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Agents of change? (Hi)stories, perspectives, and everyday practices of Polish border guards

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Chapter 1: Introduction To The Thesis

1.1. “Agents of Change” and getting to the core of ‘crimmigration’

This doctoral dissertation, “Agents of Change? (Hi)stories, perspectives, and everyday practices of Polish Border Guards,” is part of the overarching project “Getting to the Core of Crimmigration.” It places the discretionary practices of Polish border officials at the center of its analysis, examining how they operate at the Polish-German border—an intra-Schengen boundary where the promise of borderlessness exists in tension with persistent, if informal, mechanisms of control. Crimmigration is used here as a sensitizing concept—a lens through which to examine how discretion is shaped by, and contributes to, the convergence of criminal law and immigration control in this specific internal EU context (Stumpf 2006; Van der Woude, Van der Leun & Nijland 2014). The primary aim of the study is to understand how discretion functions in the everyday practices of Polish border officials, and how it is influenced by political, organizational, and legal forces.

Scholarly work has highlighted the rise of discretionary governance in migration control (Borrelli et al., 2025; Eule et al. 2019). Yet, while much attention has been given to external borders and top-down policy frameworks, relatively little is known about intra-Schengen enforcement or the grounded, everyday enactments of crimmigration by street-level actors. This research addresses that gap by closely examining the practices, assumptions, and constraints that shape Polish Border Guard discretion within an officially borderless zone. Building on insights from Brouwer, Van der Woude & Van der Leun (2017), the study interrogates how informal, selective, and ambiguous forms of enforcement persist inside the Schengen Area, producing *de facto* borders where *de jure* ones no longer exist.

Poland is a particularly revealing case. As a post-socialist EU member state and a key Eastern entry point, its migration governance is shaped by both legacy policing cultures and European integration dynamics. Scholarship on post-socialist transformation underscores how national identity, institutional memory, and sovereignty continue to shape discretionary migration enforcement (Yakhlef 2020). This project builds on those insights to argue that border officials are not simply enforcers of European or national mandates, but agents of interpretation and – potentially - change. Recent work by Klaus and Szulecka (2023) and Szulecka & Klaus (2021) shows that Poland's approach to humanitarian migrants and irregular stay has oscillated between formalized exclusion and highly discretionary leniency, revealing a blurred legal terrain that empowers frontline officials.

This research responds to a significant gap in the crimmigration literature, which has traditionally emphasized legal regimes and external EU borders, while often overlooking the mundane, often opaque enforcement practices occurring within the Schengen zone (Van der Woude 2025). Focusing on intra-Schengen enforcement, the study centers the discretionary role and practices of street-level officials - Polish Border Guards - in mediating EU policy, national legal orders, and localized logics of order and mobility (Gatta, Mitsilegas & Zirulia 2021). This localized approach is further enriched by Weissensteiner (2021), who argues that

cross-border policing in the EU involves informal cooperation, moral judgment, and institutional discretion, particularly salient in border-strip regions.

Methodologically, the study adopts a bottom-up, socio-legal approach, grounded in qualitative fieldwork and ethnographic sensibilities. It responds to growing scholarly calls to “study borders from below” and “bring the state back in” by focusing on the practices, perceptions, and moral judgments of border actors themselves. Scholars such as Coté-Boucher, Infantino & Salter (2014), Loftus (2015), and Feldman (2011) have emphasized the need to understand how border enforcement is enacted on the ground, through the daily work of officials who embody and interpret the state at Europe’s frontlines. These calls underline the importance of attending not just to law or policy, but to discretion, affect, and the symbolic performances of border control as everyday practice.

Academically, this dissertation contributes to the literature on migration control, discretionary enforcement, and border studies by focusing on Central and Eastern European actors, regions historically underrepresented in Western-dominated accounts of Schengen enforcement. It extends debates that deconstruct the idea of a unified, borderless Europe by showing how enforcement remains uneven, locally negotiated, and shaped by national bureaucratic traditions. As Wallace (2002, pp. 603–604) explains, the opening of East-Central European borders in the 1990s was quickly followed by closure mechanisms that reframed these states as Europe’s new buffer zone. Similarly, Lavenex (2001, pp. 24–25) explores how the EU’s external governance strategies, framed as liberal integration, paradoxically contributed to reinforcing selective, realist migration control logics in its eastern neighborhood. Guiraudon and Lahav (2000, p. 170) argue that this “venue shopping” in migration governance has relocated control away from traditional state hierarchies toward more diffuse actors—shifting discretion downward to street-level implementers. In the post-socialist context, Okólski (2004, pp. 13–14) and Molodikova (2004, pp. 35–39) both emphasize how blurred institutional frameworks and weak enforcement capacity contributed to a unique regulatory environment in which informal practices and state ambivalence coexist—further entrenching discretionary migration governance. These findings highlight why it is essential to study borders not only through legal texts or political declarations but via the everyday enactment of state power on the ground. This dissertation addresses precisely such discretionary enforcement at Poland’s intra-Schengen border. In doing so, it aligns with scholarship that theorizes the Schengen Area as a fragmented and evolving field of enforcement regimes, where national histories, institutions, and border imaginaries matter deeply (Van der Woude 2020; Karamanidou & Kasparek 2018).

Societally, this research sheds light on how state officials, often the first and most consequential point of contact for mobile individuals, interpret and perform their mandate in zones presumed to be borderless. By focusing on discretionary practices at the Polish intra-Schengen border, the study reveals how mobility is governed not only through legal frameworks but through the everyday decisions of street-level actors. This bottom-up approach helps illuminate the lived experience of bordering, particularly for migrants and minorities navigating increasingly securitized and politicized spaces of movement. In Poland and similar post-socialist societies, where public trust in institutions remains fragile and rule-of-law standards have declined,

discretionary enforcement practices are not merely administrative choices. They become a mirror of deeper social anxieties and political narratives. As Klaus (2020) demonstrates, Polish migration control is shaped by both European policy pressures and local xenophobic currents. Understanding how these translate into discretionary street-level decisions provides a vital window into the broader production of social exclusion and national identity. This is particularly relevant in a context where, as Liszkowska (2023) shows, migration is often portrayed as a “crisis” demanding emergency responses, allowing authorities to bypass democratic safeguards. The everyday practices of border officials thus contribute to the normalization of legal exceptionalism, a trend that threatens individual rights and democratic integrity. Similarly, Ziętek (2025) notes that securitization in Poland turns mobile populations into suspect figures, producing broader societal consequences: fear, polarization, and a public imaginary in which “security” trumps justice. The societal implications of this process are far-reaching. As Żuk & Żuk (2024) explain, border regimes are not merely about physical territory - they are about imagining who belongs and who does not. Through their “borderphobic” lens, they show how national identity is increasingly built on the symbolic exclusion of outsiders. In such a climate, discretionary decisions by street-level officials are not neutral—they actively shape public perceptions of who counts as a threat, a citizen, or a stranger.

By revealing how these dynamics unfold at one of the EU’s internal borders, this dissertation speaks to urgent societal questions: What happens to liberal values when mobility is criminalized? How do societies justify exclusions within supposedly unified political spaces? And how do the smallest decisions by frontline actors accumulate into broader regimes of mistrust, fear, and inequality? While foregrounding the discretionary decisions exercised by so-called ‘agents of the state’, this research contributes to critical public debates on the future of European integration, the erosion of democratic norms, and the social consequences of border politics. It calls for a deeper societal reckoning with the ways bordering is practiced, legitimized, and experienced—not at abstract policy levels, but on the ground, in the name of the state.

By asking:

- How is discretion exercised by Polish Border Guard officials in the enforcement and management of intra-Schengen border control and mobility?
- How do their discretionary decisions and daily operations relate to the personal, organizational, and broader historical and societal contexts within which they operate?

this dissertation highlights how discretion—exercised by street-level actors—actively shapes who can move, who is policed, and how borders are imagined and enacted from within the European Union.

1.2. Situating the Research: The Polish case study

This dissertation investigates the discretionary practices of the Polish Border Guard (Polska Straż Graniczna) at the Polish–German intra-Schengen border. The choice of this case is both strategically situated and theoretically generative. It allows for an in-depth exploration of how national institutions operationalize supranational norms, particularly in contexts marked by complex histories, evolving legal frameworks, and politically charged migration discourses.

The following subsections unpack the historical and legal-institutional dimensions of the Polish–German border, demonstrating how border control in this space cannot be understood without attention to Poland’s shifting sovereignty, securitized political narratives, and the discretionary leeway afforded by both EU and national law.

Historical legacies

The Polish–German boundary is uniquely shaped by Poland’s turbulent history of shifting borders, political upheaval, and contested sovereignty (Ładykowski, 2011). From the three Partitions of Poland in the late 18th century, through Nazi and Soviet occupations in the 20th century, to post-1989 democratic transition and EU accession, each historical layer has left traces in institutional practices, local identities, and border infrastructures (Brubaker, 2002). This palimpsest of pasts converges on the Oder–Neisse line (today’s Polish–German border) making it an especially rich site for examining how macro-level policies on crimmigration, discretion, and securitization play out in locally inflected ways (Stokłosa, 2014 & 2019).

Poland’s border agencies, as exemplified by today’s Straż Graniczna (Polish Border Guard), carry forward traditions of vigilance and secrecy rooted in authoritarian and wartime legacies. Ethnographic fieldwork reveals that officers invoke memories of Soviet surveillance and wartime infiltration to justify rigorous ID checks and “need-to-know” secrecy norms in their daily routines (De Goede, 2019; Stauter-Halsted, 2014). This continuity of suspicion embeds a punitive ethos deep within institutional culture, amplifying crimmigration’s penal logics. The Oder–Neisse border has shifted multiple times, from Prussian rule to the post–World War II division, and finally to a Schengen internal frontier after 2007. Today the country serves as a geo-political buffer, encompassing both the external and internal border of the modern “Fortress Europe”. This dual status springs directly from Poland’s entry into EU and Schengen, linking historical boundary changes to contemporary legal ambiguities (Pietras, 2020).

Post-2015 nationalist discourses under PiS tap into collective memories of foreign domination to frame migration as an existential threat. Parliamentary debates and regional media describe the borderlands as besieged by so-called smuggling rings or cultural contamination – narratives that legitimize securitization measures ranging from biometric surveillance to push-backs (Bucholc, 2020). History thus becomes political capital, shaping both public attitudes and officers’ discretionary allowances under meso and micro-level SOPs. The existing research point to how these micro-level acts of discretion are justified by appeals to past vulnerabilities, creating a narrative continuity from Poland’s contested sovereignty to today’s border enforcement tactics (Pietras, 2020).

Poland’s layered history does more than provide context; it actively shapes how border control is conceived and practiced (Kennard, 1996). Historical memories of occupation and shifting borders infuse institutional norms, justify expanded discretionary powers, and legitimize the securitization of migration. The Polish–German frontier thus operates as a living archive, where present-day enforcement is inseparable from past traumas and state-building narratives (Anderson, 2006). For scholars and policymakers, this case underlines the importance of historicity in migration studies: policies cannot be fully understood without attending to the legacies and emotions embedded in the territory (Dandekar, 2021). By tracing the threads from

18th-century partitions to 21st-century Schengen rules, the Polish–German border reveals how history is inscribed in the very technologies, discourses, and discretionary practices of border governance.

Legal context of Polish–German border control

The Polish–German border is not merely a physical or cartographic line; it is a socio-legal interface where European Union regulations, national legal frameworks, and institutional cultures converge. Since Poland’s accession to the Schengen Area in 2007, this border has acquired a dual legal character: on paper, it functions as an internal EU frontier guaranteeing freedom of movement; in practice, it has become a site of intensified policing and discretionary surveillance, particularly in the context of migration and security concerns.

Like other Schengen states, Poland leverages the regulatory flexibility embedded in the Schengen Borders Code (SBC). Under Article 23 SBC, member states may conduct police checks in internal border areas provided they are not equivalent to systematic border controls. In the Polish context, these powers are underpinned and extended by national legislation, especially the Act on the Protection of the State Border and the Act on Foreigners, which authorize risk-based checks and police activity in a designated “border zone” (Szulecka, 2019; Szulecka, Pachocka & Sobczak-Szelc, 2018). These legal provisions empower the Straż Graniczna (Polish Border Guard) to conduct discretionary checks grounded in internal risk assessments, thereby operationalizing crimmigration at the street level, where mobility is continuously negotiated through informal, quasi-legal practices (Szulecka & Klaus, 2023). At the time of writing (July 2025), Poland has additionally invoked Article 25 SBC, which allows for the temporary reintroduction of border controls at internal frontiers in response to serious threats to internal security or public order. This legal move reinstates systematic inspections at fixed crossing points with Germany and suspends the Schengen commitment to border-free travel. In doing so, it underscores how the elasticity of the SBC can be harnessed to align legal formalism with political discretion, effectively shifting internal EU borders into “security corridors” (Szulecka, 2016; Van der Woude, 2025).

Importantly, the Polish legal framework does not simply transpose EU norms; it reinterprets and stretches them through national enforcement cultures. For instance, Polish authorities frequently invoke narratives of trafficking, hybrid threats, and “foreign agents” to justify extended border surveillance, even where no actual breach of Schengen norms is evident (Szulecka, 2016; Szulecka & Klaus, 2021). The result is a selective and strategic application of EU law, guided less by supranational standards than by domestic political and institutional priorities (Szulecka, 2022). This legal-institutional duality between EU obligations and national discretion mirrors broader tensions within the EU. In Poland, these tensions are amplified by rule-of-law challenges, securitized political discourse, and institutional path dependencies rooted in authoritarian pasts. The Straż Graniczna operates as a militarized force with expansive authority not only over external borders but within internal Schengen zones, where it retains substantial discretion over who is checked, questioned, or excluded (Szulecka, 2019; Klaus & Szulecka, 2023). The agency thus embodies the tension between border liberalization and enforcement retrenchment, between integration and isolation.

In this context, the Polish–German border is a key site for investigating how discretionary enforcement is produced and justified through law, how national and supranational mandates collide, and how crimmigration is enacted through routine, localized practices. Studying this border ethnographically enables a deeper understanding of how internal Schengen frontiers are being reconfigured as zones of exception, formally integrated yet practically policed, legally open yet institutionally fortified.

1.3. Theoretical framework

This research is grounded in an interdisciplinary theoretical framework that brings together three interrelated sensitizing concepts: crimmigration, discretion, and securitization. Rather than serving as fixed, definitive variables, these concepts are used in the sense articulated by Bowen (2006) as guiding analytical devices that offer “a general sense of reference and guidance in approaching empirical instances” rather than rigid theoretical categories. Crimmigration, the merging of criminal law and immigration law, serves as a sensitizing concept in this project. Rather than treating crimmigration as a fixed condition, the research explores how it manifests in practice: how Polish Border Guard officers enact migration control in ways that criminalize mobility, manage perceived threats, and reproduce boundaries of belonging. Discretion, as the operational space within which street-level bureaucrats interpret and apply legal norms, becomes the mechanism through which crimmigration is realized. It is through discretionary decisions, who is stopped, questioned, recorded, or ignored, that the boundaries between legality and illegality, citizen and outsider, are actively drawn. The research foregrounds discretion as both a site of agency and a tool of state power, shaped by institutional norms, affective judgments, and political cues. Securitization, finally, provides the broader discursive and institutional logic that frames migration as a threat requiring exceptional measures. This logic justifies expanded surveillance, the militarization of border agencies, and the erosion of procedural safeguards. In Poland, securitization is not merely rhetorical. It is codified in law, embedded in risk analysis practices, and mobilized through national and EU-level legal frameworks, including the Schengen Borders Code.

Together, these three concepts are not treated in isolation but as mutually constitutive: securitization narratives fuel crimmigration policies; crimmigration relies on discretionary enforcement; and discretion operates within, and is shaped by, securitized institutional environments. This conceptual triangulation allows the research to move beyond macro-legal abstraction and delve into the micro-practices through which border control is enacted on the ground. The following sections define each concept in turn, trace their development in existing literature,

Understanding Crimmigration: Governing Borders through Crime and Control

The term crimmigration, coined by Juliet Stumpf (2006), initially referred to the growing convergence of immigration and criminal law, whereby immigration infractions, traditionally civil or administrative in nature, became increasingly criminalized through mechanisms such as detention, deportation, and surveillance. Stumpf’s original formulation was largely grounded in legal analysis, highlighting how punitive criminal justice tools were being imported into the domain of migration control. However, subsequent scholarship has considerably expanded this framework, recognizing that legal transformations do not occur in isolation but are embedded

within broader social, political, and institutional contexts. Building on this, Van der Woude, Van der Leun & Nijland (2013) argue that crimmigration must be understood not merely as a legal development but as a broader socio-political process. Law and legislation evolve alongside shifts in public discourse, political rhetoric, and institutional culture. In this broader view, crimmigration denotes the intertwining of crime control and migration control (Aas, 2011), encompassing not only how migrants are governed legally, but also how they are constructed symbolically and emotionally within systems of power.

Ongoing research by various scholars demonstrates that this convergence has led to the increasing construction of migrants as security risks, and mobility itself is often framed as a threat to public order (Aliverti, 2013; Bigo, 2002; Bosworth et al., 2018; Ellerman, 2009; Eule et al., 2019; Gundhus, 2021; Hiah & Staring, 2016). This shift is more than procedural; it is deeply political and symbolic. As Stumpf (2006) already emphasized in her foundational work, crimmigration not only merges legal categories, but also plays a constitutive role in shaping the boundaries of membership, determining who belongs and who does not. Building on this insight, scholars such as Bosworth (2014), Franko (2019), De Genova (2013), and van der Woude (2020, 2025) have further explored how migration control has become a key site for constructing national identity, moral belonging, and racial or ethnic exclusion (also see: Vuolajärvi 2019; Bhatia et al., 2024). Crimmigration practices do not merely enforce laws, they produce and maintain symbolic and institutional borders of social exclusion.

While the framework of free movement remains central to European legal discourse, in practice, crimmigration regimes function as tools of governance that delineate who belongs and who does not. This is particularly evident in the deployment of criminal justice logics to manage migration (Den Boer, 2008). Immigration enforcement agencies increasingly resemble police or even paramilitary forces, using militarized tactics and discretionary authority. Meanwhile, legal protections traditionally afforded to criminal defendants are often absent in immigration contexts, leaving migrants exposed to systems with reduced procedural safeguards and heightened vulnerability (Weinar, 2007).

Moreover, crimmigration is increasingly recognized as an emotional and cultural regime. De Genova's (2002, 2013) concept of "deportability" shows how the looming threat of expulsion governs migrant subjectivity and labor, while Campos-Delgado (2022) illustrates the theatrical cruelty embedded in expulsion procedures. Furthermore, Vega's research shows how officers perform affective labor, navigating tensions between empathy, duty, and morality, to justify exclusionary practices and reinforce the legitimacy of state power (Vega, 2017, 2018, 2025). Her work highlights how discretion and emotion are co-constitutive, transforming crimmigration into a lived regime of governance, not merely a policy framework.

Ultimately, crimmigration offers a powerful analytical lens for understanding how modern states govern mobility. It reveals how legal practices, political discourse, and institutional norms converge to regulate movement, discipline populations, and define the boundaries of moral and legal belonging. In the Polish context where post-socialist legacies, securitized rhetoric, and EU legal obligations intersect, this framework becomes particularly useful for analyzing how discretionary enforcement at the intra-Schengen frontier both reflects and reproduces broader dynamics of exclusion, nationalism, and control.

Easternizing crimmigration

While the concept of crimmigration was originally developed in the U.S. context (Stumpf, 2006), it has since been applied to various geopolitical landscapes, especially across Western Europe. Recent contributions in border criminology have emphasized the need to “southernize” (border) criminology, shifting analytical attention to southern borderlands such as the Mediterranean (e.g. Metha & Aliverti, 2023; Aliverti et al., 2021; Carrington et al., 2019), where racialized bordering practices intersect with colonial legacies and humanitarian discourses. These interventions critique the dominant Euro-American focus in crimmigration scholarship and call for the inclusion of different geographies, state formations, and historical contingencies.

Building on this critical turn, this dissertation contributes to an “easternization” of crimmigration, drawing on Brandini’s (2024) call to go beyond the North–South binary by analyzing how power, sovereignty, and statehood function in post-socialist spaces. Rather than applying Western European models to Central and Eastern Europe, this project explores how crimmigration manifests in an EU-borderland context, specifically Poland, shaped by authoritarian populism, militarized nationalism, and institutional cultures rooted in state-socialist legacies (Ładykowski, 2011; Klaus & Szulecka, 2021).

While empirical studies on Poland’s border control remain limited, they are growing in relevance. In the edited collection *Crimmigrant Nations* (van der Woude & Koulish, 2020), Witold Klaus offers a key contribution by analyzing how Poland’s transformation from a country of emigration to a gatekeeper of Fortress Europe is accompanied by increased criminalization and securitization. His research shows how Polish courts, influenced by EU directives and nationalist narratives, apply crimmigration logics through legal classifications that conflate migration infractions with criminal threats. He introduces the concept of the “velvet curtain” to illustrate how the Eastern borders of the EU appear soft but function as hard enforcers of Western security paradigms. This dissertation aims to further contribute to a deeper understanding of the landscape of migration control in Poland.

Discretion in Migration and Policing

Discretion, the capacity of frontline officials to interpret and apply broad or ambiguous rules, is fundamental to how any policies are implemented and experienced. Michael Lipsky (1980) famously characterized street-level bureaucrats, including police and immigration officers, as de facto policymakers whose judgments shape individuals’ everyday encounters with the state.

Discretion is undoubtedly a central mechanism through which migration policy is enacted, particularly at borders where law, security, and human judgment converge. In border governance, this capacity of front-line officials to interpret and apply rules in situations of legal ambiguity or operational uncertainty is exercised across multiple levels (van der Woude, 2017; 2025). At the macro level, strategic priorities and political pressures influence the deployment of resources and the setting of enforcement goals. These institutional priorities are operationalized through meso-level mechanisms, such as standard operating procedures and regional command structures, which define the boundaries of acceptable decision-making. At

the micro level, individual officers engage in interpretive judgments shaped by professional training, institutional norms, and their own perceptions of risk or legitimacy.

Contemporary scholars have expanded upon Lipsky's foundational insights; today's theoretical and empirical literature on discretion has increasingly emphasized the importance of examining the moral, emotional, and affective dimensions of discretionary authority. Researchers such as Maynard-Moody and Musheno (2003), Brodtkin (2011), Vega (2025) and van der Woude (2017; 2025) have shown that frontline actors do not merely apply rules mechanically. Instead, they construct interpretive stories about those they encounter, making decisions through cultural and ethical lenses. In doing so, discretion becomes a reflection of embedded values and biases, sometimes reinforcing (though occasionally challenging) prevailing organizational norms and societal ideologies. In this context, Zacka's (2017) work on the moral dispositions of street-level bureaucrats offers an essential lens through which to understand discretion not only as a functional necessity but as an inherently ethical and emotional practice. He calls for an "ethnographic sensibility" to grasp how frontline officials navigate institutional expectations while grappling with moral dilemmas and affective strain—an approach that resonates strongly with the fieldwork and methodological orientation of this dissertation.

The use of discretion at borders often reflects broader political, cultural, and moral narratives. Officers may assess travelers not only through legal criteria but also through informal cues such as appearance, language, or demeanor (Franko, 2019; Woude et al., 2017). These practices illustrate how discretionary authority, while legally sanctioned, is deeply embedded in social and organizational contexts. In the context of crimmigration, where administrative migration frameworks converge with criminal law enforcement, discretion plays an even more pronounced role. The merging of these domains can blur the line between neutral rule-following and subjective, often punitive, interpretations (Gundhus & Franko, 2016; van der Woude, 2020; 2025; Zacka, 2017). Zacka's insights into how frontline officials manage institutional contradictions, oscillating between roles such as enforcer, caregiver, and reluctant bureaucrat, are particularly salient in border control environments marked by ambiguity, tension, and moral fatigue.

At the Polish–German border, where national mandates, EU directives, and real-time decision-making intersect, discretion determines who is permitted to cross, who is detained, and who proceeds without interference. Emerging data on Poland underscores the layered nature of discretionary practices. At the macro level, strategic priorities and performance indicators set by Border Guard headquarters influence the scope of permissible action. Meso-level elements, such as Standard Operating Procedures (SOPs) and institutional cultures, further shape how discretion is exercised. At the micro level, individual officers make real-time decisions during border encounters, often based on a mix of legal reasoning and subjective perceptions. Ethnographic fieldwork from other countries has shown how superficial markers, such as accent, clothing, or body language, can trigger either intensified scrutiny or relaxed treatment (van der Woude et al., 2017), suggesting comparable dynamics may be at play elsewhere. Officers' choices are thus informed not only by formal legal standards but also by personal moral frameworks, emotional responses, and implicit judgments about who "belongs" (De Genova, 2013; van Houtum & Naerssen, 2002).

The topic of discretion in the presented dissertation is approached by focusing on an extensive and nuanced data collection specifically addressing the discretionary decisions within daily operations and procedures of the street-level border control state agents. The research reveals multi-faceted and complex nature of discretion and decision-making by deploying precisely designated qualitative surveys measuring discretion (modeled after a similar study of police discretion in the US, but adjusted appropriately to the specific region, laws, and institutions of focus of the presented doctoral research). Acquired information is furthermore contextualized and triangulated with additional data obtained via observations, interviews, and focus groups, all concentrating on the discretionary decisions of implementing the existing laws and policies of migration and border control in the region of focus.

In line with Zacka's (2017, p. 254) call to "embrace the contradictions of street-level work with an ethnographic sensibility," this dissertation situates discretion at macro, meso, and micro scales, illuminating how legal ambiguity, organizational culture, and human judgment coalesce to shape migration outcomes on Europe's most dynamic frontier.

Border Security and Securitization

The concepts of border security and securitization have become central to debates on migration, sovereignty, and global governance. In an era of increased human mobility, geopolitical instability, and transnational threats, the border is no longer a fixed line on a map but a dynamic space of control, surveillance, and symbolic power. Traditionally conceived as the demarcation of territorial sovereignty, modern borders are increasingly managed through a logic that frames mobility as risk to be mitigated rather than a human right to be respected (Bigo 2002; Huysmans 2006).

Securitization theory, developed by the Copenhagen School (Buzan et al. 1998), posits that security is not an objective condition but a discursive act. A securitizing actor such as a political leader or senior border official, frames migration as an existential threat to a referent object (for example, national identity or state sovereignty). This framing legitimizes exceptional measures – walls, pushbacks, or off-shoring asylum procedures – that lie outside ordinary legal or humanitarian norms (Bosworth, 2014). In Europe, scholars like Huysmans (2006) and Ceyhan and Tsoukala (2002) show how migrants are cast as criminals, terrorists, or cultural threats, fueling public anxiety and political support for restrictive policies.

At the Polish–German border, securitization operates on multiple registers. National-level rhetoric in Warsaw portrays it as the first line of defense against "smuggling rings" and "illegal mass crossings," while German federal and state authorities emphasize the threat of transnational criminal networks (Kennard, 1996). Together, these narratives justify intensified securitization and surveillance measures taken against migrants. Border security research has expanded beyond policy analysis to examine the practices and infrastructures that produce social, spatial, and political effects. As Salter (2006) argues, the border is a mobile, multi-scalar apparatus enacted through various technologies (such as biometrics, CCTV, or drones), bureaucracies (Schengen visa regimes, EU databases such as SIS II and EURODAC), as well as human agents (institutions of Polska Straż Graniczna, Bundespolizei, and their street-level officers).

Borders serve not only as logistical barriers but as symbolic frontiers of national identity and moral order. De Genova (2013) and Franko (2019) emphasize that borders dramatize sovereignty, especially in times of crisis. At the Polish–German frontier, ceremonial flag-raising at crossing points, armed patrols visible from both sides, and publicized joint exercises with Frontex reinforce a narrative of constant vigilance. Emotions such as fear, pride, and moral righteousness are mobilized to sustain support for securitized measures. Appeals to protect “Polish women and children” or to defend Germany from “civilizational threats” animate local media and political speeches (Szulc, 2017). These moral economies of threat shape how officers and the public interpret everyday encounters, transforming routine ID checks into performances of state power (Gundhus & Franko, 2016). Border security and securitization are not neutral responses to objective risks but political technologies of power that define who is seen as a threat, who is protected, and who is excluded (Bigo, 2002; Yuval-David, 2011). They encompass tactics of territorial control via physical fences, checkpoints, and patrol zones, mobility management by applying visa rules, entry bans, and return procedures, as well as identity governance seen in data-sharing, risk-profiling algorithms, and “blacklists.”

The presented doctoral research embraces the saliency of topics of security and securitization within the analyzed border control procedures. By collecting data within the institution responsible for border and state security, the procedures and daily operations linked to these themes are examined, closely analyzing presence of these and related themes on the tactical, street-level functions of the border control, as well as within the existing laws and policies themselves. Critical discourse analysis additionally directs attention to those topics when presenting legal, political, historical, institutional, and emotional context of the performative aspect of border protection in the region of focus. By situating securitization theory within the unique legal architecture, historical legacies, and institutional cultures of the Polish–German frontier, the research reveals how border security is produced, performed, and contested, illuminating the human and political costs of equating mobility with menace.

1.4. Methodology

This section outlines the research design, data collection, and analysis strategies used in the dissertation.

(a) Research design and approach

This research is situated within a socio-legal and ethnographic case study framework, drawing on critical border criminology and grounded qualitative inquiry. It focuses on the Polish–German intra-Schengen border as a critical case (Yin, 2009) to explore how border control is performed and negotiated by the Polish Border Guard. Methodologically, the project is guided by the premise that legal norms and enforcement practices cannot be understood in isolation from the social, cultural, and institutional environments in which they unfold (Banakar & Travers, 2005; Silbey, 2005).

Within this socio-legal tradition, ethnography was employed as a key method to investigate how migration law is interpreted and enacted in everyday practice. The project engages directly with street-level bureaucrats, border officers responsible for implementing EU and national migration law, and seeks to understand how discretionary decisions are made and justified in

legally ambiguous or operationally uncertain settings. This aligns with growing calls in migration, policing, and legal studies to engage with micro-level practices and the moral, emotional, and procedural logics underpinning law enforcement (Loftus, 2015; Cowan, 2004).

Ethnographic methods, including participant observation, interviews, informal conversations, and fieldnotes, were chosen for their capacity to reveal the lived experiences of legal implementation. They enabled the research to move beyond formal policy analysis toward capturing the practices, habits, and affective judgments that shape decision-making in the field (Madden, 2022). This approach made it possible to study not only what border law says, but how it is operationalized, resisted, and routinized at the frontline.

The research design was informed by the understanding that discretion, securitization, and crimmigration are not simply doctrinal concepts but also social practices embedded in institutional norms, professional hierarchies, and broader narratives of threat and belonging. Case study methodology offered the depth and flexibility to analyze these processes across macro (legal/policy), meso (institutional), and micro (individual) levels (Gerring, 2004; Yin, 2009). The Polish–German border was selected as a strategic research site not only due to its dual status as an internal and external EU frontier, but because of Poland’s historical legacies, political climate, and institutional culture, making it an emblematic setting for exploring the dynamics of discretionary governance.

The methodological framework was also shaped by reflexive and feminist epistemologies, which view research as a relational and situated process (Lune & Berg, 2017; Rubin, 2021). The researcher’s positionality (linguistic fluency, national origin, outsider academic status) was treated not as a liability but as a condition of access and interpretation. Working within a securitized field site, where transparency was limited and interactions heavily shaped by trust and surveillance, required ethical attentiveness, flexibility, and emotional stamina (Bosma, de Goede & Pallister-Wilkens). These conditions shaped both the scope of access and the insights gained, reinforcing the importance of researcher reflexivity as a methodological and analytical tool.

In sum, the project applies ethnographic methods within a socio-legal case study design to examine how legal discretion, securitized narratives, and institutional practices converge in the management of EU mobility and migration. This multi-layered approach enables a grounded analysis of crimmigration not just as law or policy, but as a lived, performed, and relational phenomenon on Europe’s internal borders.

(b) Methods of data collection

Various methods of data collection were applied in this research allowing for thick data as well as the possibility of data triangulation. Although each of the articles that form the core of this dissertation also have a methodology section explaining from which part of the data collection they are drawing, in order to paint a complete picture, this section will provide a short overview of all methods.

Participant Observation

Following the ethnographic and socio-legal design of the research, participant observation served as the primary method of data collection. This approach allowed for the study of lived institutional realities by embedding within the everyday operations of the Polish Border Guard, the state agency responsible for migration and border enforcement.

Participant observation is defined as “observing and interacting with the subject of interest while actively participating in the setting as well as getting very close to research participants and gaining an intimate knowledge of their practices through intensive immersion in the field of study” (Mills, Durepos & Wiebe, 2010). As such, it is particularly suited to investigating phenomena in their everyday institutional setting (Reiss, 1971), allowing the researcher to gain thick, contextualized insight into professional cultures, moral routines, and discretionary practices that would be difficult to access through formal documents or interviews alone.

Over 900 hours of fieldwork were conducted between 2018 and 2020. Of these, more than 600 hours consisted of ride-alongs with border patrol units. These mobile observations provided direct access to decision-making processes during stops, identity checks, and other interactions. Additional observation took place within stationary units such as Risk Analysis, Migration Control Units, and Polish–German bilateral cooperation structures, offering a broader institutional perspective on how strategic priorities inform everyday discretion.

Structured observational data were collected using a fixed-form template (see Appendix 1), inspired by the tools developed by Alpert et al. (2014) and based on early police discretion studies such as the POPN projects. Unlike those U.S.-based studies that used two separate forms (Officers Form and Suspicion Form), this project utilized a consolidated instrument adapted to the Polish legal and institutional context. For each stop or intervention, officers’ stated motivations, contextual factors, the characteristics of vehicles and individuals, and the overall setting were systematically recorded.

While quantitative methods can identify broad enforcement patterns, they are limited in their capacity to explain the contextual judgment and moral reasoning that shape discretionary practices. As Mastrofski & Parks (1990) argue, officers’ decisions are influenced not only by formal criteria but also by moral frameworks, observational skills, local knowledge, and emotional judgment. These are features best studied through prolonged, immersive, and qualitative methods.

Extensive documentation supported the participant observation. Sixteen field notebooks captured structured observation data, while a reflexive field journal documented informal interactions, silences, and affective atmospheres that escaped standardized forms. This enabled the capture of both explicit rationales and the more subtle cues, body language, tone, internal humor, that shape discretionary choices.

It is acknowledged that participant observation carries limitations. Chief among these is the observer effect: the presence of a researcher can influence the behavior being observed (Mills, Durepos & Wiebe, 2010). This was mitigated, to some extent, through extended immersion and trust-building with officers, a process through which the researcher’s presence became part of

the routine. As noted by Lui & Maitlis (2010), this effect often diminishes over time as field relations stabilize. Additionally, triangulation through interviews, informal conversations, document analysis, and standardized observation forms helped identify and assess potential observer bias.

Participant observation thus proved indispensable in exploring how discretion is exercised, narrated, and normalized in Polish border control. It allowed access to the small, repeated acts through which legality, suspicion, and belonging are produced in daily enforcement. These data, analyzed alongside interviews and documents, form the backbone of this dissertation's empirical findings.

Selection of Research Sites

To capture the diversity of discretionary practices across varying operational contexts, research sites were deliberately selected to reflect the geographic, institutional, and functional heterogeneity of the Polish–German border. These locations included:

- A regional command center
- An international cooperation center involving police, border agents, and customs
- A high-traffic cross-border urban zone
- A forested, low-traffic informal crossing path
- Several high-volume international checkpoints

The selection aimed to ensure analytical variation and enable comparative insight into the different conditions under which discretionary decisions are made by border officials. Each site offered a distinct perspective on the structures, challenges, and practices of intra-Schengen border enforcement.

The regional command center provided access to macro-level institutional processes, including managerial priorities, strategic planning, and internal communication structures. It offered insight into how legal and policy directives are interpreted and translated into operational instructions. Conversely, street-level sites, such as rural crossings or urban transit hubs, made visible the micro-level realities of border control, including split-second decision-making, informal norms, and interpersonal dynamics between officers and travelers.

The inclusion of a bilateral cooperation center where Polish and German officers operated in parallel and in dialogue enabled the project to explore comparative enforcement cultures and examine how discretion is exercised across national legal traditions within a shared Schengen framework. Observations at low-traffic forest crossings revealed the autonomy of officers working in relative isolation, while urban hubs and international checkpoints demonstrated the impact of bureaucratic routine, throughput pressure, and technological mediation on officers' judgments.

This multi-sited strategy was essential not only for understanding institutional variation but also for identifying how context-specific pressures, ranging from perceived migrant profiles to spatial visibility, shape discretionary outcomes. By embedding the research across structurally and symbolically different border spaces, the study was able to interrogate how discretion is both institutionally bounded and locally enacted.

Interviews

Interviews were a core component of the research design and served to complement participant observation with in-depth, interpretive insights into how border officials understand, rationalize, and experience their work. Three primary forms were employed: semi-structured interviews, focus group discussions, and informal (unstructured) field interviews.

Semi-structured interviews were the principal method used to engage with officers and civilian staff. This format provided a structured framework of key questions while allowing for open-ended responses, digressions, and follow-up questions tailored to each participant's role and experience. As King and Horrocks (2010) argue, interviews in qualitative research are not about extracting "facts," but about understanding how people perceive the world around them. As Miller and Glassner (2011) note, while research cannot produce a mirror image of the social world, interviews can access the meanings people attribute to their experiences. In this project, semi-structured interviews offered a space for respondents to reflect on their discretion, moral reasoning, professional identity, and institutional challenges in their own terms—thus grounding abstract themes like crimmigration and securitization in lived narratives.

Focus group interviews were conducted with junior and mid-level officers, especially in training cohorts or operational teams. These small-group discussions were used to explore shared perspectives and foster peer interaction around questions of professional culture, norms, and challenges in discretionary decision-making. The focus group method has long been used across disciplines (Finch & Lewis, 2013; Krueger & Casey, 2014; Carey & Asbury, 2016), and it was selected here for its capacity to stimulate discussion and reveal consensus, or tension, within a group. Unlike in-depth individual interviews, the strength of focus groups lies in their interactivity: participants respond to each other's comments, clarify their own views in response to peers, and collectively articulate informal norms or unspoken rules of conduct. For this reason, focus groups were especially effective for capturing group-level sensemaking and institutional socialization processes.

Informal, unstructured field interviews were conducted during patrols, shift changes, meal breaks, and other moments of so-called dead time in the field. These spontaneous interactions were not recorded verbatim but documented in detailed fieldnotes and reflexive journals. While lacking formal structure, such conversations were rich in contextual and affective insight. In line with ethnographic best practices (Geertz, 1973), these moments provided the "thick description" necessary to understand the symbolic and emotional dimensions of frontline work. Officers often disclosed candid reflections during unguarded moments, comments they might not have offered in formal interviews, thus offering invaluable material for triangulation and interpretation.

Participants

Interview participants were purposefully selected to reflect the institutional structure of the Polish Border Guard and its internal diversity. Officers and civilian staff were recruited across three organizational levels:

- Strategic level (e.g., regional or unit commanders involved in policy and organizational oversight)

- Operational level (e.g., managing and supervising officers coordinating day-to-day procedures)
- Tactical/street level (e.g., patrol officers, mobile units, and surveillance agents directly involved in enforcement)

A wide range of professional and personal profiles was included: participants were aged between 19 and 65, and their experience ranged from newly graduated cadets to individuals with over 25 years of service. Both male and female officers were interviewed, with the gender balance reflecting availability at the posts. The sample also included officers working in administrative and coordination roles, in order to capture the bureaucratic dimensions of discretion.

This layered sampling strategy ensured that multiple institutional perspectives were captured, while the combination of interview formats helped identify how discretion is shaped not only by personal factors (e.g., emotions, experience, beliefs), but also by team culture, organizational norms, and broader socio-political narratives. In combination with the extended ethnographic immersion, the interviews enabled a textured understanding of how frontline actors interpret legality, perform state authority, and navigate moral dilemmas on the EU's shifting borderlands.

| | Participant observation (hours) | Observation forms (#) | Patrol ride-along (hours) | Training (hours) | Interviews (#) | Focus groups (#) | Respondents* (#) |
|-------------------------|--|------------------------------|----------------------------------|-------------------------|-----------------------|-------------------------|-------------------------|
| Regional Command | 156 | - | - | 16 | 12 | 2 | 12 |
| Outpost 1 | 262 | 99 | 177 | - | 9 | 4 | 16 |
| Outpost 2 | 214 | 116 | 169 | - | 6 | 3 | 19 |
| Outpost 3 | 256 | 221 | 228 | - | 8 | 3 | 22 |
| other | 17 | - | 17 | 10 | 2 | - | 7 |
| TOTAL | 905 | 426 | 591 | 26 | 37 | 12 | 76 |

Figure 1. Summary and overview of the collected data.

* Respondent include all individuals from the Polish Border Guard, officers as well as civilians, participating in observations, ride-alongs, and all types of interviews described above.

Document & discourse analysis

In addition to ethnographic fieldwork and interviews, this research also employed document and discourse analysis to understand how migration, border enforcement, and national identity are constructed, justified, and contested in legal and political discourse. This method complements the field-level observations by offering insight into the ideational and institutional frameworks that shape discretionary practices from above.

The corpus of analyzed documents included:

- Migration-related laws and legal reforms in Poland (1990–2018)
- Parliamentary debates, government speeches, and presidential addresses relating to border control and migration (1989–2018)

These materials were selected for their capacity to reflect shifts in the national migration regime, the legal infrastructure underpinning discretionary enforcement, and the symbolic narratives mobilized to frame migration as a matter of risk, morality, or sovereignty.

The analysis followed a discourse approach, concerned not only with the language of legal texts, but also with how broader narratives of belonging, threat, and authority are constructed and legitimized through public and institutional discourse. Drawing on the work of Tannen, Hamilton, and Schiffrin (2001), and Wetherell, Taylor, and Yates (2001), discourse was understood in an expansive sense, as encompassing both linguistic and non-linguistic social practices shaped by ideological assumptions and institutional priorities. Following Fairclough (2003), the study approached discourse as a constitutive force that does not merely reflect reality but helps produce it, especially in areas such as migration and security, where the discursive framing of an issue determines the legal and policy tools applied to it.

This method was used to trace how crimmigration logic has been discursively constructed over time in the Polish context: how migrants have been described in political speeches, how borders have been narrated as cultural or existential frontiers, and how legal reforms have been justified using terms drawn from national history, Catholic morality, and geopolitical fears. Particular attention was paid to rhetorical devices (e.g., metaphors of invasion, decay, or moral decline), institutional keywords (e.g., “irregular,” “threat,” “protection”), and the strategic silences surrounding certain actors or events.

Rather than seeking a single “truth,” this method aimed to uncover the competing and overlapping meanings that structure the migration debate in Poland. As van Dijk (2011) notes, the strength of discourse analysis lies not in rigid methodological uniformity, but in its capacity to reveal how social phenomena like border security are constructed, maintained, and contested through language. Accordingly, discourse analysis was used in this research not to analyze language in isolation, but to understand how meaning is assigned to mobility, legality, and national identity in the Polish legal-political landscape.

Taken together with participant observation and interviews, the document and discourse analysis allowed this project to build a multi-layered understanding of migration enforcement: not just as a set of practices, but as a regime of meaning, values, and symbolic power. It illuminated how formal laws and institutional rhetoric are operationalized—and sometimes contested—by the very actors charged with their enforcement at the Polish–German border.

(c) Data analysis

The analysis of collected data followed a qualitative, inductive, and reflexive approach, consistent with the study’s ethnographic and socio-legal design (Vaismoradi, Turunen & Bondas, 2013). Analytical work began during fieldwork and continued through iterative stages post-fieldwork (Schreier, 2012), unfolding alongside new empirical insights. The materials analyzed included full transcripts of interviews and focus groups, structured observation forms, fieldnotes, a reflexive field journal, and institutional and public documents (e.g., migration laws, presidential speeches, parliamentary debates). The total volume of analyzed data, including transcriptions of primary data as well as institutional documents, Presidential speeches, Parliamentary debates and other secondary data, exceeded 4800 pages.

A multi-stage coding process was employed, combining deductive and inductive strategies. Initial codes were developed from sensitizing concepts drawn from the theoretical framework—such as crimmigration, discretion, and securitization—while remaining open to emergent categories within the data (Saldaña, 2016). All coding was done manually, facilitating deep engagement with context-specific nuance, emotional cues, and contradictions across institutional and interpersonal interactions. The process was abductive and iterative, allowing the researcher to move fluidly between empirical material and conceptual reflection (Timmermans & Tavory, 2022).

The analysis was informed by Karl Weick’s theory of sensemaking, which emphasizes how actors retrospectively impose meaning on ambiguous environments to construct a coherent narrative for action (Weick, 1995; Weick, Sutcliffe & Obstfeld, 2005). This framework proved particularly useful in analyzing how Polish Border Guard officers made sense of their discretionary decisions amid legal uncertainty, institutional opacity, and political volatility. Through everyday narratives, interpretations of threat, and symbolic boundary-making, officers framed their work as moral and necessary, even when decisions contradicted legal norms or procedural logic. Sensemaking thus emerged as a central mechanism by which discretion was rationalized, emotionally regulated, and ethically situated in the field.

Where appropriate, critical discourse analysis was applied to institutional documents and formal communications (e.g., laws, speeches, policy documents), in order to interrogate how migration and border enforcement were problematized, moralized, and legitimized through language (Chouliaraki & Fairclough, 1999; Wodak & de Cillia, 2006). Particular attention was paid to the discursive construction of identity, threat, and sovereignty, especially in the context of Poland’s historical memory, post-socialist institutional culture, and EU membership. Key themes that emerged through this multi-layered analysis included:

- Crimmigration and the blurring of legal categories
- Discretion as operationalized judgment

- Security and the moral affect of risk
- Gendered dynamics and institutional culture
- Moral reasoning and affective regulation
- Symbolic bordering and national identity
- Secrecy, fear, and institutional opacity

The analysis emphasized the relational and recursive nature of these themes, showing, for instance, how discretion was entangled with emotional labor, how historical trauma informed risk narratives, and how institutional secrecy shaped the scope of legal interpretation. Ambiguity, contradiction, and silence were treated not as analytical weaknesses but as meaningful empirical data: hallmarks of frontline governance in securitized state institutions. Reflexivity remained central throughout: the researcher's emotional responses (e.g., empathy, tension, discomfort) were treated as critical lenses through which to examine the affective dimensions of power, discretion, and legitimacy in the field.

(d) Positionality

This research was shaped by a situated and reflexive approach to fieldwork, recognizing that knowledge production is embedded in social, institutional, and emotional dynamics. Conducting ethnographic research with the Polish Border Guard, an institution marked by hierarchy, nationalism, and secrecy, required sustained attention to the politics of access, identity, and ethical responsibility.

Positionality and Access

My access to the Polish Border Guard was shaped by multiple intersecting dimensions of identity: as a Polish-speaking researcher with Western academic training, a woman in a masculinized institution, and a critical scholar embedded in an institutionally conservative environment. These dimensions were not static but shifted across sites, interactions, and phases of fieldwork. At times, my fluency in language and cultural familiarity enabled trust and informal insight; at others, my academic orientation and gender elicited skepticism, condescension, or strategic caution. Access to border guard institutions in Poland is rare and highly regulated. Gaining permission required multi-level negotiations with national and regional leadership, beginning with writing a formal letter to the Commander in Chief of the Polish Border Guard, establishing an institutional regional contact after the initial acceptance or the request, subsequently followed by an in-person meeting at the regional command and one of the outposts in order to clearly negotiated to terms and conditions of what data and how could be collected, and the limitations of the researcher. Even after formal approval, field access remained contingent, partial, and constantly negotiated. Who I could speak with, where I could go, and how much I could see was mediated by institutional actors who retained control over visibility and boundaries. This reality shaped not only what data I collected, but how I interpreted its limits.

My presence was continuously interpreted and re-interpreted by officers: sometimes welcomed as a fellow Pole, sometimes distrusted as a foreign-affiliated observer. These insider-outsider dynamics shaped the kinds of narratives shared, the disclosures made, and the emotional openness displayed during interviews and informal encounters. Rather than bracket out these

dynamics, I treated them as constitutive of the data, recognizing that my presence, like that of the border guards themselves, was always political.

Ethical Reflexivity

Working in a militarized, securitized, and ideologically charged environment raised significant ethical challenges. Officers often expressed views and engaged in practices that conflicted with my normative commitments to human rights and inclusion. Rather than detach or suppress these tensions, I used them as a site of reflection. Emotional reactions (ranging from discomfort to empathy) were documented as part of the analytical process.

Ethical integrity was practiced through anonymization, discretion in fieldnote documentation, and careful protection of participant identity. I generalized site descriptions, altered identifying details, and prioritized participant safety over descriptive precision. In emotionally fraught encounters, I exercised restraint while maintaining analytic clarity. For instance, when officers shared accounts of discretionary expulsions or racialized profiling, I documented the events alongside my moral and emotional responses.

Reflexivity also meant remaining alert to the risk of emotional alignment with officers whose professional struggles I came to understand, even as I maintained critical distance from the institution's broader practices. This dual stance of critical empathy allowed for layered analysis that neither romanticized nor vilified the actors involved.

Managing Bias and Situated Knowledge

Rather than viewing bias as a contaminant, I acknowledged it as an inevitable part of embedded research. My own normative commitments such as skepticism toward securitization and support for open, rights-based migration policy shaped the questions I asked and the interpretations I pursued. These were made explicit and documented in research memos and reflective journals.

Equally, I treated institutional biases as central data points. Officers' perceptions of race, religion, gender, and nationhood often guided their discretionary behavior. These biases were not peripheral but structural, and I traced how they were reproduced and rationalized within official discourses and informal talk. Recognizing that bias operates on all sides I incorporated it into my analysis not as failure but as evidence of how power and meaning circulate in the field.

Throughout, my aim was to produce rigorous, context-sensitive knowledge grounded in transparency, emotional self-awareness, and methodological accountability. Positionality was not a disclaimer, but a generative dimension of critical socio-legal inquiry into how state power is practiced and justified at Europe's internal frontiers.

1.5. Limitations to the research

All empirical research carries methodological, practical, and epistemological limitations. This project, while grounded in rigorous ethnographic and socio-legal inquiry, is no exception. The following section outlines the key constraints that shaped the scope, depth, and representativeness of the findings.

Methodological and representational boundaries

The study benefitted from substantial access to the Polish Border Guard, yet the nature of this access remained institutionally mediated. Approval was granted through formal negotiations, but implementation depended on local command discretion. As such, access was always conditional—subject to bureaucratic rhythms, operational priorities, and varying levels of openness across units. These factors limited longitudinal continuity and restricted observation to specific times, places, and activities. The well known “observer effect” (Lune & Berg, 2017) was another unavoidable factor: the presence of a researcher, even one embedded over months, likely influenced officer behavior and disclosures. While long-term immersion mitigated some of these effects, it cannot fully eliminate them. Moreover, officers were acutely aware of being observed, which may have shaped their actions, consciously or unconsciously, especially in ethically or legally sensitive contexts.

The research also encountered structural opacity. Some institutional practices were undocumented or governed by informal norms. Access to internal records, performance indicators, or post-incident reviews was not available. Officers themselves sometimes lacked clarity on formal rules, relying instead on what was seen as “institutional common sense.” These dynamics limited opportunities for data triangulation and made it difficult to assess the consistency of discretionary practices across sites. In terms of representation, the research concentrated primarily on enforcement agents. Migrant perspectives were not directly incorporated into the fieldwork, which narrows the analytical lens. While this approach offers rich insight into the institutional and subjective dimensions of state enforcement, it cannot fully capture how those subject to border control experience its effects.

These methodological constraints do not undermine the research but rather illustrate the partial and situated nature of ethnographic knowledge, especially within securitized and hierarchical institutions (de Goede et al, 2019).

Practical and logistical constraints

Several practical limitations shaped the conduct of the fieldwork. Most notably, institutional access was time-bound and subject to the rhythms and scheduling of the Polish Border Guard. Delays, suspensions, and personnel changes at the command level led to interruptions in data collection and restricted opportunities for sustained longitudinal engagement. Mobility within operational zones was also constrained. Entry to facilities and patrol areas required prior approval and was typically supervised, which limited unmediated or spontaneous observation. These spatial restrictions affected the range and variety of contexts that could be observed, and reduced opportunities for informal or off-duty interactions.

Institutional dependency was another limiting factor. Fieldwork was shaped by the timing, transportation, and access arrangements coordinated by the host organization. This logistical reliance limited autonomy over where and when interactions or observations could occur. Even with fluency in Polish, challenges such as internal jargon, restrictions on documentation, and the inability to record informal exchanges in fast-moving or emotionally charged settings affected the completeness of data collection.

Finally, ethical and safety considerations imposed necessary constraints. Certain high-intensity patrols or operations were deemed unsuitable for direct participation due to physical or psychological risk. In such instances, observational data had to be reconstructed retrospectively or interpreted through indirect accounts, which may have limited the granularity of insight into specific events.

These practical constraints are not simply incidental, they are structurally embedded features of conducting fieldwork in closed and securitized institutions. As such, they shaped the range, depth, and continuity of the empirical material collected and inform the interpretive limits of the study.

Theoretical and Conceptual Horizons in Border Fieldwork

As explained in section 1.4. the interdisciplinary framework applied in the research brings together three central concepts that are interconnected and can help to shine light on a deeper understanding of discretionary border practices at the German-Polish border. Central to the analysis are the concepts of discretion, securitization and crimmigration. Both individually and combined these concepts serve as sensitizing lenses (Bowen 2006; 2009) to make sense of these border practices.

Crimmigration, as originally developed, offers a valuable framework for tracing the convergence of immigration control and criminal law. It helps explain how punitive logic becomes embedded in administrative systems and reveals how migration infractions are increasingly treated through coercive means. However, applied to the Polish case, this framework carries certain constraints. In particular, it may risk over-emphasizing the juridico-punitive dimensions of border control, while underplaying the symbolic, emotional, and historical factors that animate enforcement on Poland's Schengen frontier. In contexts where state narratives of sovereignty, national memory, and moral legitimacy play a formative role in officers' actions, crimmigration's procedural emphasis may offer limited traction for interpreting these cultural registers.

The project also foregrounds the discretionary practices of street-level officers, using concepts such as moral judgment, institutional affect, and performative loyalty. This has generated detailed insight into the lived dynamics of enforcement within a securitized institution. However, this focus necessarily marginalizes other perspectives, particularly those of migrants. The absence of migrant voices limits the analysis of how discretionary border practices are interpreted, resisted, or adapted by those subjected to them. While the research does not claim to represent a complete picture, it reflects a broader challenge in ethnographies of power: how to center institutional actors without reproducing the very asymmetries one seeks to critique.

Additionally, while the study engages with institutional norms and field-level cultures, it is less explicit in theorizing the broader structural and geopolitical logics that shape border enforcement such as neoliberal governance, racial capitalism, or postcolonial hierarchies. These dynamics are implicitly present but not analytically foregrounded. This was a conscious methodological decision, aimed at preserving ethnographic depth over macro-theoretical reach. However, it introduces a conceptual asymmetry: micro-level insights are rich, but connections to systemic forces remain underdeveloped.

To address this gap, the research implicitly draws from sensemaking theory (Weick, 1995; Zacka, 2017), which foregrounds how actors interpret ambiguous institutional environments. Rather than assume discretion is mechanically applied, the project examines how officers “make sense” of institutional ambiguity, moral dilemmas, and political expectations in real-time. Following Zacka’s call for an ethnographic sensibility to studying the state, the project treats officers’ discretionary choices as interpretive acts, shaped by affect, memory, institutional loyalty, and perceived threats to social order. Discretion, in this view, is not simply a legal mechanism, but a cultural and emotional process of navigating competing moral and institutional demands.

Finally, as with many qualitative studies, the strength of contextual specificity also introduces limitations to generalizability. The research is deliberately grounded in a post-socialist, intra-Schengen case study, yielding insight into a relatively underexplored geography in crimmigration scholarship. However, this narrow empirical focus means that the theoretical claims may not map easily onto other contexts, especially those shaped by colonial migration histories or different state formations.

1.6. Overview of the articles

As explained above, the presented research project explores how crimmigration operates not just as legal, but as a social and political process, and examines the factors that influence its enactment. It adopts a grounded, ethnographic approach to analyze how frontline officers, institutions, and political narratives interact to redefine the meanings of mobility, identity, and belonging within the context of the Polish-German border. Thus, the research is not just about borders: it is about how a nation performs its identity, defends its values, and projects power in a changing Europe. This context reveals that border enforcement is deeply embedded in Poland’s broader struggles over memory, identity, gender, and geopolitical belonging. Understanding this context is essential to interpreting the discretion, secrecy, emotional labor, and exclusionary practices described in the five articles that form the body of this dissertation.

Political meanings of national belonging: tracing the evolution of ‘Polishness’ in the Third Republic of Poland

The article explores how the concept of “Polishness” has evolved and been instrumentalized in political discourse from 1989 to 2018. Using critical discourse analysis of Polish parliamentary debates on border-related legislation, the paper examines how national identity is constructed, defended, and politically mobilized, especially in response to migration and border security concerns.

The author argues that the securitization of borders is closely linked with symbolic demarcations of identity, reinforcing an “us vs. them” logic. The conservative Law and Justice (PiS) party is shown to have deepened these divisions by invoking national identity and cultural homogeneity as justification for stricter migration policies and anti-EU rhetoric. “Polishness” is portrayed as rooted in Catholicism, historical resistance, and narratives of betrayal and sovereignty loss, especially significant in a country shaped by partitions, war, and a powerful diaspora (Polonia). The paper also discusses how this national identity has been reshaped by globalization, European integration, and recent waves of emigration and immigration.

The article highlights how emotional and symbolic appeals to national history – such as martyrdom, independence, and cultural purity – play into modern political strategies that resist multiculturalism and liberal migration norms. Ultimately, the article reveals how national identity, far from being static, is continually reshaped by political agendas and socio-historical narratives, reinforcing exclusionary policies under the guise of cultural preservation.

The article contributes to answering the overarching dissertation research questions by showing how Polish Border Guard officers act as symbolic agents of national identity, enforcing borders not only through physical checks but by dramatizing the protection of “Polishness” against perceived cultural threats. By tracing political discourses from Sejm debates to regional media, it illuminates how officers’ roles in crimmigration are shaped by nationalist narratives that justify discretionary, securitized measures.

The article was published in 2020 in the *International Journal of Migration and Border Studies*.

In the conclusion of the dissertation the article is referred to in an abbreviated form as *Polishness*.

Forced returns of Polish citizens: cross-border transfers on the Polish-German border

This article explores the underexamined practice of *intra-Schengen forced returns* of EU nationals, focusing on the transfer of Polish citizens from Germany to Poland. Although the Schengen Zone is often perceived as a “borderless” area, the article challenges this notion by revealing ongoing and intense border activities, including identity checks, detentions, and deportations carried out by national agencies. Using approximately 900 hours of ethnographic fieldwork with Polish Border Guard officers, the author analyzes how street-level discretion significantly shapes the forced return process. Framed within the concept of “crimmigration” – the merging of criminal and immigration law – the study highlights how deportations, typically viewed as targeting non-EU nationals, also impact EU citizens. These deportations are depicted as traumatic, variable in procedure, and deeply discretionary. The article provides a granular look at the transfer moment, when German police hand over Polish nationals to Polish Border Guard officers, demonstrating how decisions at that moment vary by officer, location, and context.

The study categorizes discretion into three levels: *macro* (legal and structural constraints), *meso* (institutional and local norms), and *micro* (individual decision-making and behavior). It reveals inconsistencies in practices like use of restraints, procedural transparency, and officer conduct, illustrating how personal judgment can heavily influence outcomes. By situating forced returns within broader debates on deportation, discretion, and EU border governance, the article underscores the punitive and exclusionary logic underpinning even intra-EU mobility regimes. It also calls attention to the lack of systematic scholarly focus on these transfers and emphasizes the need for more nuanced understanding of how policy is implemented on the ground.

The article contributes to answering the overarching dissertation research questions by focusing on intra-Schengen expulsions and revealing how officers exercise wide latitude in applying or withholding procedural safeguards for Polish nationals, effectively criminalizing even EU-citizen mobility. Through ethnographic case studies of removal operations, it demonstrates how

personal judgment, institutional norms, and historical legacies of sovereignty converge to produce uneven, punitive enforcement under the guise of administrative returns.

The article was published in 2021 in the *Central and Eastern European Migration Review*.

In the conclusion of the dissertation the article is referred to in an abbreviated form as *Forced Returns*.

The interactions between gender and research data: an analysis of gender positionality in conducting fieldwork with the Polish Border Guard

This article explores how gender positionality shapes qualitative fieldwork, particularly in ethnographic research conducted within masculinized police-type institutions like the Polish Border Guard. Drawing on a six-month ethnography that included over 900 hours of observations and interactions with street-level border officers, the author reflects on how her one's identity as a female researcher influenced access, rapport, data collection, and interpretation of field dynamics, providing a blueprint for other authors and researchers entering analogous, gendered research spaces.

The paper identifies three key levels at which gender interacts with the research process: the national context of gender norms in Poland, the institutional culture of policing, and the individual experiences of the researcher. In Poland, gender equality is legally enshrined, yet socio-political conservatism under the ruling Law and Justice (PiS) party has reinforced traditional gender roles and diminished women's autonomy in public and political spheres. Within police institutions, the dominance of 'hegemonic masculinity' and informal masculine codes of behavior often marginalize or evaluate women against biased standards. Through a series of vignettes, the author reveals how her gender both facilitated and hindered fieldwork. While being a woman sometimes eased rapport with male officers in informal settings, it also subjected her to gendered assumptions, paternalism, or exclusion from certain conversations and spaces. These dynamics shaped the quality and nature of data she could access and highlighted the importance of reflexivity in field research.

The article concludes by urging socio-legal scholars to more explicitly consider gender in methodological discussions, especially in studies involving discretion, power, and institutions. It emphasizes that gender is not just a background characteristic but a central axis through which research is experienced, interpreted, and constructed.

The article contributes to answering the overarching dissertation research questions by interrogating how gendered assumptions permeate data collection and analysis methods, highlighting parallel gender dynamics in border-control practices. Although focused on research methodology, its insights into gendered power relations help explain why female and male officers may experience and enact discretion differently, reflecting broader societal norms that inform the emotional and moral contours of enforcement.

The article proposal was accepted in 2025 by *Sage Research Methods: Inclusive Methodologies*, and is currently undergoing revisions.

In the conclusion of the dissertation the article is referred to in an abbreviated form as *Gender and Research Data*.

Multi-scalar applicability of ‘secrecy’ in border security: an ethnographic case study of the Polish Border Guard

This article examines the concept of *secrecy* as it functions across multiple institutional scales: state, organizational, and street-level, within the realm of border security. Drawing on ethnographic fieldwork conducted in 2018 with the Polish Border Guard, the author analyzes how secrecy operates not just as an administrative tool but as a fundamental organizing principle in the practice of migration control.

At the state level, secrecy supports the demarcation of national belonging and the exclusion of perceived "dangerous others." It is deeply embedded in the securitization of borders and legitimizes state authority and sovereignty. This is especially relevant in post-socialist Central and Eastern European states like Poland, where historical legacies of occupation, betrayal, and resistance make secrecy a normalized and even valorized practice of governance. At the organizational level, secrecy fosters internal cohesion and belonging among officers. It shapes the norms and expectations within border policing institutions, reinforcing hierarchical access to information and validating discretionary practices. Secrecy in this context is not necessarily about withholding sensitive data but about cultivating an exclusive occupational culture. At the street level, secrecy justifies discretionary actions during daily enforcement tasks. Officers use "not-for-public" knowledge to rationalize decisions, from ID checks to detentions. Here, secrecy enables selective transparency and shields the decision-making process from external scrutiny.

The author argues that secrecy functions as a *segregation, sharing, and securitization* mechanism, depending on the institutional layer. The study contributes a nuanced conceptual framework for understanding how secrecy permeates migration control and calls for more empirical attention to how secrecy shapes bureaucratic power and accountability in border regimes.

The article contributes to answering the overarching dissertation research questions by unpacking "need-to-know" hierarchies within the Straż Graniczna and explaining how secrecy practices diffuse accountability and empower discretionary enforcement at micro, meso, and macro scales. It shows that secrecy, far from being a technical necessity, is a strategic tool that shapes officers' daily operations, aligns street-level decisions with organizational imperatives, and echoes historical traditions of closed frontier governance.

The article is currently being reviewed for *Critical Studies on Security*.

In the conclusion of the dissertation the article is referred to in an abbreviated form as *Secrecy*.

Emotional Labour: Understanding the performance of discretion at the Polish-German border

This article investigates how *emotional labour* shapes the discretionary practices of Polish Border Guard officers working at the Polish-German intra-Schengen border. While much scholarship focuses on laws and structures, this study shifts attention to the everyday emotional

dynamics that influence how border policies are enacted on the ground. Drawing on over 900 hours of ethnographic fieldwork across multiple sites, including interviews and observations during patrol ride-alongs, the research reveals how officers' emotions are both shaped by and shape their discretionary decisions.

Framed within the theory of *emotional labour* (Hochschild, 1983), the article explores how officers manage feelings and emotional displays to align with institutional expectations. These “feeling rules” are guided by societal, organizational, and occupational norms. For instance, officers are expected to show restraint, confidence, or detachment in interactions with migrants: affective performances that are neither spontaneous nor neutral. The paper argues that these emotional performances help reinforce broader discourses around masculinity, national identity, and security. Poland's complex role as both a peripheral and semi-peripheral EU state adds further layers. Political shifts toward nationalism and a restrictive migration stance have reshaped organizational cultures within the Border Guard, intensifying scrutiny of mobility and encouraging more emotional detachment from humanitarian concerns. At the same time, officers express *moral tension* between institutional mandates and personal values, sometimes experiencing moral injury.

Ultimately, the article offers a compelling argument that discretionary power at borders is not merely legal or procedural, but deeply emotional. It calls for a more integrated understanding of how border enforcement is experienced by frontline officers – not only through legal rules but through the affective and embodied labor of their daily work.

The article contributes to answering the overarching dissertation research questions by, through applying Hochschild's framework, documenting how Polish Border Guard officers manage their own and migrants' emotions such as detachment, toughness, or empathy as part of routine operations. It demonstrates that this emotional work is integral to crimmigration: officers use affective strategies to legitimize coercive measures, reconcile moral tensions, and sustain organizational cohesion under politically charged mandates.

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In the conclusion of the dissertation the article is referred to in an abbreviated form as *Emotional Labour*.

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