second, detention centres, which are controversially referred to in official discourse as 'philoxenia centres' and are meant to hold foreign nationals awaiting deportation. Due largely to reasons of overcrowding, these distinctions are hardly observed in practice, in that police and border guard stations are commonly used to detain migrants for extended periods of time (see e.g. Pro Asyl, 2012). There were six detention centres in place at the time of writing, their combined operational capacity being officially around 5,000, with plans seemingly under way to add new centres and construct extra accommodation at existing sites so as to quadruple the system's overall capacity within 2013 (Ios, 9 December 2012). These plans are not surprising given, on one hand, the repeated extensions to the legal maximum duration of immigration detention in Greece, and, on the other hand, various reports indicating that the population of immigrant detainees in the country has undergone a rapid rise over recent years and that the total annual numbers of irregular migrants held in particular detention centres (and especially in the centre of Fylakio in Northern Greece) are already well above the official operational capacity of the Greek immigration detention system as a whole (see e.g. Government of Greece, 2012; Pro Asyl, 2007). The vast majority of detainees are kept in the centres of Fylakio, Amygdaleza and Corinth, but further relevant information from official sources has long been unavailable or unreliable.

It should be noted here that irregular migrants may also be held in conventional prisons. Over the last two decades, non-Greeks have grown to outnumber Greeks behind bars (amounting, for example, to 7875, or 60%, out of a total of 12,912 pre-trial and convicted prisoners on 1 January 2013), with a significant and increasing proportion of non-Greeks – half of them by 2012, for example – being imprisoned in connection with illegal entry into, departure from, or stay in the country. Albeit a crucial aspect of the broader phenomenon of punitiveness against irregular migrants in Greece, their detention in conventional prisons is not elaborated in this article for reasons of space (but see Cheliotis, in progress).³

Conditions of immigration detention⁴

Unlike with trends in the use of immigration detention as such, abundant solid evidence has been publicly revealed, if not by the Greek state itself, on the conditions under which irregular migrants are detained in Greece.

A wealth of reports produced by domestic and international mass media and organisations, but also a growing body of pertinent scholarship, have demonstrated that immigration detention in the country entails lengthy exposure to conditions that amount to inhuman and degrading treatment. Immigration detention, moreover,

extends to particularly vulnerable groups such as pregnant women, seriously ill and elderly individuals, and children. Indeed, the detention of minors itself, whether they be held with their families or unaccompanied, stands in violation of the UN Convention of the Rights of the Child, of which Greece is a signatory (see further Amnesty International, 2012c; CPT, 2009, 2010, 2012; Human Rights Watch, 2011; Lauth Bacas, 2010; Pro Asyl, 2007, 2012).

More specifically, irregular migrants are usually detained in facilities that are neither purpose-built (e.g. former military bases and storage facilities, or border guard station cells designed only for short periods of detention) nor meet basic standards of quality (Pro Asyl, 2007, 2012). Meanwhile, the rising number of detainees in itself has combined with repeated increases in the legal maximum duration of immigration detention to far outstrip the official operational capacity of the immigration detention system in Greece. Snapshot measurements of the population of immigrant detainees in specific border guard stations and detention centres around the country have shown, for example, that the number of detained persons is typically several times greater than what the sites in question can properly accommodate (see, for example, FRA, 2011; Pro Asyl, 2007, 2012). Overcrowding is so high that detainees often have to share beds and sleep in shifts, or otherwise simply use the floor, lying at best on mattresses or sleeping bags provided by NGOs and at worst on cardboard and blankets. At their most extreme, overcrowded conditions render sleeping possible only in a sitting position, or force detainees to lie down next to garbage and in the sewage of toilets (see e.g. Human Rights Watch, 2011; Pro Asyl, 2012). There have also been reports of men, women and unaccompanied children being held together in the same detention space, but also, conversely, of close family members being separated from one another (MSF, 2010a; Pro Asyl, 2007).

Other commonly reported problems include lack of ventilation, limited sanitation, unsuitable room temperature and poor hygiene. Regarding temperature in cells, it is often overly cold in the winter on account of problems with the provision of heating (e.g. limited supply of petrol) and a lack of weather-proofed windows and doors, just as it tends to be excessively hot in the summer on account of faulty or lacking air conditioning. Concerning hygiene, access to functioning latrines has frequently been found to be severely limited, with dozens or even hundreds of detainees having to share a single toilet that may also offer no privacy. When there are no latrines in operation, detainees are driven to urinate in bottles or through the bars outside their cells, and are escorted by guards to nearby fields where they can defecate. Serious problems have additionally come to light with regard to access to functioning showers and hot water, whilst provision of basic material necessities, from clothing, toilet paper, soap and shampoo to toothbrushes, toothpaste and towels, is typically extremely deficient (see further CPT, 2009, 2010, 2012; FRA, 2011; Human Rights Watch, 2011; ICJ and ECRE, 2013; Pro Asyl, 2012).

Meals are reportedly eaten inside cells, where no tables or chairs tend to be available. In the absence of cleaning services, moreover, detainees are themselves responsible for keeping their cells clean but are given no or insufficient products to this effect, and garbage may be retained in cells until detainees are allowed at the discretion of guards to dispose of it outside (Pro Asyl, 2012). Finally, there have been reports of dysfunctional sewage systems, as a result of which urine and faecal matter spread out over the cell

floor, their smell combining with body and garbage odours to create a suffocating and deeply unhealthy atmosphere for detainees (but also for guards, at least some of whom have been found to wear surgical masks as a protective measure; see further FRA, 2011; Human Rights Watch, 2011).

According to various reports, food provision is usually substandard both in terms of quality and quantity, and drinking water is often dirty and only available from latrines and showers (Amnesty International, 2012c; *Ios*, 9 December 2012; MSF, 2010a; Pro Asyl, 2007, 2012). Medical provision, meanwhile, has been minimal due to a lack of specialist staff, medication and proper facilities, and guards may sometimes actively discourage or otherwise hinder detainees from seeking medical care. Even health screening of new detainees upon their reception tends to be either insufficient or entirely absent, and medical NGOs such as Doctors of the World are largely relied upon to fill the gaps. This is despite the fact that the majority of immigrant detainees in Greece are known to be suffering from such health problems as respiratory tract infections, diarrhoea, skin diseases or depression, which are linked, directly or indirectly, to the long duration of their detention under deplorable conditions (see further CPT, 2009, 2010, 2012; ICJ and ECRE, 2013; MSF, 2010a, 2010b; Pro Asyl, 2012).⁵

To a significant extent, detainees are trapped and secluded in those conditions. Outdoor access has been found to be a rare occurrence in various centres, whilst centre yards, when they exist at all, tend to be too small and unprotected from harsh weather conditions. More broadly, communication with the outside world is particularly difficult for detainees. At times, this is partly because detention centres are geographically isolated, as in the case of the centre in Fylakio, half an hour's drive outside the city of Orestiada. Geographical matters aside, however, entry into detention centres may be restricted or otherwise obstructed by the authorities for lawyers and representatives of NGOs, and basic means of communication, such as card-phones, are regularly unavailable for detainees or simply impossible to use (e.g. phones are often not working, and detainees lack the financial means necessary to purchase cards with which to make calls). At the same time, detainees are faced with serious difficulties in terms of lodging asylum applications, ranging from unawareness of pertinent requirements, to inability to read relevant legal documentation, to a lack of professional translators and interpreters, to insufficient financial means necessary for hiring a lawyer, to excessive bureaucratic delays and even denial of access to the procedure itself (see further Human Rights Watch, 2011; *Ios*, 9 December 2012; MSF, 2010a, 2010b; Pro Asyl, 2007, 2012; *SKAI*, 4 October 2012).

The plight of immigrant detainees is further exacerbated by the violent treatment to which members of detention staff may reportedly subject them on a frequent basis. Such violence can range from racist verbal abuse, to destruction of detainees' religious symbols, to aggressive body searches and direct physical assaults (e.g. slaps, punches, kicks, beatings with clubs). Indeed, assaults by guards are known to have caused serious injuries, at times so serious that victims were in need of hospitalisation. In the absence of a credible complaints procedure and an adequately resourced and independent inspectorate, staff violence appears to be treated with impunity, hence it has even taken place in front of witnesses such as NGO workers (see further Amnesty International, 2012c; FRA, 2011; Human Rights Watch, 2011; MSF, 2010a; Pro Asyl, 2007, 2012; *SKAI*, 4

October 2012). There have also been allegations of sexual harassment of detainees by guards, and revelations of severe ill treatment amounting to torture, which may also go unpunished, at least by domestic authorities. In the most well known case, a guard aided by colleagues raped a male Turkish detainee with a truncheon, and the victim was subsequently denied access to medical care. An internal administrative inquiry found no guilt, based on evidence that had been blatantly falsified, and when the case eventually reached the national courts, the prison sentences imposed in the first instance upon the perpetrator and some of his accomplices became suspended sentences and were commuted to fines at the appeal stage (see further ECtHR, 2012; also Pro Asyl, 2012).

It comes as no surprise that detainees frequently describe the conditions of their detention by using terms such as 'grave' and even 'hell', going so far as to draw unfavourable comparisons with previous experiences of warzones that they may have had and managed to escape (see e.g. Human Rights Watch, 2011; Pro Asyl, 2012). Indeed, these conditions of detention are conducive not only to health problems, as mentioned earlier, but also to violent tensions amongst detainees themselves. Fights, for instance, are quick to erupt over access to sleeping space or the toilet, and such instances are also known to have triggered indiscriminate physical violence against detainees on the part of guards in order to discipline them (see e.g. Human Rights Watch, 2011; Pro Asyl, 2012). Additionally, lengthy periods of detention under deplorable conditions commonly drive detainees to engage in various forms of protest, some of which ironically entail direct infliction of further pain upon detainees' own bodies, and may equally be met with violent reactions by the authorities in charge.

Long and exhaustive hunger strikes, for example, are highly prevalent in detention centres throughout Greece, with some detainees even stitching their lips together. As recently as April 2013, around 1,800 detainees went on hunger strike in all detention facilities around the country, protesting against the length and conditions of their detention (*Eleftherotypia*, 9 April 2013; *To Vima*, 8 April 2013). As with periods of relative normality, moreover, self-harm and suicide attempts are likely to occur during times of protest (see further MSF, 2010a; Pro Asyl, 2012; *To Vima*, 7 April 2013). There have been reports of staff employing violence in response to detainee protests, but also of the riot police being called in and intervening aggressively (to suppress violence by protestors, according to controversial claims by the riot police themselves), including using water cannon, tear gas and stun grenades, and making arrests that eventually resulted in detention in conventional prisons (see further *Eleftherotypia*, 11 April 2013; Human Rights Watch, 2011; *Ios*, 9 December 2012; Pro Asyl, 2012; *To Vima*, 23 November 2012).

Criticisms of the Greek state

A number of domestic actors, from humanitarian NGOs to political parties and media outlets on the left of the political spectrum, have expressed urgent concerns about the excessive use and deplorable conditions of immigration detention in Greece, contesting the state discourse of philoxenia with such suggestive expressions as 'barbarism', 'concentration camps' and 'Greek Guantanamo' (see e.g. *Eleftherotypia*, 9 April 2013; *Ios*, 9 December 2012; *Rizospastis*, 12 April 2013). On the international level, too, Greece has regularly been subject to harsh criticism, not just by inspectorate bodies, NGOs and other

activist groups, but also politicians from various political parties, some of whom have themselves participated in inspection visits to Greek immigration detention centres.

For example, following a series of visits to Greek immigration detention centres in her capacity as a member of a delegation of the Council of Europe, German leftist parliamentarian Annette Groth said that 'the situation [in Greece] resembles nothing like the human rights we talk about in Europe, this policy of mass detention in deplorable conditions of all incoming migrants and refugees. For the latter, it is equivalent to denying them the right to asylum any longer' (*IPS*, 17 March 2013). Groth has also argued that the term 'detention centre' is a euphemism in the Greek context, and that what are called in Greece detention centres are, in fact, conventional prisons (*To Vima*, 23 January 2013). John Dalhuisen, Amnesty International's Director for Europe and Central Asia, has similarly described irregular migrants' treatment in Greece, including the conditions of their administrative detention, as being embarrassingly un-European, 'totally unworthy of the Nobel Peace Prize-winning European Union, and so far below international human rights standards as to make a mockery of them' (Amnesty International, 2012b).

In an accumulating number of cases, meanwhile, the European Court of Human Rights has ordered Greece to pay damages to irregular migrants who had been held in administrative detention in the country under inhumane and degrading conditions, in contravention of international human rights treaties of which Greece is a signatory. In January 2011, moreover, the Court issued the more general ruling that detention practices in Greece violated Article 3 of the European Convention of Human Rights, which prohibits torture and inhuman and degrading treatment, and ordered that other EU member states cease transferring migrants to Greece under the Dublin-II agreement, or else they would be knowingly exposing them to conditions of detention that amount to degrading treatment, thus violating their own international obligations (see further Human Rights Watch, 2011; Pro Asyl, 2012). For commentators such as British Conservative Member of the European Parliament Timothy Kirkhope, however, Europe should adopt an even more punitive stance towards Greece. 'If the UK or France had such inadequate systems and poor asylum conditions as Greece', Kirkhope has argued, 'then I have no doubt the Commission would come down on us like a ton of bricks' (*Daily Express*, 22 December 2011).

Neither domestic and international criticism, nor judicial intervention and calls for more punitive action against Greece at the European level, have so far succeeded in bringing about fundamental changes in the use and conditions of administrative detention in the country. A number of reports have come to light over the years, including notably an 'exceptional' public statement by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) in March 2011, emphasising the continuing failure of the Greek state to follow pertinent recommendations and improve the situation (CPT, 2011; see also CPT, 2012; *Financial Times*, 15 March 2011; Pro Asyl, 2012; *To Vima*, 10 April 2013). As recently as January 2013, Vladimir Tochilovsky, member of the United Nations Working Group on Arbitrary Detention that had just concluded a fact-finding mission in Greece, told a press conference that the Greek state had made some progress in terms of legislative provisions (e.g. setting safeguards for the fair and efficient examination of applications for asylum). But

then, Tochilovsky swiftly added, ‘you take off your 3D glasses and find yourself in a different world’, where any positive legislative amendments are practically ignored, administrative detention conditions may be worse than those found in conventional prisons, and human rights violations continue unabated (*Associated Press*, 31 January 2013; *IPS*, 17 March 2013; see also UNHCHR, 31 January 2013).

The Greek state’s reactions to criticisms

Overall, and irrespective of the political party in government, the Greek state has reacted to domestic and international pressures by employing an array of rhetorical defence mechanisms, some of which substantively contradict one another.⁶

In their direct official responses to CPT reports, for example, Greek state authorities have essentially denied critical findings by stating that unaccompanied children are systematically detained separately from adults (yet with the important proviso of space availability); that immigrant detainees are given unrestricted access to functioning toilets and showers, as well as to hot water; that they are regularly provided with sufficient food and hygiene products (even though partly thanks to contributions by NGOs); and that they do have available to them legal aid and medical services (if again in part through NGOs). Greek state authorities have additionally tried to absolve themselves of responsibility for any recurrent or remaining problems by pointing to the excessively high numbers of detainees and the high ratio of detainees to staff, which allegedly render the situation inside detention centres particularly difficult to manage, although it is emphasised that ‘formidable’ and ‘enormous’ efforts are made to this effect (see further Government of Greece, 2012). The Greek state has also blamed poor detention conditions on detainees themselves and their protests, for instance by claiming that ‘[t]he detained, in their effort to “blackmail” their immediate release, destroy the [hygienic] installations, break the fountains, stuff the drainages with towels, shoes, etc., the result of which is the dirty water to flow in the toilets and the other spaces’ (Government of Greece, 2012: 9; see further Cheliotis, in progress).

Albeit without necessarily addressing critics in a direct manner, Greek state authorities have defended their immigration detention policies and practices through various other rhetorical techniques. Much relevant material can be drawn from a televised interview with the current Minister of Public Order and Citizen Protection, Nikos Dendias, which took place at the detention centre of Amygdaleza in late 2012.⁷ During the interview, for example, Dendias explained in no uncertain terms that administrative detention pending deportation forms part of a wider strategy of deterrence that seeks to make Greece an ‘unfriendly destination’ for those considering entering or staying in the country without papers. The minister elaborated this point by drawing a comparison between human trafficking and the tourist industry, a comparison in which he gave Greece anything but its familiar role of the archetypically philoxenous country. The minister’s dialogue with his interviewer is revealing:

Minister: The trafficker is, quote, unquote, like a tourist office. He has to persuade the client[.] [...] If it is known that Greece is a country that is not at all easy to enter, where if at any rate you enter, the most likely outcome is that they will arrest you

and put you in a centre, and you will stay there until you go back, then there will be no clientele for Greece. The trafficker, then, may want to sell his product, but there will be no public to sell it to.

Interviewer: Let's hope so, given that at least over the last decade, [Greece] was for tourist offices, as you mean them, the best destination. [...] The Seychelles of illegal immigration.

Minister: It's exactly as you put it.

(*SKAI*, 4 October 2012)

As with the very fact of administrative detention, Minister Dendias also attributed a deterrent potential to the specific conditions under which irregular migrants are held in Greece. An immigration detention centre, he stated, 'is not a space where one can have a party', or a 'hotel'. Conditions in Greek immigration detention centres, he went on to say, stand at the 'lowest acceptable civilised minimum', as they, too, may contribute to the goal of discouraging illegal immigration by sending a message that the country is 'unfriendly' to it. Indeed, Dendias suggested, the deterrent effect of administrative detention as such is inversely proportional to the particular quality of detention conditions (*SKAI*, 4 October 2012).

In the same interview, the minister made the further assertion that Greece respects and observes the standards set by the European Union. This assertion not only indirectly denied the mass of independent reports attesting to the contrary. Nor did the minister's assertion simply imply that conditions in Greek immigration detention centres are as good as or no worse than elsewhere in the continent. It also paved the way to the claim that responsibility for at least some of the centres' most controversial aspects (e.g. the use of containers to house detainees) rests beyond the Greek state itself (*SKAI*, 4 October 2012). Similarly, the very reliance on immigration detention pending deportation was described by the minister as an unavoidable choice according to international experience, as 'the internationally accepted and sole mechanism of confronting migratory flows'. This was despite the fact that many different domestic and foreign groups and organisations, including formal European authorities, have long been calling upon the Greek state seriously to consider alternatives to administrative detention of migrants, especially for vulnerable groups such as unaccompanied children and pregnant women (see e.g. Amnesty International, 2010; ICJ and ECRE, 2013; Pro Asyl, 2012; UNHCHR, 31 January 2013).

Greek state authorities have also evoked financial difficulties in an effort to explain away responsibility for the conditions in immigration detention centres across the country, particularly since the financial crisis hit Greece in 2009 (Cheliotis, in progress). Although here it is recognised, at least implicitly, that action should be taken to improve conditions of detention, Greece's failure to take such action has, in fact, been due to how funding is administered, much more so than a matter of limited financial resources. To take one example relating to the administration of domestic funding, in 2011, two years into the financial crisis, the Greek state chose to pay €1.38 million towards the renovation and conversion into a museum of the Nebojsa Tower in Belgrade, in order to honour a hero of the struggle for Greek independence who was imprisoned and put to death there

in 1798 by Ottoman Turkish authorities (*Athens News*, 28 April 2011). That sum was close to one-third of the total annual funds the Greek state allocated at the time to the operation of detention and reception centres for irregular migrants (e.g. to cover costs relating to food, medication, hygiene, clothing and transportation). It would also have been singly sufficient to support for a year the running of detention and reception centres in at least nine out of the twelve prefectures of the country involved (see further *Epikaira*, 3 February 2011).

Greece has additionally had access to substantial EU funding for immigration and asylum management, at least some of which could have been used to ease pressures on immigration detention centres (e.g. through supporting NGOs that operate shelters for asylum seekers). Yet the Greek state has long made particularly limited use of such funding possibilities (UNHCHR, 3 December 2012), not to mention that it has typically also failed to explore cost-effective alternatives (e.g. using empty hospitals to house vulnerable irregular migrants; see e.g. FRA, 2011). In 2012, EU funding was made available specifically for supporting infrastructure projects (i.e. renovation, refurbishment or construction of facilities) and running costs relating to detention centres, so as to help member states 'improve the reception conditions in detention facilities' (*IPS*, 17 March 2013). To what extent, and in what ways, these funds will be utilised by the Greek state may be somewhat early to judge, yet the first signs are far from encouraging. At the same time that independent reports about persistently substandard detention conditions keep being published, Greek authorities appear to have given priority to the expansion, through construction work, of the number of centres around the country, which cannot in itself suffice to guarantee better conditions of detention. Indeed, insofar as their official classification might provide an indication of what new centres will be like on the ground, it is important to note that the majority of them have clearly been referred to in government documentation as places of detention rather than reception (ICJ and ECRE, 2013), although there is no plan in sight to drop the term 'philoxenia' from the formal name of centres categorised as detention sites.

At least as far as the new reception centres are concerned, Minister Dendias has stated that those to be located on the islands of Samos and Chios (in spaces that have been used before for holding irregular migrants) are in the process of being 'perfected' (*SKAI*, 4 October 2012), whilst the centre scheduled to operate in Orestiada 'will be the most modern in the whole of Europe' (*Proto Thema*, 12 April 2013). It is not clear, however, how the concepts of 'perfect' and 'modern' will be interpreted and applied in practice, and whether they will be treated as loosely and perversely as the notion of philoxenia has been treated to date. Nor, equally, can one be sure that Greek authorities will objectively evaluate detention conditions according to commonly accepted European understandings and standards, or that they will allow themselves to perceive and engage with possible external criticism on its own terms and merits.

As well as repudiating condemnations as such, the Greek state is also known to have denied negative assessment by twisting it into approval. In late 2012, Greece submitted an official report to the Secretariat of the Committee of Ministers of the Council of Europe regarding the 'living conditions of illegal migrants [o]n the border of Evros and in Athens', where it was stated that the detention centre in Amygdaleza had recently been found by the UN High Commission for Refugees (UNHCR) to be 'exemplary as regards

accommodation and security'. Yet as the International Commission of Jurists and the European Council on Refugees and Exiles stressed in a subsequent joint report of their own, 'in reality, the UNHCR has expressed reservations regarding the centre. UNHCR's only positive assessment of the centre was that it was in better condition than others in Greece, a comparative estimate that does not qualify as "exemplary"' (ICJ and ECRE, 2013: 8).

What lies behind the veil of philoxenia?

To date, the Greek state has essentially rebutted or otherwise circumvented domestic and international pressures to effectuate substantive progressive changes to its treatment of immigrants. In so doing, Greek state authorities have deployed a range of dubious rhetorical defences against criticism, the most blatant being the evocation of philoxenia as an innate and constant trait common to all Greeks. But to show, as this article has done so far, that immigrants in general and irregular migrants in particular are hardly accorded philoxenia in Greece today is by no means to imply a call for restoring philoxenia in the country. Such a call would at best be superficial, and at worst play into the hands of those whose policies practically deny philoxenia even as they lay claim to it rhetorically. The philoxenia deficit, if the term can be used at all, is not merely a matter of exclusion or insufficient inclusion of immigrants. It is ultimately a matter of domination, given that immigrants' exclusion, and indeed certain forms of their inclusion, have long served to reproduce asymmetrical relations of power in the Greek context.

In this account, the discourse of philoxenia is an ideological veil that supports the reproduction of power imbalances, whether by denying them altogether on the deterministic premise that unconditional openness is the only attitude Greeks are naturally inclined to adopt towards outsiders, or by helping to legitimate injustices against immigrants through connoting the established superiority of the host community and the inherently conditional nature of its hospitality to newcomers. As Derrida argues, conceptions of hospitality that do not necessarily or fully extend to uninvited strangers are essentially marks of sovereignty (see further Borradori, 2003; also Cheliotis, 2010; Herzfeld, 1992; Rozakou, 2012). Minister Dendias himself brought this point home during the interview he gave at the detention centre of Amygdaleza in 2012, when he defended the choice of naming the then newly launched police operation to capture irregular migrants around Greece so as to deport them after the ancient Greek god of hospitality:

The country, the society, reserves to itself the right to host those whom it wishes itself to host. This is the semiology of the name [Xenios Zeus]. We do not have the obligation to host whomever judges that they wish to cross the borders clandestinely. [...] We are an organised society, we want to show everyone that we are not a fenceless vineyard, that not everyone who crosses our borders has the right to stay here; it's not like that, it can no longer be like that.

(SKAI, 4 October 2012)

And yet, although the conditions under which irregular migrants find themselves in Greece, be it in society at large or inside detention centres, are anything but philoxenous in the conventional sense of the word, the Greek state has practically shown much less

determination to reduce the number of irregular migrants in the country than Minister Dendias' statement suggests. In fact, whether by commission or omission, the Greek state appears to have played a key role in the maintenance of what it portrays, more often than not in apocalyptic terms, as the excessive size of the irregular migrant population in the country.

The long barbed-wire fence in the region of Evros, for example, was constructed with a delay inversely proportional to the urgency ascribed to it in dominant political discourse as a means of preventing irregular immigration into Greece from her mainland borders with Turkey. Stringent policies and infamously protracted bureaucratic procedures, meanwhile, have long limited the chances of regularisation for those entering Greece, as attested by the stubbornly low rates of refugee recognition and the vast numbers of migrants facing difficulties in acquiring or renewing stay permits for work purposes (Cabot, 2012; Xenakis, 2011). The case of policing is not dissimilar: whilst no substantial changes appear to have occurred in recent years in the size of the irregular migrant population resident in Greece (Maroukis, 2012a, 2012b), the annual volume of apprehensions of irregular migrants in the country nearly halved between 2008 and 2012 (see further Cheliotis, in progress). To top it all off, the legal maximum duration of immigration detention has undergone repeated extensions since 2009, at the same time that a significant overall downward trend has been recorded in the volume of deportations actually carried out (although this is to some extent due to a lack of cooperation on the part of Turkey in terms of readmitting irregular migrants of Asian and African descent; see further Triandafyllidou and Ambrosini, 2011).

Given, on one hand, that Greece has been subject to international criticism for its continuing failure to curb irregular migration and its inefficient asylum system, and, on the other hand, that irregular migrants themselves have reportedly grown increasingly willing to leave Greece, it is a paradox of no small proportion that the Greek state has largely subverted or otherwise thwarted its very own proclamations about the need to constrain the number of irregular migrants in the country. In the last analysis, the reproduction of power imbalances that is achieved in Greece through policies and practices disguised behind the veil of philoxenia needs to be understood primarily as a process of deliberate if qualified inclusion, rather than a question of designed but often failed exclusion (for similar arguments, see Bigo, 2002; Calavita, 2005; De Giorgi, 2010; Melossi, 2003).

Since the late 1980s, for instance, the irregular or precarious legal status of large swathes of migrants, their poverty and the limited social rights meted out to them have combined with the looming prospect of imprisonment, and increasingly of administrative detention, to render them exploitable in the Greek labour market (see further Cheliotis and Xenakis, 2010). Indeed, the fact that standards of living inside prisons and immigration detention centres in Greece have been kept so low has functioned to threaten the most marginalised fractions of the population into accepting any available condition of work in the free community, in accordance with what has come to be known in pertinent Anglophone literature as the 'less eligibility' principle, arguably much more so than to deter irregular migration into the country (Cheliotis, in progress).⁸

More recently, and especially since the financial crisis hit Greece in 2009, the widely publicised intensification in the use of penal and particularly administrative detention against migrants has been deployed by governing parties as a convenient cathartic remedy

for a range of discontents amongst the Greek public, from heightened socio-economic anxieties, to increased anger with political elites, to a spreading sense of national humiliation before foreign audiences (Cheliotis and Xenakis, 2010, 2011; Xenakis and Cheliotis, 2013b). In this case, the notoriously harsh conditions of conventional imprisonment and immigration detention may be said to have helped unconsciously alleviate the pains of downward mobility and falling living standards for the average Greek citizen, providing him or her with reassurance that they continue to enjoy material advantages over those on the margins of society (and over some foreign population at that). The point here is not so much that immigrants are detained under conditions that remain inferior to those found in free society, as the principle of 'less eligibility' stipulates, but rather that free society itself tends to interpret the substandard conditions of imprisonment and immigration detention in terms of personal and in-group superiority – as a form of 'more eligibility', as it were (see further Cheliotis, in progress).

One should nevertheless take care not to conclude that responsibility for the ways in which immigrants are treated on Greek soil resides exclusively within Greece itself, or even that the case of Greece has no parallels elsewhere in Europe, although neither of these caveats could provide a plausible excuse for immigrants' plight at the hands of the Greek state. The European Commission, for example, has offered both rhetorical and financial support to Greek state authorities in order for them to strengthen the policing of national borders and territory as an 'imperative' for the protection of immigrants' human rights (*IPS*, 17 March 2013; see also Human Rights Watch, 2011; Pro Asyl, 2012), whilst Italy has continued summarily to return unaccompanied migrant children and adult asylum seekers to Greece in violation of international law, thereby adding further pressure to an already overcrowded system (Human Rights Watch, 2013b).

At the same time, other EU member states have not been immune to the cruel repressive policies and practices adopted against immigrants in Greece, and one can also find occasions where the notion of hospitality is similarly perverted by Greece's European counterparts so as to justify their own treatment of immigrants and consolidate underlying power hierarchies (see further Borradori, 2003; Hall, 2012). That Greece has been particularly likely to face international disapprobation is no doubt reflective of the exceptional degree to which the country has fallen below, and has even challenged, the very standards of all-inclusive philoxenia she purports to archetypically embody. Arguably, however, the likelihood of disapprobation would not be as strong were it not for Greece's own marginal political position within Europe (see further Herzfeld, 1992).

This brings us full circle back to the social functionality and consequent political expediency of the discourse of philoxenia as applied to the treatment of immigrants and especially immigration detention in contemporary Greece. The country's peripheral role in the international arena and the adverse conditions that go along with it – a comparatively weak domestic economy, an increased propensity of national governments to accept relations of economic dependency vis-à-vis external powers, a heightened sensitivity to criticism from abroad, and the greater likelihood of foreign disapprobation in itself – raise the susceptibility of the Greek public to self-flattering discourses, and even more so when such discourses can additionally licence exploitation of weaker others as labourers and authorise activities against them through which to act out aggravated anxieties, angers and complexes amidst conditions of financial crisis (see further Cheliotis, in

progress; Herzfeld, 1992). This helps to explain the apparent paradox that the Greek state persists in employing a discourse that is so openly at odds with reality in the eyes of external observers as to risk, indeed invite, their criticism afresh.

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Notes

1. Information on the ways in which states react to external pressures for reform of their conventional prison systems can be found, amongst others, in Cassesse (1996), Evans and Morgan (1998) and Morgan and Evans (1999).
2. The scope of the Ministry's operations may thus be reflected more accurately in the Ministry's name itself, at least insofar as the latter implies that ministerial provision of protection extends only to those already granted citizenship, to the exclusion of non-citizens such as asylum seekers and irregular migrants.
3. As such, the use of imprisonment in Greece has risen dramatically over the last three decades or so (Cheliotis, 2011), and has been exacerbated further since the onset of the financial crisis in 2009 (Aebi and Delgrande, 2012).
4. Due to space restrictions, the focus in this section is specifically on border guard stations and detention centres, although similar conditions are found in all other sites where irregular migrants may be detained in Greece, including very often in conventional prisons (on which see Cheliotis, 2012). Detention conditions in the police station on the coast of Igoumenitsa in north-western Greece are, in fact, known to have been so deplorable that a local court, in an unprecedented and as yet unrepeated decision it reached in October 2012, cited them as reasons justifying the escape of 15 irregular migrants from police detention earlier in that year (see further Cheliotis, in progress).
5. In the general population of Greece, meanwhile, there is an oversupply of medical specialists, dentists and pharmacists (indeed, an oversupply that is impressive by European standards) (Davaki and Mossialos, 2006).
6. Omitted here for reasons of space is a specific analysis of the different ways in which the Greek state has reacted to domestic and international criticisms, respectively (see further Cheliotis, in progress).
7. Dendias' statements were largely similar to those of his immediate predecessors, reflecting a high and rising degree of consensus amongst the two political parties that have dominated government in Greece over the decades following the fall of the military dictatorship in 1974, and which, in fact, currently share power in a coalition government: centre-right New Democracy and centre-left PASOK. Dendias himself is a member of New Democracy, and has been one of the most secure ministers of the coalition government (see further Cheliotis, in progress; also Xenakis and Cheliotis, 2013b). For a broader analysis of political discourse

on immigration and its control in contemporary Greece, including a cross-party comparison, see Karamanidou (under review).

8. On the 'less eligibility' principle, see further De Giorgi (2010).

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