Migration Control in Europe After 9/11: Explaining the Absence of Securitization

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Migration Control in Europe After 9/11: Explaining the Absence of Securitization*

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Abstract

Rejecting the predominant view that 9/11 encouraged a 'securitization' of migration control, this article argues that political discourse and practice in Europe have remained surprisingly unaffected by the terrorism threat. This finding challenges the critical securities literature, implying the need for a more differentiated theory of the political system and organizational interests.

Introduction

It is now commonplace to observe that 9/11 has had far-reaching consequences for the framing of debates on immigration in Europe. Indeed, the received wisdom is that 9/11 provided an opportunity for the securitization of migration (Berthelet, 2002; Zucconi, 2004). In the language of the critical security studies literature, it opened up a number of discursive opportunities to correlate terrorism with immigration, thereby helping to legitimize practices and technologies in migration control that were usually reserved for emergencies (Huysmans, 1995, 1998; Buzan *et al*., 1998, pp. 23–6). One of the areas of migration policy most frequently characterized in this way is

migration control – understood as policies to exclude irregular migrants or other unwanted foreign nationals through entry restrictions, border control, detention and deportation. There is a fairly widespread perception amongst commentators on migration policy that the threat of terrorism provided a pretext for the more rigorous application of these instruments of migration control.

Now it cannot be denied that this dynamic has been present in some instances – the most obvious case being the introduction of more restrictive provisions on asylum-seekers and refugees in a number of European countries. The tendency towards securitization has clearly been pronounced in the case of US border control (Tirman, 2004). But by and large, there is remarkably little evidence of attempts to securitize migration in Europe through explicitly linking irregular migrants and new entrants to terrorism. Indeed, as I shall argue, a number of cognitive and political factors made it difficult to sustain any coherent linkage between the two, with the result that public debates on migration control in Europe have remained relatively unaffected by the anti-terrorism agenda.

One can, however, observe a rather different dynamic at the level of policy practice. Law enforcement agencies at national and EU level have attempted to utilize migration control practices to abet counter-terrorism activities. In particular, there is evidence that systems for monitoring and gathering data on migrants have been harnessed as part of the EU's anti-terrorism strategy. Paradoxically, then, migration policy practices have been exploited for counter-terrorism purposes, rather than vice versa, as the critical security school would predict.

How can one explain this apparent absence of securitization following 9/11? This article argues that while the critical security studies literature offers a useful account of how public discourse can legitimize security practices, it cannot adequately explain the more variegated patterns that have emerged since 9/11. Its concepts of 'traversal' between policy areas, convergence of agendas, or the 'security continuum', gloss over the distinctive dynamics of different parts of the political system and simplify the relationship between them. This can be attributed to two deficiencies: its lack of an adequate theory of organizational action; and an under-specified theory of functional differentiation between the systems of politics and the administration. I aim to show how insights from neo-institutionalism and systems theory can help address these deficits and provide a better theoretical basis for making sense of recent developments.

The article begins by raising some initial queries about the theoretical assumptions of the securitization thesis. Section II explores how migration control has been framed in political discourse in Europe before and after 9/11,

showing how attempts to securitize migration have been constrained. Section III examines the dynamics of securitization in the practice of law enforcement agencies working on migration and terrorism. Finally, I consider the implications of these trends for theories of securitization. I argue that literature on securitization would benefit from the introduction of a theory of functional differentiation between different parts of the administration and between the administration and politics.

I. Securitization in Political Discourse and Praxis

A number of prominent contributions in critical security studies have pointed to the securitization of migration policy in Europe over the past decade or more. The central thesis is that immigration has increasingly been portrayed as a threat to European societies, or has even become the 'new focus for insecurity' (Waever *et al*., 1993), ascribed responsibility for a range of socio-economic and societal problems (Heisler and Layton Henry, 1993; Huysmans, 2000). This type of discourse is performative, in that such causal attributions contribute to the reconfiguration of social and political alignments. The shift in discourse consolidates categories of collective identification, thereby helping mobilize support for the relevant political community (Huysmans, 1995, 1997, 2000). And it confers legitimacy on the state in its function of protecting citizens from external threats (Bigo, 2002; Huysmans, 1997). In practical terms, it justifies a range of policies to control migration that would otherwise not have been considered legitimate (Buzan *et al*., 1998, pp. 24–5).

   Much of the literature draws a distinction between the respective levels of political discourse and practice (Bigo, 2002, 2005, pp. 67–8; Huysmans, 2000; Buzan *et al*., 1998), which offers a useful basis for analysis. Going beyond the critical security literature, we can specify this distinction in terms of the two subsystems of the political system: the systems of politics and the administration (Luhmann, 1981, p. 79). In democratic systems, the system of *politics* comprises the set of political parties concerned with the competitive mobilization of electoral support through selecting and framing social demands for state action (Poggi, 1990, p. 138). Framing involves the construction of certain questions as legitimate objects of societal concern, requiring public action of a certain kind (Gusfield, 1981, p. 3; Hilgartner and Bosk, 1988). Clearly, framing must provide a plausible narrative that fits available knowledge about the phenomena in question. But there will inevitably be different ways of defining the issue consistent with available information, especially in policy areas such as immigration or terrorism, which are subject

to quite considerable gaps in knowledge. Securitization denotes one particular way of framing migration issues.

Now while there may be some evidence that securitization has occurred in a number of cases, some caution is needed in employing the concept as a guide for empirical enquiry. Limiting the focus of research to processes of securitization may constrain observation of alternative trajectories in the framing of migration issues. And one can certainly imagine possible scenarios under which politics would not have an interest in securitization – for example where this would create unfeasible expectations about the state's capacity to control migration, or where it would conflict with other goals of the liberal state (Boswell, 2007). In other words, there is no reason to expect politics to be driven exclusively by an interest in encouraging public unease or introducing more stringent security measures. For this reason, I prefer to enquire first into the more general issue of how migration issues have been framed and how this construction was affected by debates following 9/11, rather than presupposing that this framing took the form of securitization (though this may well turn out to be the case).

The second level at which securitization may be said to occur is that of policy practice. This refers to the activities of those parts of the administration involved in the elaboration and implementation of collectively binding decisions on questions of immigration and internal security. Unlike in the case of politics, these agencies are not primarily occupied with securing public legitimacy; rather, their activities must be understood as guided by a rather different conception of organizational interest. The securitization literature seems to offer two possible theories of the content of this organizational interest, both implicitly based on a power-maximizing logic. The first is that security agencies have a basic interest in colonizing other areas: expanding their influence through exporting their technologies and practices into other policy domains (Bigo, 2002; Tsoukala, 2005, p. 165). Securitization thus occurs as security professionals infiltrate the field of migration, applying policing and surveillance methods. They are abetted in this by the symbolic capital acquired through the legitimization of security approaches in public discourse. The second related theory is that these agencies attempt to expand their power through avoiding scrutiny: they engage in 'venue-shopping' to liberate themselves from domestic constraints generated by democratic institutions (Guiraudon, 2000). In this case, securitization occurs at the EU level as security professionals 'go European' to avoid parliamentary scrutiny or judicial accountability that would impede their activities at the national level. In contrast to the colonization thesis, the notion of venue-shopping implies that security professionals can and indeed often do,

manage to expand power through avoiding being the object of public debate – in other words, precisely by freeing themselves from the requirement of public legitimation.

The thesis about securitization at the level of practice appears to be plausible as an account of many areas of European migration policy. But as in the previous case, we should be aware that this describes just one possible pattern of organizational behaviour. In fact, a significant body of literature in organizational sociology has shown that organizations are not exclusively interested in power-maximization, as the securitization literature implies. Rather, they are concerned to avoid uncertainty and generate commitment from members through consolidating roles and routines within the organization (Scott, 1995; DiMaggio and Powell, 1991; March and Olsen, 1994). Moreover, the definition of organizational interests and strategies is mediated by the cognitive frames through which organizations make sense of their environments (Hedberg, 1981; Dery, 1986; Weick and Bougon, 1986). Thus power-seeking behaviour does not reliably emerge from an ontological condition of organizations and their environments. Immigration agencies may be motivated by alternative logics of action, possibly even avoiding the acquisition of new technologies or practices that might reveal inconsistencies in goals or deficits in implementation. The implication is that one should not read too much rationality into organizational action (Luhmann, 2003). We should be equally cautious about adopting the notion of securitization, or a power-seeking theory of organizational action, as a concept for guiding empirical enquiry.

Finally, we should consider the relation between these two levels. As mentioned, securitization in discourse can legitimize the use of certain security practices. But this public legitimation does not have to be a precondition for such practices. Indeed, administrative agencies may have substantial scope for action without being held accountable to public or judicial scrutiny. Again, the precise scope of this freedom to act will be a matter of how issues are framed in public debate. Demands for accountability in public debates may only surface sporadically and not necessarily as a function of the societal impact of decisions being taken.

In short, the insights of the critical security studies literature offer a useful way of thinking about the political agendas underlying the framing of migration issues in public discourse, as well as the expansionist tendencies of many security agencies. However, adopting the theory's assumptions about politics and organizations as a heuristic device is problematic. It obscures possible alternative patterns of issue-framing in public discourse and takes for granted a uniform rationality in explaining organizational action. I shall return to these points in the final section.

II. The (Non-)Securitization of Migration Control in Public Discourse

The Framing of Migration Control Issues Before and After 9/11

The issue of migration control in Europe has been highly susceptible to rival attempts at framing. One reason for the scope for variation in construction of the issue is the problem of observation. Irregular entry, stay and employment are difficult to observe and measure, so the policy area is characterized by a high degree of epistemic uncertainty. Any assessment of the scale and gravity of the problem is very much open to competing claims.

There is a second feature of this policy area that makes it open to populist forms of framing. Governments are keen to show they are controlling irregular migration, but they are also sensitive to a range of rival pressures that militate against enforcement: notably, the business lobby, civil liberties considerations and judicial constraints (Hollifield, 1990, 1992; Joppke, 1999; Freeman, 1995). These considerations make it virtually impossible for any liberal democratic state to achieve the level of control that is demanded by more populist politics and mass media (Boswell, 2003). Governments and immigration agencies therefore have an incentive to fudge the issue intentionally, maintaining a degree of 'deliberate malintegration' between policy goals in order to avoid scrutiny of their record on apprehending and deporting irregular migrants (Peter Hallated in Held and Krieger, 1984, pp. 17–18). But for this same reason, the issue of irregular migration has often proved to be an irresistible target for opposition and populist media claims about the state's loss of control. This makes irregular migration especially susceptible to framing. It may be utilized by different actors in politics, the media and interest groups, to mobilize public opinion for quite different ends.

At risk of simplification, one can discern three different tendencies in the framing of irregular migration in Europe, which were already prominent before 9/11. The first of these focused on concerns about uncontrolled entry: the notion that there were 'hordes' of illegal migrants invading the territory of European countries. In fact, concerns about irregular migration were already emerging in a number of countries from the early 1980s onwards (notably in Belgium, France, Italy and Spain). With the removal of restrictions on emigration from the eastern bloc in 1989, these concerns were augmented by fears of an influx of irregular migrants from eastern Europe. As these concerns subsided in the early 2000s, political and media attention focused increasingly on irregular entry via southern Europe's porous sea borders, especially Italy and Spain. This was a clear example of securitization in political rhetoric, with states responding by introducing a range of highly visible and often symbolic security measures. The Italian government, for

example, declared a state of emergency in March 2002, after a ship of 928 Iraqi Kurds landed in Sicily; and France, Italy, Spain, Portugal and the UK have been operating joint naval patrols of the Mediterranean since September 2003, as part of the so-called 'Operation Ulysses'.

A second, rather distinct, way of framing the problem of border control focused on the social and economic impact of irregular stay and employment. Concerns revolved around abuse of welfare provisions and social services, the costs of asylum systems and the fear that irregular workers would undercut the domestic labour force. Concerns about asylum abuse in particular have been highly prominent in Western European countries such as France, Germany, the Netherlands and the UK, all of which experienced a significant rise in the number of asylum applicants from the late 1980s onwards. Over the next decade, these countries responded by introducing a series of measures to restrict and deter access to asylum systems and to tighten the criteria for recognizing asylum claims. Measures such as carrier sanctions, return to 'safe third countries', accelerated asylum procedures and reduced welfare benefits for asylum-seekers, became part of a standard repertoire of responses for European countries and were also the object of EU regulation from the mid-1990s onwards (Boswell, 2003).

Finally, a third strand in the discourse has focused on the problem of smuggling and trafficking of persons, especially practices such as forced labour in prostitution or sweat shops and the use of highly dangerous smuggling routes. The networks involved are characterized as sophisticated international criminal structures often engaged in drugs or arms trafficking. Because of the clear linkages to organized criminality, the issue has been seen as a legitimate area for engagement by police agencies. So again, one can observe a degree of securitization in European discourse on these questions.

The three patterns of framing imply rather different constructions of the problem of border control and irregular migrants. What unites the three characterizations, however, is the emphasis on exclusion as the preferred solution. Whether the concern is about floods of destitute migrants, abusers of the welfare state, or sinister trafficking gangs, the proposed remedy is to bar entry, or to deport unwanted immigrants. Correspondingly, the rhetoric and public policy debate at both national and EU level has focused predominantly on a range of policy measures aimed at excluding migrants: limiting entry through restrictive visa policies, carrier sanctions and border control; curtailing overstay through detention and deportation; and imposing various penalties to deter irregular entry, labour or abuse of asylum systems. EU policy has also focused on co-operation with neighbouring countries to combat irregular emigration and to facilitate the return of irregular entrants to countries of origin or transit.

How, if at all, did the terrorist attacks of 9/11 influence this pattern of framing migration control issues? In the immediate aftermath of the attacks, there were several attempts to link the security threat with the question of migration control policies. The UK Home Secretary David Blunkett insisted that Britain would not 'offer hospitality to terrorists' and announced provisions to facilitate the detention and removal of foreign nationals (Hansard, 15 October 2001). The German Interior Minister Otto Schily made similar statements to the effect that asylum seekers and refugees suspected of terrorist activities should be immediately deported, while EU Member States announced the strengthening of external border controls and the reintroduction of periodic checks at the borders between Schengen countries (Council, 2001b).

However, the linkage between terrorism and illegal immigration was difficult to sustain and from late 2001 onwards references to terrorism are almost wholly absent from debates on irregular migration and migration control in Europe. This emerges quite clearly if one looks at press reporting on migration issues in European countries from 2002 onwards. In Germany, both 9/11 and the Madrid bombings of 11 March 2004 occurred at a time of quite heated debate on a new Immigration Law. Shortly after the US attacks, Otto Schily decided to delay the debate on the bill, to make certain it was 'watertight' against terrorism. But with the exception of a few isolated comments, the main critique of the draft Immigration Law remained concerns about increasing labour migration during a period of high unemployment in Germany and the problem of integration. The press was quite preoccupied with the problem of *Al-Qaeda* 'sleeper cells' operating in Germany and radicalization amongst Germany's roughly three million Muslims; but these questions were for the most part not linked to the issue of irregular immigration and migration control.

France, meanwhile, experienced an intensive debate on the problem of irregular migration from late 2001 through 2002, focused on the *sans papiers*, many of whom were Muslims from the Maghreb. But there was scarcely mention in the press of possible links with terrorist organizations and the otherwise populist Interior Minister Nicolas Sarkozy also resisted making such a link. Indeed, Sarkozy announced plans for a regularization of *sans papiers* in autumn 2002: hardly a step that implied a hardening of migration control (Zappi, 2002, 2003). There is a similar absence of any reference to terrorist networks in debates on reforming the asylum system. Nor does the question of terrorist activists feature in the argumentation about restricting the number of visas granted to Algerians in Spring 2003. Indeed, the latter was justified with reference to the problem of growing numbers of *sans papiers*, with a marked absence of any framing of the issue in terms of keeping tabs on possible Islamic fundamentalism. And yet it is easy to see how such a linkage

could have been made – as indeed it was in US press coverage of migration issues in France (Johnson and Carreyron, 2005).

The absence of any linkage between migration control issues and terrorism is even more pronounced in the case of Spain. In the aftermath of the Madrid bombings of 11 March 2004, the vast majority of suspects held in connection with the attacks were Moroccan (BBC, 2004). Morocco was the major source country for Spain's growing stock of *sin papeles* – in April 2004 it was estimated that there were around 200,000 irregular migrants of Moroccan origin living in Spain (Bárbulo, 2004). Morocco was also the most important transit country for irregular migration from Africa. Indeed, from summer 2004 onwards, concerns started to focus on irregular entry via the Spanish enclaves of Ceuta and Melilla in Moroccan territory. And yet in spring 2004, days after the Madrid attacks, the new Prime Minister Zapatero announced a marked shift in migration policy away from a focus on security issues, instead emphasizing labour market and economic needs. In summer 2004 he put forward plans for a major amnesty for irregular migrants resident in Spain, which resulted in the legalization of more than 700,000 migrants between February and April 2005, the largest group of whom (19.3 per cent) were Moroccan (Granda, 2004). To be sure, this relatively open approach was complemented with a fairly 'securitarian' approach to border control. But there is no evidence that the government made any attempt to link the problem of irregular entry with the threat of terrorism: quite a remarkable fact, given the apparent incentives to do so after 11 March.

Given the importance of regional co-operation on migration control it is also worth considering how the linkage between migration and terrorism was treated in the context of co-operation on justice and home affairs (JHA).[1] In their 20 September 2001 Declaration, the Council of Ministers did state the need to 'strengthen controls at external borders'; but the only explicit linkage to migration was the 'risk of large-scale population movements as a result of heightened tensions following the attacks on the US' (Council, 2001a). In the 19 March 2004 meeting to discuss the Madrid bombings there was again a reference to 'strengthening border controls' and the initiative to create 'an integrated borders management agency' was mentioned as relevant to counter-terrorism activities. But migration control was not otherwise mentioned, except in the context of the problem of support for religious extremism amongst members of EU countries (Council, 2004), a theme that received reinforced attention in the statement following the London bombings. EU discussions on immigration policy, meanwhile, continued to follow the

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[1] In this case, I focus on political statements rather than press coverage, since the latter is in general relatively thin for EU issues and diverges between countries.

timetable and goals set out in European Council conclusions that pre-dated 9/11. Migration control remained high on the list of priorities, but the explicit rationale for this focus was the need to combat trafficking and better protect Europe's external borders from unwanted immigration. The most significant European Council document emerging from the period after 2001, the Hague Programme, stressed the need for better-managed migration in order to prevent 'humanitarian disasters' – but again, migration control was emphatically *not* defined as a means of excluding potential terrorists (Council, 2004).

Explaining the Non-Securitization of Migration Control

In light of the securitization thesis, these observations appear to be quite anomalous. Why did politicians and the media not exploit concerns about terrorism to mobilize support and legitimize more extensive powers for migration control? One possible answer is that the profiles of international terrorists that emerged after 9/11 did not correspond in any obvious way with established patterns of framing irregular migrants in Europe. The debate on *Al-Qaeda* networks from autumn 2001 onwards depicted terrorists as single-minded fanatics who had little regard for the welfare or employment benefits European countries might have to offer. The typical image was of a network of sleeper cells operating in a highly organized way, well-trained and with adequate resources. This hardly fitted the image of large numbers of destitute and desperate migrants arriving on the shores of southern Europe, or the 'economic migrants' keen to cheat welfare systems and take low-skilled jobs from native workers. It was also fairly incongruous with images of organized criminal networks involved in trafficking women and children for prostitution – although of the three types of irregular migration, trafficking was one most frequently associated with terrorist activities.

Perhaps even more undermining for such a linkage, though, were the emerging revelations that European nationals were involved in terrorist attacks. In this sense, any discursive opportunities to link migration and terrorism were constrained not just by a lag in adapting established patterns of framing the migration control problem. They were also blocked by the growing body of information on the profile of the European Muslims involved. We can elucidate this point through considering in more detail a case where a European government *did* attempt to draw such a linkage and was thwarted for these reasons: the UK Anti-Terrorism, Crime and Security Act (ATCS) of 2001.

The ATCS Act was introduced into the UK Parliament in November 2001, as a direct response to the attacks of 9/11. Part four of the Act explicitly covered immigration and asylum, setting out provisions to facilitate the deportation of foreign nationals suspected of being international terrorists, or

their detention in cases where their removal was prevented by law or by practical considerations. Part four was controversial for a number of reasons, not least because the provisions on detention without trial implied a derogation from the European Convention on Human Rights (House of Lords and House of Commons, 2004). More tellingly for our discussion, however, were two sets of criticism advanced by the so-called 'Newton Report' of 18 December 2003, issued by a special review committee mandated to review part four of the Act. The first of these criticisms related to what the committee considered to be an unwarranted focus on *foreign* nationals:

> The Home Office has argued that the threat from al Qaeda-related terrorism is predominantly from foreigners, but there is accumulating evidence that this is not now the case. The British suicide bombers who attacked Tel Aviv in May 2003, Richard Reid ('The Shoe Bomber') and recent arrests suggest that the threat from UK citizens is real. Almost 30 per cent of Terrorism Act 2000 suspects in the past year have been British. We have been told that, of the people of interest to the authorities because of their suspected involvement in terrorism, nearly half are British nationals. (Privy Counsellor Review Committee, 2003, pp. 53–4)

The report therefore strongly urged the government to 'deal with all terrorism, whatever its origin or the nationality of its suspected perpetrators' (p. 11). The Home Secretary subsequently accepted this point in Parliament:

> On 11 September 2001, the threat that arose was from overseas nationals – the people that were involved in the attacks on that day [. . .] Since that period, there has been a continued involvement of UK nationals as well in that approach and increasingly so. (Hansard, 22 February 2005, column 166)

The second criticism was that even assuming the provisions targeted the right group, it was not clear that the focus on deportation of those who could be removed would reduce the terrorist threat. Again, to quote the Newton Report:

> Seeking to deport terrorist suspects does not seem to us to be a satisfactory response, given the risk of exporting terrorism. If people in the UK are contributing to the terrorist effort here or abroad, they should be dealt with here. While deporting such people might free up British police, intelligence, security and prison service resources, it would not necessarily reduce the threat to British interests abroad, or make the world a safer place more generally. Indeed, there is a risk that the suspects might even return without the authorities being aware of it. (p. 54)

As the Conservative Shadow Home Secretary David Davis commented in Parliament, 'releasing people whom we believe to be international terrorists

to travel the world seems to be a peculiar policy' (Hansard, 25 February 2004, column 313). Indeed, the Home Secretary Clarke subsequently defined the new goal as 'to prevent an individual from continuing to carry out terrorist-related activities' (Hansard, 9 May 2005, column 1575).

The debate around part four of the ATCS and the Newton Report therefore illustrates rather well some of the cognitive and practical obstacles to pursuing the linkage between terrorism and migration control. It was becoming increasingly clear that a large proportion of suspected terrorists were European nationals, rendering instruments of migration control largely irrelevant in the fight against terrorism. And even where terrorist suspects were involved in such activities, exclusion did not seem to be an effective instrument for suppressing their activities. To be sure, the popular media was often less interested in these niceties. In tabloid reporting, one often finds a loose grouping of foreigners and terrorists as part of the same problem. But debate within parliament required more precision and politicians had little choice but to respond to new information. The focus of activities therefore shifted increasingly towards monitoring and intelligence-gathering on suspects, including British nationals. The watchword became surveillance, rather than exclusion through entry control or deportation.

I have so far stressed cognitive factors as a determinant of the framing of migration control issues in political discourse. But it is important to bear in mind that the securitization of migration control issues would also have conflicted with a number of the policy goals of European governments. While concerns about irregular migration were high on the migration policy agenda, many European governments were simultaneously attempting to generate public support for the introduction of more liberal policies on labour migration. Centre-left governments in the UK and Germany had recently introduced new programmes for high-skilled migrants and were loosening access to the labour market for foreign students. The Social Democratic government in Spain, as we saw, was keen to regularize illegal workers to meet demand for labour. More generally, European governments had an obvious interest in keeping open mobility for the purposes of business, tourism and study. So there was no strong incentive to encourage a discourse that could have negative repercussions for business-friendly policies on entry and access to labour markets.

III. Surveillance and Migration Control

While there is little evidence of a securitization of discourse on migration, developments at the level of practice suggest a rather different dynamic. Here

one can observe a number of linkages between practices employed for migra-
tion policy and the counter-terrorism agenda. However, the main shift has
occurred not so much in the area of migration control, where priorities and
practices have by and large continued to develop along the lines already
established before 9/11. Rather, the linkage is evident in terms of the utiliza-
tion of migration policy tools by agencies involved in counter-terrorism
activities. Policy instruments such as databases providing information on
foreign nationals, passenger information supplied by airline carriers and
checks at international borders have been harnessed in order to enhance the
surveillance of suspected or potential terrorists.

We can illustrate this by looking more closely at developments in the
gathering and use of data on foreign nationals for the purposes of counter-
terrorism activities. This pattern of using migration control instruments has
been especially pronounced at the EU level, which will be the focus of the
discussion, though these developments to a large extent parallel those in many
European countries.

The Use of Data on Foreign Nationals

At the time of the attacks on the US, there were two main regional databases
collecting information on third country nationals in Europe: the Schengen
information system (SIS) and Eurodac. SIS was from the outset defined as a
tool for use by police, as well as border and immigration officials. In 2003, the
SIS database contained over one million records on persons (and 14 million
on objects), the vast majority of which were alerts on third country nationals
to be refused entry to the Schengen area. This category included both con-
victed or suspected criminals and those guilty of failure to comply with
immigration rules – including many rejected asylum seekers and irregular
migrants (Hayes, 2005). Eurodac, meanwhile, was a database of fingerprints
of asylum seekers and illegal immigrants who had sought entry into one of the
Member States of the EU. Eurodac was a tool of the Dublin Convention, set
up to help establish which country was responsible for assessing an asylum
application and to avoid multiple applications in different countries. The
database currently contains around 272,000 records, consisting of fingerprints
and an identification number (Masse, 2005).

Soon after 9/11, the JHA Council began to debate possibilities for using
data gathered for the purposes of border and migration control as part of their
package of counter-terrorism measures.[2] At the first Extraordinary Council

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[2] These discussions are summarized in the minutes of each (usually monthly) meeting of justice and home
affairs ministers in Brussels. The minutes are far less high-profile than European Council Conclusions,
providing a better indicator of the priorities and thinking of officials involved in policy practice.

meeting on 20 September 2001 to discuss the impact of 9/11, ministers were already examining 'whether to extend, in the context of counter-terrorism, SIS access to other public services' (Council, 2001a). At the November 2001 meeting, the Austrian delegation presented a paper on the possible use of the SIS to combat terrorism and it was agreed that this option be developed as part of an improved 'second generation' SIS, the so-called SIS II.[3] Subsequent discussions on SIS II considered possibilities for allowing access to a wider number of authorities, holding the data for longer time periods and using the data 'for purposes other than those for which they were originally introduced in the SIS' (Council, 2003). The debate culminated in the adoption of a Regulation in April 2005, which allowed access to SIS by Europol and Eurojust, although usage was restricted to fulfilment of their judicial and police tasks and – at least at this stage – did not allow for the use of data on immigration for the purpose of criminal investigations.[4]

The use of data on foreign nationals also proceeded through a second track: the development of a new database on visas. In September 2001, the Council had called on the Commission to 'submit proposals for establishing a network for information exchanges concerning the visas issued' (Council, 2001a). The Visa Information System (VIS) was considered first and foremost to be a migration control instrument: it would store information on visas issued to foreign nationals, as well as information on decisions to refuse, revoke or prolong visas. Yet from the outset, a number of Member States preferred to describe VIS as a tool for addressing multiple goals: counter-terrorism, as well as the fight against fraud and migration control (Masse, 2005). In February 2004 the Council adopted conclusions on the development of VIS and a decision establishing the legal basis for VIS followed in June 2004; the system is expected to be established in 2006.

Discussions on the development and usage of the three databases gained impetus after the March 2004 bombings in Madrid. At the Extraordinary Council Meeting of 19 March 2004, the Council considered the use of databases and especially SIS II and VIS, to be one of the central planks of the counter-terrorism strategy (Council, 2004). Moreover, there was a new emphasis on the possible 'interoperability' between SIS II, VIS and Eurodac in the fight against terrorism. The issue was given particular emphasis in the Hague Programme, adopted in November 2004, which introduced the 'principle of availability': the notion that authorities dealing with internal security should be able to obtain necessary information from other Member States.

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[3] Statewatch claims there was an informal agreement in the EU SIS working party to extend access to authorities dealing with terrorism in the aftermath of 9/11. See Hayes (2005).
[4] There are indications that it may well be extended. See German proposal in the debate on 'new ideas' for counter-terrorism (Council, September 2005).

   The question of interoperability has been most sensitive regarding access to VIS and Eurodac. As we saw, both databases were primarily designed as instruments of migration control. Indeed, the January 2005 draft Regulation to establish VIS proposed that access to the data should be restricted to the asylum, immigration and visa authorities of participating Member States. But in March 2005, the JHA Council concluded that access to VIS should be made available for the purposes of counter-terrorism activities and invited the Commission to present a proposal to this effect. The London bombings again prompted calls for swifter action and the Commission was urged to 'bring forward the communication on enhanced interaction between the VIS, SIS II and Eurodac and proposal for law enforcement access to the VIS by November 2005' (Council, 2005). The Commission's ensuing communication supported the case for interoperability. It argued that the 'absence of access by internal security authorities' to VIS, SIS II immigration and Eurodac represented 'a serious gap in the identification of suspected perpetrators of a serious crime' (Commission, 2005). The document suggested a number of ways in which access could be extended and mooted the idea of uniting the three systems under joint management.

Explaining Interoperability: The Colonization of Immigration Policy?

What are the implications of this interoperability for theories of securitization? *Prima facie*, the notion that security agencies are appropriating the instruments of migration policy would seem to support the securitization thesis. We might expect that this colonization of migration control tools would imply a merging of immigration and security functions. This seems to represent a clear example of the type of 'traversal' that is often referred to in the critical security literature (Huysmans, 2000, p. 770). And to be sure, the new multi-functionality of migration control instruments may well have a number of impacts on the technologies and practices employed in migration control – a case in point being the incorporation of biometric data into passports, or the introduction of identity cards in the UK. In such cases, it is likely that the technological requirements imposed by security agencies will influence the nature of migration control instruments. At the very least, then, the technologies employed for identifying foreign nationals and (potential) entrants are likely to undergo significant change.

   However, it is important to note that this does not imply a shift in the self-defined organizational goals, or even the practices within, immigration agencies. As I argued earlier, organizations define their interests and the means for furthering them according to certain ideologies that may persist

independently of their efficiency in meeting externally ascribed organizational goals (March and Olsen, 1994, p. 16; Brunsson, 1985). These ideologies may be just as much geared to responding to internal requirements – for example legitimizing decisions or reducing uncertainty within the organization – as they are concerned to respond to perceived pressure from the environment. Indeed, in many organizations one can observe a gap between formal structures, developed to respond to pressures from the environment; and the informal rules governing organizational action (Meyer and Rowan, 1991).

Now in the case of security agencies, it has been suggested that actors do indeed operate according to a logic of ever-expanding knowledge as a means of control. This motivates such organizations to constantly improve techniques of surveillance, widen the scope of observation and multiply the opportunities to gather or cross-check information (Bigo, 2005, p. 88). This is, however, a logic that may well be quite specific to agencies concerned rather narrowly with surveillance and intelligence. Their goal is to maximize control through the supply and analysis of information. They need not be concerned about conflicts with civil liberties, human rights or market considerations. Such considerations may be perceived as irritations that disrupt certain aspects of their work from the outside; but they are not internalized in the organization's definition of its interests and goals.

Tellingly, Bigo distinguishes between the motivation of these security professionals and that of 'their executants – the police force, the judges and the prison guards' (Bigo, 2005, p. 89). There is more to this distinction than Bigo's argument suggests. These agencies – and we can add to the list immigration authorities – must internalize multiple and often contradictory goals. In the case of immigration officials, we can point to two sets of considerations that render organizational interests more complex. First is the problem of delivering on promises. Agencies dealing with questions of entry, control of residence, deportation or asylum must find a way of coping with the considerable gap between publicly articulated expectations and what may be feasibly achieved. Failures to meet performance indicators with respect to border control or deporting rejected asylum seekers are frequently the object of political and media scrutiny – indeed, these agencies are constantly held to account for their supposed transgressions. Second, if we take the sum of agencies involved in immigration, asylum and border control as a collective unit (as is usually the case for European home or interior ministries), such organizations tend to be confronted with a series of often incompatible goals. Migration control must be reconciled with openness towards labour migrants, promoting immigrant integration and ensuring smooth inter-ethnic or race relations.

Agencies faced with unfeasible and often contradictory goals encounter serious dilemmas, not just in the delivery of their mandate, but also in terms of their internally defined organizational goals. Under these circumstances, they may prefer to retain the type of 'deliberate malintegration' of goals mentioned earlier on. Such malintegration can enhance the viability of an organization exposed to inconsistent demands (Brunsson, 2002, p. 10). Indeed, this fits well with accounts of the British Home Office as being characterized by a passive and reactive approach to events. As David Blunkett described his experiences in running the department:

> The Home Office was reactive, an absorber of punishments. All home secretaries whom I have ever seen interviewed talked about things coming out of the blue sky and hitting them. (cited in Pollard 2005, p. 258)

Elsewhere, the Home Office is described as 'a byword for inefficiency and torpor', 'a giant mess' (Pollard, 2005, pp. 253–5). Certainly, one could attribute this to bad management. But it is also possible that this passive, reactive style reflects an organizational ideology or decision-making style akin to what Olsen describes as 'impressionistic' (Olsen, 1994). Such a style may in fact help reconcile contradictions between different goals and interests. A self-description of having to react continually to unforeseeable events may offer a legitimate pretext for an organization's inability to realize its ascribed functions.

Where an immigration agency adopts such an impressionistic decision-making style, one would expect there to be rather limited incentives to securitize migration and border control. Securitization may simply raise public expectations about meeting certain goals of migration control; and it may publicly legitimize the prioritization of goals that conflict with other organizational interests. Moreover, the availability of more information may serve simply to expose deficiencies in the organization's performance. The implication is that immigration agencies may have a keen interest in resisting the colonization of migration policy by security agencies. It is easy to understand why the latter might want to appropriate data on migration and border-crossing. But it is also clear why immigration officials may operate according to a rather different logic, one that prefers to maintain a degree of intentional incoherence in order to disguise its endemic incapacity to meet public expectations. In this sense, interoperability may not signify either the colonization of migration practices by security professionals, or a merging of agendas between security and migration agencies. Indeed, the improvement of technologies for identifying and controlling populations may serve as an irritation for immigration agencies, possibly even threatening the maintenance of established mechanisms for coping with contradictions.

Conclusion

Migration control policies in Europe do not appear to have become securitized as a result of 9/11 or the subsequent terrorist attacks in Madrid and London. This is the case both at the level of political discourse and policy practice. In the case of discourse, attempts to construct a causal linkage between immigration and terrorism proved impossible to sustain. A combination of cognitive constraints and conflicting political interests has served largely to bury initial attempts at securitization, at least in the case of migration control policies.[5] At the level of policy, again we see little indication that migration control practices have been colonized by security professionals. The only discernible 'traversal' between the areas of migration and security appears to be the appropriation of migration control instruments for the purposes of enhancing surveillance by security agencies. But as I argued, this by no means implies that immigration agencies are adapting their organizational goals or practices to this security agenda.

The analysis has a number of implications for theories of securitization. First, it reinforces the point that the two levels of political discourse (politics) and organizational practice (administration) operate according to distinct dynamics. Politics is concerned with mobilizing support through framing and advocating programmatic responses to issues of societal concern, and is dependent in this endeavour on communication through the mass media. The administration is less intensively engaged in reading signals from its environment about public legitimacy and its interests and goals are to a larger extent defined by internal organizational dynamics, especially the need to generate the commitment of members of the organization. The distinction between discourse and practice is not a new insight for critical security studies. Nonetheless, much of the literature assumes a rather simple one-way flow between politics (which legitimizes securitization through public discourse) and policy practice (which is then empowered to introduce security practices). In fact, administrative agencies may adopt securitarian practices without a prior green light from political discourse, as indeed the case of data utilization at EU level implies. Moreover, the discussion in this article suggests that the direction of causality could also work the other way: a resistance to securitization within parts of the administration could make politics cautious about adopting securitarion discourse, as this could create unmanageable public expectations.

The second way in which the article challenged the theoretical assumptions of the critical security literature was regarding theories of organizational

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[5] The situation is somewhat different in the case of discourse on the Muslim community in European countries and problems of immigrant 'integration'.

action. If we accept that organizational behaviour is influenced by internally driven concerns about securing the commitment of members and that the organization picks up signals from its environment depending on its particular cognitive map, then we can expect considerable divergence in the interest definition and practices between different agencies. This renders assumptions about 'traversal' between policy areas, or the existence of a 'security continuum', highly problematic. Even where there appears to be evidence of one policy area colonizing another, organizations may display a surprising degree of robustness in resisting change. Practices and technologies that may be considered by one agency to improve efficiency or capacity may be seen by another as running counter to organizational interests.

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