Technocracy Revisited: The Polish Security Dispositif and Ukrainian Migration to Poland

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Abstract

The article investigates the reaction of the Polish technocratic security dispositif to the arrival of Ukrainian migrants in Poland between 2014-2020. It contributes to the studies on securitisation and on technocracy by proposing to re-conceptualise research on the security practices towards migration, drawing upon the notions of a security dispositif and regime of practices. It is exemplified by migration from Ukraine to Poland. The paper distinguishes three regimes of practices within Polish migration control: state ignorance, technocratic governance and neighbourhood. Contrary to most securitisation practices on migration to the European Union from the South, there have been very few populist 'speech acts' by Polish political agents that would have positioned the migration from Ukraine as an existential threat. The article concludes that the Polish security dispositif mainly mobilised state ignorance as a resource in governing migration, since neither new legal nor institutional practices were adopted to address the increased arrivals of Ukrainians. Simultaneously, this was accompanied by an internal logic of technocratic governance and its ubiquitous strategic tendency to widen surveillance and control capacities towards foreigners. The article also highlights the role of local identity and the politics of memory in governing Ukrainian migration to Poland.

Keywords

This article investigates the reaction of the Polish technocratic security *dispositif*, defined as an assemblage of discursive and non-discursive practices of security, to the arrival of Ukrainian migrants to Poland in 2014-2020. This represented one of the largest short-term inward mobility globally (OECD 2019), with the Polish-Ukrainian border being one of the longest land borders of the Schengen area. The number of new arrivals since 2014 is estimated at more than one million, which situated Poland at first place in the EU in issuing new residence permits to the non-European Union (EU) citizens (Brunarska 2020). The movement of Ukrainians to Poland has two main causes: the war in eastern Ukraine since 2014 (Sakwa 2015; Kushnir 2017; Katchanovski 2016) and the decline of the Ukrainian economy and associated dramatic fall in living standards (Jaroszewicz 2018). Despite its exceptional scale and relation to military security, this migration has not yet been analysed from an EU context within critical security studies, particularly with regards to securitisation theory. Instead, there has been a general focus on populist discourse by political actors about migration to the EU from Africa and the Middle East and on related security tools.

The article uncovers a specific populism-technocracy paradox, taking the migration from Ukraine to Poland as a case study. Populism generally challenges technocratic governance by characterising it as a rule by unelected experts indifferent to the will of the people, and connecting them with the interests of a narrow elite (Müller 2016; Bickerton and Invernizzi Accetti 2017). However, many instances of securitisation of migration in the EU have already shown that the public's positive response to securitisation, and inherently populist speech acts related to migration, has served to increase the legitimacy of the security agenda (Skleparis 2016). In the case of Ukrainian migration to Poland, little connection has been made between the reactions of the public and the technocratic conduct of the securitisation. Hence, this article adds important empirical evidence that securitisation can take place within routine technocratic practices without populist legitimisation of political speech acts. It also challenges the view that securitising and othering migration is always driving the populist agenda in the EU. Therefore, there may not necessarily be an inevitable link between technocracy and populism within the securitisation of migration.

As there have been very few populist speech acts by Polish political actors which would have positioned migration from Ukraine as an existential threat, this article's main argument is that a generalised technocratic approach in the Polish migration control system has led to the very specific securitisation of Ukrainian migrants. This is studied in detail via the analysis of 'regimes of practices' (Balzacq 2019: 339), represented by three distinctive 'mentalities of government' (Dean 2010). The mentalities distinguished in the case of migration from Ukraine to Poland are: state ignorance, technocratic governance and the vernacular understating of the Polish-Ukrainian neighbourhood. All three of these have been employed by the state bureaucracy in a strategic, yet often unintentional way. This has resulted in placing migrants in a status of 'semi-compliance', a kind of 'grey zone' in which they needed to combine both legal and unlawful elements of their position within Polish society. Framed in this manner, the article contributes to further conceptualisation of studies on securitisation of migration and on technocracy in different political and social contexts.

The first section of this paper sets out the theoretical approaches, including the key terms for the research: *dispositif,* securitisation and the regime of practices. This is followed by presentation of the methods employed in the analysis. The research results are based on two types of empirical data. The first derives from critical content analysis of the selected political and legal documents pertaining to migration and security governance in Poland since 2014. The second is provided by semi-structured in-depth expert interviews. In the next part, the context of populism, technocracy and the securitisation of migration is explored. This is aimed at uncovering the populism-technocracy paradox underlying the case of Ukrainian migration to Poland, where securitisation is anchored in routine technocratic practices but populist legitimisation of political speech acts is absent. This is followed by an overview of Ukrainian migration to Poland, providing the necessary background for the analysis, in particular the ambiguous stance of the Polish state towards admitting migrants from Ukraine. In the next section, the empirical results are discussed, specifically the regimes of security practices

towards Ukrainian migration to Poland, which caused the securitisation of Ukrainian migrants in Poland. First regime of practices: state ignorance is rooted in the failure of the Polish state to produce new types of knowledge and build new state capacities related to migration from Ukraine. The second regime: technocratic governance, is based on the ubiquitous strategic tendency of the modern state to widen surveillance and control capacities, particularly at its borders. The third one is anchored in the specific understanding of identity, history and the current relations between Poland and Ukraine.

The final section presents the conclusions, in particular the consequences of the emergence of a complex assemblage of securitising policies and instruments. In doing this, it re-examines the concept of technocracy, conventionally understood as drawing on the specialised knowledge of experts and providing rational solutions for the general public. It shows how the assemblage of practices within Poland's security *dispositif* has resulted in many protracted administrative procedures for Ukrainian migrants. This has served to keep Ukrainian migrants in a prevailing status of legal 'semi-compliance', thereby exposing them to the arbitrariness of Polish institutions and maintaining an atmosphere of 'unease' (Bigo 2002).

THEORETICAL BACKGROUND AND RESEARCH DESIGN

Dispositif and Securitisation

The *dispositif* is understood widely as a strategic response of a state apparatus to urgent need, while securitisation refers to a specific mode of action by the political and security actors within the *dispositif*. In this analysis, then 'the *dispositif* opens the way for the analysis of the human and non-human engagements in securitization processes' (Balzacq 2019: 340).

The main analytical focus of this study is on Poland's security *dispositif,* which is understood as discursive and non-discursive practices in the broadly conceived security-migration realm, or more specifically as the intersection of security technologies, border surveillance instruments and migration management (Koca 2020; Ceyhan 2008). Drawing on Michel Foucault (1980, 1978) the security *dispositif* in this article is defined as the 'heterogeneous' relationship between public discourses, regulatory decisions, laws and administrative measures practiced by political and security agents, various levels of administration, different kinds of institutions and numerous professionals or experts in many sectors of the Polish state. Poland's security *dispositif*, following Foucault's definition, also embraces 'scientific statements, philosophical, moral and philanthropic propositions, the said and the unsaid' (Foucault 1980). This includes the discussion of the role of historical discourses, the politics of memory and the function of identity in constituting security practices. Hence, Poland's security *dispositif* should not merely be considered as a single migration policy, but a specific mode of governing migration within the security perspective, with a wide range of various agents, subjects and institutions (Walters 2012: 31).

The notion of *dispositif* forms the overall approach in this paper for two reasons. Firstly, to distance the following analysis from 'objectivised' definitions of security and instead to regard the security practices as a result of relations between power, knowledge and subjectivity (Wichum 2013). In other words, the security *dispositif* defines what might be perceived as security in a particular socio-historical context. Secondly, the notion of *dispositif* is important, as it focuses on the heterogenous practices, often scarcely visible, that may be unintentionally linked to each other and bring unexpected results.

Poland's security *dispositif* responds, among its other goals, to an urgent need to accommodate a large circulation of people across its eastern border, which also happens to be the external Schengen border. It is in line with Foucault's understanding of the overall goal of the security *dispositif*, which is always about 'organising circulation, eliminating its dangers, making a division between good and bad circulation, and maximising the good

circulation by eliminating the bad' (Foucault 2007: 18). This, in turn, corresponds to Poland's strategic objective of maintaining geopolitical and economic security and stability, particularly following the outbreak of war in eastern Ukraine. Hence, in the context of the Ukrainian migration, the *dispositif* in itself has an extraordinary and strategic character. As Foucault indicates, a given strategic goal of power could trigger some unintentional processes, and hence creates new social conditions. As confirmed by the findings of this article, this was the case for many Ukrainian migrants. Hence, this study's objective is to trace multiple elements connected by the strategic goal of accommodating a large circulation of people through Poland's eastern borders by those in authority at the time of increasing Ukrainian migration, and to expose how this issue was problematised by different agents of power.

The second main theoretical background of this article is securitisation theory, particularly understating securitisation via the 'analytics of government' lenses. It helps to study how different security practices operate within the *dispositif* and evolve over time (Balzacq 2019, 2011). Unlike the founders of securitisation theory (Buzan, Weaver and de Wilde 1998), who argued that security is an 'utterance', and the notion of security itself is circled around discursive practises that require acceptance by the audience, 'the analytics of government' offers a broader ability to analyse the specific conditions under which particular practices emerge, exist and evolve. Limiting securitisation to language means that security acquires content only through representations of danger and threat, not through the technocratic practices of governance. Hence, the 'analytics of government' ensures that securitisation theory also considers 'regimes of practices', which are constituted by specific types of 'mentalities of government', with both discursive and non-discursive ways of knowing.

This article therefore applies a wider definition of securitisation. It is conceptualised as an intersubjective strategic process that includes the context, audience and the role of both speaker and the listener. In particular, securitisation is understood as an:

> articulated assemblage of practices whereby heuristic artefacts … are contextually mobilized by a securitizing actor who works to prompt an audience to build a coherent network of implications … by investing the referent subject with such an aura of unprecedented threatening complexion that a customised policy must be undertaken immediately. (Balzacq 2011:3)

The application of this definition facilitates the study of different ways of security-based mobilisation, not only the speech act. Moreover, in their later works, Balzacq et al. (2016) do not emphasise the exceptionality as a necessary condition of securitisation. Instead, they suggest there is a relation between politics and security that re-defines one another in a constant discussion of *how* migration should be 'governed' in a modern liberal state, and to what extent it is constructed as a security threat. This assumption also leads to a redefinition of the role of the audience. In a more routinised securitisation the wider audience does not necessarily need to accept the securitisation itself. In those cases, securitisation could occur through its acceptance within narrow circles of the political elite and security professionals. In some cases, therefore, the audience does not play any role at all and the occurrence of securitisation act should instead be proven by the existence of security practices (Floyd 2016).

Security Practices and the Regime of Practices

Security practices are various activities 'that convey the idea to those who observe them, directly or indirectly, that the issue they are tackling is a security threat' (Léonard 2010: 237) and they are preceded by securitisation process. Security practices are understood in the article as specific forms of 'acting, intervening and directing' (Balzacq, Rozicka, Leonard 2016) migration control within a 'regime of practices'. According to Dean (2010: 33) a regime of practices consists of four elements: characteristic forms of visibility, distinctive ways of thinking and questioning, specific ways of acting and distinctive ways of forming subjects. As will be argued later, there is no single regime of practices. There may be several of them depending on the specific ways of thinking and application of policy instruments.

Regime of practices are brought into existence by mentalities of government (Dean 2010), or ways in which 'political authorities and those who contest that authority, pose the question: How should we govern? What should be governed? Why do we need to govern?' (Walters and Haarh 2005: 6). Ultimately, the state policies' instruments and techniques are embedded in these mentalities. They also manifest in 'definite vocabularies and procedures for the production of truth' (Balzacq 2019: 339). Moreover, one can see how security professionals think and act about security by looking at their discipline, special expertise or practical work (Huysmans 2006). Securitisation studies advocate that in order to expose security practices a researcher should focus on studying the context in which security professionals operate. Specifically, the way security professionals understand the world, their professional tasks, and their place in the power structure is crucial for understanding security practices. In this article, the term 'security professionals' denotes experts and bureaucrats, clerks in migration offices, border guards and officers and others. It is also important to note that, following many previous practices in Poland and elsewhere, according to the administrative logic of the state, migration is conveniently linked to security concerns. Hence, many subjects dealing with migration fall into the broad security realm, even if they were not originally designed to deal with security, at least formally. With reference to Bigo (2014, 2002), this article assumes that security professionals are key securitising actors, meaning that they define, interpret and reproduce the security practices.

In summary, the theoretical foundations chosen in this article enable the uncovering of how security practices towards Ukrainian migrants have been operating in the wider context of governance in Poland since 2014. Following Balzacq (2019, 2016), this article applies 'the analytics of government' as a methodological device to examine how 'regimes of practices' are formed, what makes them durable, and how they evolve over time and how specific instruments and policies are anchored in 'mentalities of government'. This shifts the focus of securitisation theory towards researching the techniques and instruments of government, rather than merely in terms of 'speech acts'. Therefore, it positions the article within a more practice-oriented approach to securitisation, which could overcome the problem of audience acceptance in the linguistic approach to securitisation.

Research Methods

The notion of *dispositif* is also applied in the design of an empirical study into investigating Polish migration control strategies, revealing whether security practices towards Ukrainian migrants have been constituted 'in an unintended manner, through changing connections between seemingly unconnected elements' (Aradau et al. 2014: 64). The main rationale for choosing this notion was that it brought coherence of the analysis in the case of the heterogeneity of research sources (Bonditti 2012). Hence, the notion of *dispositif* could be regarded as a methodological tool in the empirical studies in which the strict categorisation of research corpus cannot be conducted, as is the case for this article.

The research corpus for the following research is formed by data pertaining to 'security-migration nexus', with particular emphasis on data related to the operationalisation of security practices. In general, the data for analysing the *dispositif* consists of 'reports, doctrines, laws and officials' statements' (Bonditti 2012: 103). The data were collected through analysis of available legislation (both at the level of laws and bylaws) pertaining to foreigners, which were adopted or exiting in Poland in 2014-2020. Another important source for the analysis was the reports by NGOs dealing with the protection of human rights, migration policy and parliamentary interpellations. In some cases, the security practices revealed in the interviews were further researched and verified by critical content analysis. Following Foucault (1980, 1978), the study of the *dispositif* rests on examining the empirical data indicating *the condition of possibilities* and mentalities of specific 'regimes of practices'. In other words, applying the *dispositif* the article aims at looking at what can be said and what can be practised at the given time within the heterogeneous network of discursive and non-discursive practices.

The article is informed by two major research methods by which the research design was operationalised: critical content analysis of political and legal documents, and semi-structured in-depth interviews (IDIs) with migration and security experts, lawyers and civil activists dealing with Ukrainian migration.

Critical content analysis (Krippendorff 2018, Johnson et al. 2017) was used as a method for analysing the research corpus of the secondary data. This flexible technique allowed analysis to be performed on various types of written text and those belonging to different categories of sources, including legal documents, NGO reports or grey literature. It is particularly important in the presented case, since the majority of the security practices are not widely publicised, and so the research data cannot be obtained by conventional discourse analysis. The critical content analysis has also been chosen due to its theory-driven and reflexive nature, which 'demands more than the simple application of surface-level understandings of a theoretical frame' (Utt and Short 2018: 3). Instead, as implemented in this research, this method is framed in the critical analysis of broader social processes and history at the micro-level of specific individuals or institutional interactions (Johnson et al. 2017). Critical content analysis puts power relations in social practices at the centre and seeks out inequalities (Johnson et al. 2017). The article follows this approach by contrasting the perspective of the strategic security documents with the way migrants experience these practices.

The critical content analysis was supplemented by analysis of expert interviews (a detailed list is provided in the online appendix). Between February and October 2020, 16 IDIs were conducted with experts: officials, NGO experts, academics, and practitioners in migration and internal security, either face-to-face or remotely. The main selection criterion was the experts' relation and involvement in the migration control. This refers to experts' awareness of discourse, security practices or other artefacts connected with the strategic goal of accommodating a large circulation of Ukrainian migrants through Poland's eastern borders. The interviews were recorded (or notes taken where participants did not want to be recorded), pseudo-anonymised, transcribed and coded (a list of codes is provided in the online appendix). Finally, the empirical results were analysed towards potential similarities and linkages, in order to obtain generalisations about the type and specific character of security practices 'mentalities'. The article identified three distinctive regimes of practices brought into existence by mentalities of government towards Ukrainian migrants, by searching for their *condition of possibilities*.

CONTEXT

Populism, Technocracy and the Securitisation of Migration

Increased population mobility and migration are among the chief issues in the political arena in the EU member states. They frequently arouse vehement political and public reactions which are often politically affiliated with the populist agenda (Sobis et al. 2016; Borriello and Brack 2019). Among others, the Schengen border regime became a subject of the unprecedented securitisation of migration (Vaughan-Williams 2015; Huysmans 2006; Bourbeau 2011; Bigo 2002; *contra* see Boswell 2007). In most securitisation practices on migration to the EU from the South, particularly since 2015, many scholars clearly identified harsh speech acts by the political actors, both in the EU generally (Lucarelli 2019; Beck 2017) and also in Poland (Jaskułowski 2019; Klaus 2020). In a clearly populist manner, these speech acts were portraying the 'southern' migration as a threat to Eropean or national identity or social coherence, or as an explicit danger to security, either criminal or terrorist.

Security agencies within member states, and likewise Frontex itself (Neal 2009; Léonard 2010), reacted in a technocratic manner to the mostly populist expectations of the general public 'to do something' about increased 'unwanted' migration (Wojczewski 2020; Wodak 2003). This populist expectation formed part of a much larger 'politics of fear' (Wodak 2015) and 'enemy politics' (Ruzza 2018), dominating politics within the EU since at least the early

2000s, in which migrants were scapegoated, became objects of many forms of social and political exclusions, discriminatory discourses and, above all, enhanced and biased security practices in several EU countries (Parkin 2013). The Schengen system of border and migration management has always been subject to technocratic governance (Huysmans 2006), in which the field of security professionals gradually internalised the populist conflation of migration and security threat (Lazaridis and Skleparis 2016). As the anti-migration agenda became firmly established in the EU's mainstream politics (Toscano 2015; Lutz 2019; Lazaridis and Konsta 2015; Lazaridis and Tsagkroni 2015; Hayes and Dudek 2020), this created even more pressure for security and migration agencies to cope 'more effectively' with the increased number of non-EU individuals crossing Schengen borders.

Originally, technocracy served as a form of governance driven by 'depoliticisation, harmonisation, rationalisation and objectification of policymaking and evaluation, and which promotes the role of technical experts in policy-making' (Kurki 2011: 216). Technocrats themselves could therefore be defined as 'people who transform discourses of expert knowledge into discourses of social policy … They are makers of politics' (McKenna and Graham 2000: 225). However, many instances of securitisation of migration in the EU have already shown that the public's positive response to securitisation, and inherently populist speech acts related to migration, helped to increase the legitimacy of security professionals (Skleparis 2016). The public's reactions predominantly paved the way to new securitisation practices towards migrants in some EU member states (Nagy 2016; Lamour 2019; Colombo 2018).

As observed in 2015, a fierce populist reaction to the so-called migration crisis legitimised further strengthening of technocratic governance of migration and borders, aiming at 'more effective' protection and surveillance of the EU's external borders (de Genova 2017; Carr 2015). It might therefore be concluded that the public's expectations of 'something being done' about migration are based on trust in security professionals' technocratic expertise. Security professionals enjoy the privileged position of being trusted by the public, while concurrently not being held politically accountable by the same public (Bigo 2002). Hence, security expertise represents the most classified form of technocracy. However, it is often driven by incitement of fear in the general public by the populist agenda and not necessarily in response to 'depoliticization, harmonisation, rationalisation and objectification of policymaking' (Kurki 2011: 216).

The case presented in this article for the reaction of the Polish security *dispositif* to recent arrival of immigrants from Ukraine serves the opposite case to most studies on migration to the EU. In that case it appears that there is not much connection between the reactions of the public (including populist ones) and the technocratic conduct of the security and migration agencies. At the same time, Poland employed the populist agenda in the 2015 so-called EU 'migration crisis' when refusing to accept asylum seekers under the EU relocation programme, and this resulted in the extension of overall surveillance and control capacities towards foreigners, which indirectly affected the Ukrainian citizens.

Ukrainian Migration to Poland: Overview

The extraordinary character of contemporary migration in Poland is based on two facts. First, the Ukrainian migration to Poland after 2014 was unusual in two ways: the overall number of people involved (Poland became a prime destination for foreign seasonal, short-term labourers at the global level (OECD 2019)) and its relation to the native population given Poland was previously one of the most homogenous nations within the EU. Moreover, it is primarily a mono-national phenomenon with Ukrainian citizens constituting the overwhelming majority of incoming foreigners (Brunarska 2020). This phenomenon is sometimes called the 'Ukrainisation' of labour migration to Poland (Górny and Kindler 2016). After 2014, increased migration originated predominantly from the outbreak of the armed conflict in eastern Ukraine and the related economic recession in Ukraine, accompanied by growing labour shortages in Poland. For many Ukrainian migrants, Poland became a destination country for short-term labour migration, with low travel costs, the possibility of maintaining family ties

in Ukraine, pre-existing extensive migration networks in Poland and, last but not least, the similarity of the language (Górny and Kindler 2016; Drbohlav and Jaroszewicz 2016; Brunarska 2020). Moreover, this post-2014 movement of people followed in the wake of many years of small-scale trade migration that had boomed in the 1990s (Wallace et al. 1997), and was essentially a 'local mobility' based on a system of circular migration (Brunarska et al. 2016).

The Polish migration system is often characterised as 'liberal', since as a rule it is easy for a Ukrainian migrant to enter Poland and obtain a short-term labour permit (Górny et al. 2018; Brunarska 2020). This contrasts with the labour migration practices of other EU countries, which tend to limit the entry opportunities for non-EU economic migrants. However, it is much more difficult for migrants to obtain a residence permit and legalise their stay in Poland outside the labour migration realm. The 2020 Migrant Integration Policy Index (MIPEX) concluded that migrants in Poland are restricted in their opportunities to gain access to the healthcare and education systems, and 'face greater insecurity in their path to settle as permanent migrants' (MIPEX 2020).

It can be argued that the excessive economisation of Ukrainian migration forms the main pattern of both migration policy and public discourse in Poland (Klaus 2020). While a detailed analysis of this phenomenon is beyond the scope of this article, the main features of the economisation approach are the prominent position of employers in the power relations and their direct access to decision-makers, and the conviction that migration should be governed by free market principles, so that migration is viewed as an abstract entity, such as money or goods (Horvath 2014). Ukrainian migrants have been supplementing the local workforce in many sectors of the Polish economy, including construction, agriculture, temporary services. Ukrainian migration contributes as much as 0.7-0.8 per cent of annual Polish GDP growth (National Bank of Poland 2020).

Surprisingly, considering its scale and economic significance for Poland, Ukrainian migration has not attracted much political attention in Poland, at least from the mainstream political parties. One exception to this observation is of paramount importance. In 2016, Poland's Prime Minister, Beata Szydło, argued in the European Parliament that Poland had accepted around one million 'refugees' from Ukraine (Chapman 2016). This was quickly dismissed as inaccurate, as most Ukrainians coming to Poland qualified as labour migrants, and as a ruse for Poland to oppose arguments for accepting refugees in the EU discussions on the relocation programme. However, it may be argued that this statement exposed the Polish government's approach to Ukrainian migrants, as it was based on a dual discursive strategy. Firstly, to acknowledge they were war victims while, in fact, no channels for humanitarian or refugee migration from Ukraine were open, and secondly, as Ukrainians tend to be regarded as close in cultural terms, to accept them in large numbers, unlike 'southern migrants' deemed culturally alien and thus unwelcome. Much harsher discourse could be observed from the far right or populistic parties, which directly accused Ukrainian migrants of being a 'threat' to Polish identity and the economy (Kresy.pl 2016).

REGIMES OF SECURITY PRACTICES

Based on analysis of empirical findings, this article distinguishes the three distinctive regimes of security practices targeting Ukrainian migrants in Poland with specific mentalities of government. Hence, the analysis searched for ways of thinking and acting within Poland's security *dispositif* defining: how should Ukrainian migration be governed, what aspect of migration should be governed and why it should be governed? Answering these questions exposed three mentalities of government embedded in many instruments, techniques, vocabularies and procedures existing in Poland migration control policies. The first regime of security practices is embedded in the mentality of state ignorance (Boswel and Badenhoop 2020), understood as an 'acknowledged discrepancy' between what is known and what might reasonably have been expected to be known by the state authorities. The second one,

technocratic governance, builds around the generalised 'suspicious' attitude towards migration that underpins, but is not limited to, the governance of Schengen area. It is combined with the internalised logic of profiling foreigners, risk assessment and other forms of selective anticipatory surveillance. The third regime rests on multiple factors related to the neighbourhood between Poland and Ukraine. This includes Polish security professionals' sense of an 'European' identity, revival of a historical conflict, the historical and cultural closeness between Poland and Ukraine, as well as many co-existing pre-judgments about Ukrainians, portraying them as Poland's *Other* (Zarycki 2014; Folis 2012).

The overwhelming majority of policy instruments accommodating in practice the movement of Ukrainians into Poland had actually been created for other purposes. As a rule, on a formal level the Polish migration policy does not provide for citizenship-based distinction or preferential treatment regarding access to the legal right to stay or work. The exception to this rule is the simplified labour migration scheme that is restricted to citizens from the Eastern Partnership countries. Despite this, the short-term labour migration instruments have in fact been used by and directed towards Ukrainian citizens (Vankova 2020). Therefore, when studying the security practices, the research focused on tracing multiple elements interlinked by the strategic goal of accommodating the Ukrainian migration.

State Ignorance: Protracted Admission Procedures, Personal Identification Number (PESEL)

Over the last two decades many EU states have expanded a 'matrix of control tools comprising a set of exclusionary discourses, laws, institutions, technologies and practices' as a sophisticated toolkit of 'migration governance' (Carrera and Hernanz 2015). In contrast, the Polish security apparatus lacked instruments for effectively managing a large number of Ukrainian migrant arrivals. As some interviewees stated, it is legitimate to say that the Polish political elite and security professionals had knowledge of the exceptional character of the Ukrainian migration (Interview 1 and 16). Consequently, in the period 2014-2020 the Polish security apparatus might reasonably have been expected to react to the largest arrival of migrants since the end of the Second World War by producing new types of security knowledge about them and the relevant policy instruments to accommodate this arrival. In early 2014, Poland adopted 'contingency plans' related to the possible 'mass inflow of foreigners due to invasion, war or ethnic conflicts' within the national crisis management plan (The Governmental Centre for Security of Poland 2014). However, the plans were never implemented (Adamczyk 2014). In fact, neither new institutional nor procedural instruments were adopted to address the extraordinary character of the new migration situation after 2014. This contributes to what is termed in this article as state ignorance.

This state ignorance mainly resulted in protracted administrative procedures for the admission of migrants, the vast majority of whom were Ukrainian nationals. As reported by Poland's Supreme Audit Office (2019), if in 2014 it took 64 days on average to legalise a foreigner's temporary stay in Poland, then by 2018 this had increased to 206 days. Many malpractices were indicated, such as increased formal requirements for obtaining a residence permit and long queues in the offices as Ukrainian migrants could not register online beforehand and were obliged to show up in person. Most of the employment centres and regional offices for foreigners responsible for issuing residence permits lacked guidelines for foreigners. The rules were not formalised and officials failed to inform users properly (Supreme Audit Office 2019). At the same time, the labour inspection service, the main institution for detecting informal employment and abuses of foreigners' labour rights, was underfinanced and understaffed. It was therefore unable to properly monitor the provisions of legal contracts, social insurance and decent working conditions by Polish employers hiring Ukrainians (Piotrowski 2019, Górny et al. 2018). All of this meant that Ukrainian migrants risked uncertainty about their legal status, or, as one interviewee described it, being exposed to the 'permanent ordeal' of confronting the administration (Interview 11).

Interviews indicated a complex array of possible reasons for state ignorance in this area, from the lack of political interest, favouring the employers' position over that of migrants, to

structural factors like the inefficiency of Polish bureaucracy (Interview 4, 9 and 10). Nevertheless, the empirical evidence does not show whether the observed ignorance involved downplaying the scale or importance of the Ukrainian migration ('denial' strategy of handling ignorance) or conceding its own ineptitude in addressing it ('resignation' strategy of handling ignorance) (Boswell and Badenhoop 2020: 4).

A specific example of state ignorance practice that was adopted by both the state apparatus and the migrants themselves is the procedure for obtaining a personal identification number (PESEL). The Act on the Population Register (both its 1974 and 2010 versions) states that foreigners are entitled to obtain the PESEL only when registering their stay at a permanent or temporary address in Poland or enrolling into the social insurance system (Sejm RP 2010, 1974). The 1974 Act specified a long list of cases where a foreigner could acquire a PESEL, while the 2010 Act shortened this list. Nevertheless, many institutions still require a PESEL from foreigners since it makes their work easier. Among other things, this relates to tax administration, social security, health care and employment, all of which are crucial components of the legalisation of stays in Poland for foreigners (Interview 14). Also, what indicates the importance of PESEL is that foreigners are released from the requirement to obtain individual tax identification number (NIP) if they possess PESEL. As interviews and existing analysis (Ośrodek Badań nad Migracjami 2015; Stowarzyszenie Interwencji Prawnej 2015) suggest, many Ukrainian migrants need to find workarounds when they cannot obtain a PESEL, for instance, by obtaining a driving license or seeking advice from lawyers. They do not recognise when and under which circumstances they may obtain a PESEL, although they intuitively comprehend its value (Interview 14). This represents the case of state ignorance, as it could have been legitimately expected that the state apparatus was aware of this problem and that it should be able to create instruments to deal with it. The discrepancy might exacerbate in the future since foreigners, including Ukrainian migrants, are eligible for free COVID-19 vaccination upon presentation of the PESEL number.

Technocratic Governance: Anti-Terror Law, Authorisation, Schengen Socialisation

Technocratic governance stems from the EU 'internal security' rationale of expanding control at the EU external border and inside the EU with many techniques of anticipatory surveillance related to non-EU citizens. A prime example of this type of securitisation towards Ukrainian migration is given by the security practices related to the anti-terror measures, passed by the Polish Sejm back in 2016. The 'Law on Anti-Terror Measures and Changes to Other Laws' (Sejm RP 2016a) was not simply directed at specific types of migrants, but referred to all foreigners in general. This law happened to be in line with the general spirit of 'the politics of fear' and 'enemy politics' towards migrants, which peaked in 2016 when the Polish government refrained from contributing to the EU's relocation programme (Mica et al. 2021; Jaskułowski 2019). The main declared purpose of the Law was to enhance and to specify the 'coordination system of anti-terror activities' (Sejm RP 2016b). This resulted in widening the control and surveillance functions of the various security agencies.

The new law changed the range of surveillance instruments that can be legally used in relation to foreigners. In the case of suspicion of involvement in a terrorist activity, the security agencies may undertake operational and investigative activities against a foreigner without a court order for a period of three months (Sejm RP 2016a: article 9). In practice, the surveillance may be extended further (Klaus 2020). This formulation was criticised by human rights organisations and the Ombudsman, emphasising the disproportionality of the measures adopted and the foreigners' loss of the right to a fair trial (Gazeta Prawna 2016; Fundacja Panoptykon 2016; Fundacja ePaństwo 2016). No publicly available data indicates whether these measures have ever been applied against Ukrainian citizens. One interviewee suggested, however, that the adoption of the anti-terror law made some Ukrainian migrants apply for Polish citizenship, fearing that having migrant status would expose them to a permanent risk of arbitrariness and securitisation (Interview 13).

The other technocratic governance practice discussed is the practice of authorisation. It is built upon the logic of 'internal security', whereby security professionals are mobilised to

tackle all sorts of uncertainties, and on the assumption that foreigners are distinct in being *Others* (Bigo 2014). Authorisation is a security check designed to deal with foreigners applying for different types of residence permit or citizenship. It appears it is not a clearly defined procedure, which opens the door to potential arbitrariness. According to the 'Act on Foreigners', security agencies are obliged to check whether the arrival, stay, obtaining of residence permits or citizenship by an individual foreigner may be a threat to national defence, national security or public order. This can be considered as too broadly defined. In August 2020, a group of Polish parliamentarians questioned the Minister of Internal Affairs and Administration about the detailed premises of checks and the gradation of threat level (Falej et al. 2020). In response, the Ministry admitted that the term 'threat to national security' is not defined in law. It is, nonetheless, present in existing jurisprudence indicating that 'a threat to security protection and public order may consist of all the conduct of a foreigner and his/her behaviour that conflicts with the legal order in Poland' (Ministry of Internal Affairs 2020). However, authorisation also has an anticipatory character and is not just a formal checking of foreigners' criminal records. The police, the border guards or other agencies may visit the residence or workplace of foreigners to determine potential risks to national security. Moreover, the reasons behind a negative judgement on authorisation are confidential, so that a foreigner does not have access to them and consequently has no effective right to appeal against the decision (Interview 12). This represents one of the starkest examples of how securitisation practices contribute to continuous uncertainty over migrants' social and legal status.

Lastly, security practices in technocratic governance regime rely on the socialisation of Polish migration governance and security professionals within the Schengen rationale. Central to this are the technologies of control checks, profiling, surveillance and IT measures against 'illegal migration'. The Schengen rationale played a fundamental role in forming both the legislation and practices of Polish migration governance, dating from the mid-1990s up until Poland's full accession to the Schengen area in 2007. In particular, the adoption of the EU *acquis* dominated the area of border and migration management, while mostly ignoring the social needs and integration of labour migration (Weinar 2006). The Schengen technocratic approach to dealing with migrants is widespread among security professionals, who, in this manner, are conforming to the internalised disposition to prove their 'European credentials'. Looking from this perspective, it is no surprise that Poland had been ardently soliciting for a possibility to host FRONTEX headquarters. The domination of the Schengen technocratic rationale directly affects Ukrainian migrants, as indicated by interviewees. The Schengen Information System (SIS) became an intrinsic part of their migration experiences, with the prevailing fear of being listed in the SIS, and consequently being barred from entering the Schengen territory. This may undermine their migration plans and raise their individual calculation of uncertainty and risks related to cross-border mobility. It is also linked with detailed controls at the border, which result in long waiting hours and a profound feeling of injustice and discrimination, which is experienced by Ukrainian migrants in contrast to the position of EU travellers (Jaroszewicz and Mrozek 2020). Application of Schengen logic also resulted in a high number of refusals of entry to foreigners on the Polish-Ukrainian border and it is widely accepted by security professionals as a price that needs to be paid for the protection of the EU's eastern border. In turn, as pointed out in one interview, the Polish border guards are in general highly esteemed by their EU counterparts for their controlling capacities (Interview 8).

Neighbourhood: Identity, History and Border

The neighbourhood mentality of government and related regime of security practices is part of a larger and more abstract cultural and political background, with national and ethnic identity as the focal point. As this regime is more of an ideational form, it is difficult to distinguish tangible practices or legal regulations. In the case under discussion, the practices of security professionals are immersed in the neighbourhood mentality of government through continuous professional training and being part of the audience within the public discourse. In the Polish case, the impact of the neighbourhood mentality is particularly

magnified by the active politics of memory and the way it resonates socially. However, this impact is also inherently inconsistent.

The large-scale Ukrainian migration to Poland after 2014 coincided with the return of the historical dispute between Poland and Ukraine over the Volhynia mass killings of 1944 (Szeptycki 2016, Motyka 2020, 2018). The hardened position of the Polish government co-existed with the nationalist turn in Ukraine. The latter is manifested by the current glorification of the Ukrainian insurgent army, accused by the Polish side of ethnic cleansing during WWII. This occurred in tandem with the national mobilisation of Ukrainians against the Russian aggression from 2014 onwards (Motyka 2020). The return of the historical dispute led to a protracted diplomatic crisis between the two countries in 2015-2019 (Interview 3).

The available research indicates that Polish public opinion primarily associates Ukrainians with the historical dispute over the Volhynia legacy (Troszczyński 2016). At the same time, the two societies differ in their collective interpretations over the common history and they are reluctant to acknowledge guilt on their own side (Stryjek et al. 2018). The historical dispute became a subject in everyday discussions between Poles and Ukrainians, but sometimes it also incited insults or discriminatory acts towards Ukrainian migrants (Interview 7). Since this dispute has been a prevalent topic in Polish public discourse, security professionals draw on it within the neighbourhood mentality of government.

The neighbourhood mentality manifests itself in two contradictory ways: in the feeling of cultural and political proximity between Poland and Ukraine, particularly in terms of shared negative attitudes towards Russian imperialism, but also in Polish preconceptions of Ukrainians, with many attendant stereotypes and prejudices (Zarycki 2014; Folis 2012). For a long time, Poland and Ukraine were part of a single state, once cooperating or being in conflict. However, in both cases the notion of the neighbourhood was an important part of both the state building and nation building process. The common relationship also served as an important reference point in the disputes with Russia or in the Europeanisation process (Szeptycki 2016; Snyder 2003). This formed the Polish-Ukrainian neighbourhood from two contrasting processes: political, historical and economic proximity in some aspects and simultaneous conflicting attitudes in others. Another important factor is the multi-ethnic pre-WWII past of Poland, which resulted in a blurring of boundaries between *Us* and *Others*, between Poles and Ukrainians, depending on the vernacular context of the particular identity dimension (Prizel 1998). As a result, the figure of the Ukrainian in the Polish historical and social public discourse plays the role of *the Other* in the Polish identity-building process, while in the economic and cultural dimensions it occupies the role of 'most accepted foreigner'.

The contradictory effects of the neighbourhood mentality's impact on the security practices might be best illustrated by the case of Polish-Ukrainian border management. The Polish accession to the EU and Schengen area turned the Polish-Ukrainian border into a site of both restricted conditional open mobility for some and selective enclosure for the rest. It was part of the larger process of the 're-bordering' of the EU (Folis 2012: 11), which represented the inherent contradiction of the Schengen area: internal 'de-bordering' and external 'hard bordering' against outsiders seeking to take advantage of the *four freedoms* of the EU. In the 1990s, openness of the border was accompanied by a sense of neighbourhood partnership and many efforts at historical reconciliation by those involved in small-scale local trade (often smuggling) and cross-border encounters (Wallace et al. 1997). However, the establishment of the Polish-Ukrainian border as an external border of the Schengen area allowed Poles, in their aspirations and self-image, to elevate their political and cultural subjectivity as 'fully European', while Ukrainians were downgraded as 'Eastern Europeans' and outsiders to the EU (Folis 2012). On one hand, they were 'conveying their civilizational aptitude and competence in ⟨European standards⟩' (Folis 2012: 92). This was embodied in the way they wanted to prove their ability to combat illegal migration threatening the territory of the EU and thereby elevate Poles' European credentials in the view of EU institutions. On the other

hand, they needed to ensure the flow of local trade and relatively open access to the Polish labour market by Ukrainian workers. As Folis (2012: 92) concluded:

> the daily work of rebordering entails … keeping at bay immigrants thought to be headed via Poland for Western Europe, and who might otherwise be "suspicious," while continually admitting a steady flow of those believed to bound just for Poland.

Schengen re-bordering created novel challenges for cross-border mobility, which were quickly accommodated by identifying new loopholes in the system of border control. Hence, many Ukrainians needed to adjust, subvert and resist the Schengen border regime to meet their local, mostly economic, needs by mentally and physically 'stretching the border' (Szytniewski et al. 2020: 13).

As a result of the inconsistent character of Polish-Ukrainian border governance, combined with the very high number of border crossings that strained the capacities of border infrastructure, border malpractices became a practical example for security professionals in the period of increased migration from 2014. This was also part of a dual process of combining Schengen logic with the local understanding of neighbourhood in which borders' security professionals performed security practices. Many reports of the border crossings showed the difficult experience Ukrainians faced when entering Poland and consequently the Schengen area. Among the listed constraints are ambiguity of the procedures and sequence of crossing the border and micro-inequalities, such as border guards' patronising treatment of Ukrainian migrants (Konieczna-Sałamatin et al. 2012: 25-62; Jaroszewicz and Mrozek 2020). As indicated in interviews, many Ukrainian migrants are addressed at the border by the informal form of 'you' instead of 'Mr.' or 'Mrs', which according to Polish norms of address is disrespectful when used to strangers or non-intimates. Ukrainian migrants are often directly or indirectly challenged over their standpoint on the Polish-Ukrainian historical disputes (Interview 7).

CONCLUSIONS

The reaction of the Polish technocratic security *dispositif* to post-2014 Ukrainian migration manifested itself in the emergence of a complex assemblage of regimes of security practices, with the predominant pattern of state ignorance linked with technocratic governance. In this manner, this article revisits the concept of technocracy, conventionally understood as drawing on the specialised knowledge of experts and providing rational solutions for the public. In Poland's context, the article also exposes the role of national identity, based on the opposition of the local versus European and political versus economic identity.

The article proposes a novel theoretical approach by supplementing the securitisation studies with a different approach to technocracy, the notion of state ignorance and the conceptualisation of the impact of national identity on security practices. Therefore, to better understand the wider context of the Polish security reaction to Ukrainian migration, the research design was structured by the Foucauldian notion of *dispositif*.

On an empirical level, the article argues that in reaction to a rapid increase in arrivals of Ukrainian migrants Poland mainly mobilised its state ignorance capacities, since neither legal nor institutional practices were adopted to address the emergency. The consequent lack of preparedness of the administration in coping with migrants, tied to bureaucratic inertia and routine, has paved the way for the prolonged admission procedures and generalised feeling of 'unease' on the side of migrants. Framed this way, state ignorance has also become a vital element of securitisation process. The phenomenon of technocratic governance was observed inter alia in the adopted anti-terror measures, the practice of authorisation and the logic of 'Schengen' border management. It also appears to have contributed to state arbitrariness and migrants' positioning within legal ambiguities and the 'politics of fear'. However, it was

the most abstract neighbourhood mentality that exposed paradoxes of the framing and implementation of security practices. If both the Schengen rationale and the politics of memory entailed 'hard' bordering of Ukrainians as 'others', then the local understating of neighbourhood identity and history, most visible in the political, economic and cultural dimensions, entailed the 'soft' bordering. The main consequence of such an assemblage of security practices immersed in three mentalities lay in leaving migrants in a status of 'semi-compliance' status, in which they needed to consolidate their legal status with irregular position.

The reaction of the Polish security *dispositif* to recent migration from Ukraine serves the opposite case to the strong reliance on technocracy legitimatised by populism in Western European countries. It appears that in the case of Poland, there is little connection between the public and technocratic security professionals. Considering its unprecedented and exceptional scale, there have been very few populist speech acts by Polish political agents that would have positioned Ukrainian migration as an existential threat. Moreover, no new specific policy instruments or other forms of improvement in state capacities, which might have addressed the new migration's dynamics, have been implemented since 2014. Ultimately, securitisation may take place without the related discursive acts, while the routine practical work and expertise, alongside state ignorance and immobilisation of state resources, may play a vital role in securitising certain issues. As such, this case contributes to revisiting the very concept of technocracy. It forms part of a larger technocratic model of governance, but it need not be dependent on the incitement of fear in the general public and does not necessarily lead to harmonisation or rationalisation of the security practices.

Future research may better conceptualise the links between the three identified regimes of security practices and their impact on the perspective of individual migrants. In particular, further studies are required to analyse to how state ignorance can be defined as part of the securitisation process, and to track the context in which 'new' security practices are created and in which 'old' ones are being reappropriated and reconceptualised.

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