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European Border and Coast Guard standing corps.

The establishment of a European border police

Abstract

In the European Union, borders are largely communitised. With the creation of the European Border and Coast Guard standing corps, their Europeanisation has reached its temporary climax in the expansion of the Frontex mandate decided in 2019. This standing corps of 10,000 Frontex border guards (until 2027) is to be used for border controls, repatriations and work against human trafficking. For the first time, the European agency not only receives extensive resources, but also executive powers at the external borders of the European Union. The creation of the standing corps marks a paradigm shift in the European Union – it means the de facto establishment of a European border police. This border police is uniformed, armed, and has genuine border police tasks and executive powers previously reserved for the bodies of European nation states. Theoretically, this milestone of deepening Europeanisation can be classified as the result of supplementary institutionalisation. How the standing corps is formed, with which discourses and symbols the establishment of the border police is accompanied, and why it can be understood as supplementary institutionalisation, is the subject of this contribution.

Keywords: Frontex, European Border Regime, border police, supplementary institutionalisation, European Border and Coast Guard standing corps

Introduction

When the World Police and Fire Games were held in Rotterdam in the summer of 2022, the European Border and Coast Guard Agency Frontex announced on Twitter: "Seven #StandingCorps officers will compete in five disciplines, representing #Frontex and the EU flag" (Frontex, 2022). A short time later Frontex rejoiced on the same medium about the gold medal in rowing. The international sports competitions are held with and for members of the police, fire fighters, customs and judiciary. Frontex used the event as an opportunity to introduce – at least symbolically – a recently established unit on the international stage as a fully-fledged border guard unit, the European Border and Coast Guard standing corps.

The standing corps of Frontex, the European border management agency established in 2004, will be deployed for border control, repatriation, and anti-trafficking work (see Article 55 in European Union 2019). Among the 10,000 officers (by 2027), 3,000 will be recruited directly in Warsaw (the "statutory staff"), while the other forces will be deployed from member states on a short-term basis or seconded on a long-term basis.

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The creation of the standing corps marks a paradigm shift in the European Union. It means the de facto establishment of a European border police. This border police is uniformed, armed, and has genuine border police tasks and executive powers previously reserved for the bodies of European nation states. Theoretically this milestone of deepening Europeanisation can be classified as the result of *supplementary institutionalisation*. How the standing corps is formed, with which discourses and symbols the establishment of the border police is accompanied and why it can be understood as *supplementary institutionalisation* is the subject of this contribution.

In this paper, I will first briefly situate the creation of the standing corps in the state of research on the European border regime and Frontex, then introduce the standing corps in more detail and argue why it should be interpreted as the de facto establishment of a European border police. Subsequently, I show a discursive tension about this establishment within the European Union as well as the related meaning of the uniforming of the border police. In the last part, I theorize the standing corps understanding the establishment of the European border police as a *supplementary institutionalisation*, that has not yet been completed. The dynamics of processes of deepening Europeanisation can be conceptualised as *supplementary institutionalisation* (Vobruba, 2012, 127ff.; Vobruba & Preunkert, 2012; Fehmel, 2015) assuming – in a combination of action-theory and theory of institutions – that the consequences of integration steps once introduced are very likely to condition the development of new integration steps. An almost exemplary case in point is the new European border police.

Research on the European Border Regime and Frontex

Within the Europe of the European Union, borders are communitised to a large degree. In research, a European border regime is now considered to be widely established (Carrera 2010, 9; McMahon, 2012, 3; Zaiotti, 2011, 219ff.). According to Hess and Kasparek, its essential aspects can be summarised as follows:

> *"With the Schengen agreement of 1985, the European project had heralded the creation of a continental border regime, with the newly created notion of an,external border' as the pivotal freedom, security and justice' through the Treaty of Amsterdam and the parallel construction of the European border regime as a fluid, multi-scalar assemblage involving European Union agencies such as Frontex (the European border and coast guard agency), bodies of European law (like the Common European Asylum System CEAS), processes of standardisations and harmonisations especially in the field of border management (called,Integrated Border Management'), a growing military-industrial-academic complex largely funded by the EU." (Hess & Kasparek, 2017, 60)*

The European border regime is characterised primarily in distinction to an – archetypal – model of nation-state borders and differs from it especially by the externalisation of border control (see in detail Hilpert, 2022) and the selectivity of borders (see Walters 2006, 200; Del Sarto, 2010, 159; Nail, 2016, 4ff.). The literature broadly discusses the changing shape, functioning and mechanisms of action of the border regime as well as the new responsibilities for border security

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and border management in the European Union (see e.g. Rumford, 2014; Cuttitta, 2014; Weber, et al. 2020; Klessmann et al., 2020).

The observation of the Europeanisation of the border regime is juxtaposed with the persistent heterogeneity of nation-state border practices, as well as the different requirements for modes of border management and dealing with the respective non-European neighborhood.

> *"[T]he EU external border [requires] highly diverse approaches to satisfying Europe's security needs [...] – land borders require different methods than maritime borders, dealing with eastern neighbours must be done differently than dealing with southern ones" (Marung, 2013, 125, own translation; Zapata-Barrero, 2020; Finotelli, 2018).*

The simultaneity of Europeanised but heterogeneous external borders is thereby not an analytical contradiction, but rather testifies to the complexity of the European border regime with its multiple, overlapping competences, responsibilities and powers (Jureit & Tietze 2015, 23ff.).

The Frontex agency plays a central role in the European border regime. The dismantling of internal border controls within the EU, i.e. the concept of internal freedom of movement, had from the beginning as its counterpart the expansion of controls of the now common external borders (Walters, 2002; Eigmüller, 2020). Frontex is the central European actor for the realisation of this external dimension of the European free movement of persons.

As Kalkman writes in his literature review, five main areas of research on Frontex can be observed: "Frontex' activities, the agency's characteristics, its operational effects, the issue of human rights and its position in the EU bureaucracy" (Kalkman, 2021, 165). To be added to this is a range of studies that focus on the agency's relevance to the idea of the "European area of freedom, security and justice" and its interactions with nation-state border management systems (see, for example, Campesi, 2015; 2021; Mungianu, 2013; Trevisanut, 2016).

The establishment of the standing corps, which was decided in 2019 and was the subject of controversial debate beforehand, has received little or, to use Kasparek's (2021, 15) words, too little attention in the literature to date. Kasparek also describes the establishment of the standing corps as an extremely important milestone:

> *"However, this transfer of competence to the European level, which is unprecedented in the history of Europe, is accompanied by the democratic deficits that are unfortunately well-known for the European Union. In addition, there is a lack of accountability and oversight mechanisms, especially in matters of human rights violations or even criminal acts in the context of the agency's operations." (ibid, own translation)*

Other authors also emphasise Frontex's lack of regulation, democratic control, and transparency; for example, Fernandez-Rojo (2021), who also points out the large discrepancy between de facto and de jure competences and activities of the agency. Moreover, the fact that Frontex's activities have gone far beyond coordination

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for a long time and long before the 2019 expansion has been well documented empirically (Klepp, 2011, 300; Bach, 2010, see below).

Some researchers, such as Vlachopoulos (2020) or Bossong (2019), relativize the significance of the Frontex expansion. They argue, mainly from a legal perspective, that the standing corps is not formally an independent law enforcement unit, that it acts by regulation only on behalf of the Member State concerned, and that the Member States have a large influence in the Frontex's Management Board. However, even these works do not dispute the clear increase in competence and autonomy of the agency.

In general, it can be concluded that the vast majority of existing works on the European Border and Coast Guard standing corps examine them as an element of Frontex reform (see also, for example, Loschi & Slominski 2021; Meissner, 2021) and focus on the issues identified by Kalkman above. Given the recency of the standing corps establishment, it is not surprising that there is a distinct lack of profound empirical analyses on the topic. However, studying the standing corps in more detail is promising because the European border regime plays a crucial role in the process of European integration and in European society-building (see for an overview: Deleixhe & Duez, 2019, 928; Kasparek, 2013, 40). This paper aims to respond to this interest by taking a closer look at the paradigm shift of establishing a European border police.

Border police tasks and executive powers: standing corps as de facto European border police

In the time since its establishment in 2004, the Frontex agency has undergone a very rapid development, which makes it appear as a kind of "superagency" (Meissner, 2021). Frontex is now the largest agency in the European Union in terms of staff and resources. With Regulation 2019/1896, its mandate was once again significantly expanded after already far-reaching increases in 2007, 2011, and 2016. At the core of the 2019 expansion is the creation of the European Border and Coast Guard standing corps, which marks a paradigm shift in the European Union, as I will show in the following. It means the de facto establishment of a European border police.

The regulation foresees the establishment of a standing corps of 10,000 officers by 2027, who will be deployed in various, highly specialised areas in border management, entry control, repatriation and others. For this purpose, 3,000 officers will be recruited directly in Warsaw, while the other forces will be deployed from member states on a short-term basis (up to 4 months a year) or seconded to Frontex on a long-term basis (up to 48 months). In 2022, the unit is already more than 2,000 forces strong (Frontex, 2022b).

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According to Article 55 of the regulation, the statutory staff, i.e. the staff permanently employed by Frontex, has the following tasks, among others:

(a) the verification of the identity and nationality of persons, including consultation of relevant Union and national databases;

(b) the authorisation of entry where the entry conditions, as laid down in Article 6 of Regulation (EU) 2016/399, are fulfilled;

(c) the refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399;

(d) the stamping of travel documents in accordance with Article 11 of Regulation (EU) 2016/399;

(e) the issuing or refusing of visas at the border in accordance with Article 35 of Regulation (EC) No 810/2009 of the European Parliament and of the Council (40) and introducing relevant data in the Visa Information System;

(f) border surveillance, including patrolling between border crossing points to prevent unauthorised border crossings, to counter cross-border crime and to take measures against persons who have crossed the border illegally, including interception or apprehension;

(g) the registering of fingerprints of persons apprehended in connection with the irregular crossing of an external border in Eurodac in accordance with Chapter III of Regulation (EU) No 603/2013 of the European Parliament and of the Council (41);

(h) liaising with third countries with a view to identifying and obtaining travel documents for returnees;

(i) escorting third-country nationals subject to forced-return procedures (European Union 2019).

Through these new tasks, the European agency receives not only comprehensive resources, but also executive powers at the external borders of the European Union for the first time. Frontex itself defines these executive powers as follows: "Standing corps officers deployed by Frontex [...] can exercise executive powers, meaning the necessary powers to perform the tasks required for border control" (Frontex, 2021a).

The powers and tasks are practically identical to those of national border guard units. They cover elementary fields of activity of classical border policing: border surveillance, control of cross-border traffic (including verification of border crossing documents, entitlement to cross the border) as well as the prevention of threats (compare e.g. with the German Federal Police: Schenck, 2006). The standing corps is a highly specialised unit with experts for document fraud, dog handlers, Motor Vehicle Crime Detection Officer or return specialists, just to name some profiles (see Frontex, 2023b).

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Executive powers may be exercised by Frontex staff in consent with the states concerned, in Member States of the European Union within the framework of rapid border intervention on the basis of operational plans agreed between Frontex and the Member State. For operations in third countries, i.e. on the national territory outside the European Union, the following applies:

> *"Status Agreements are the legal framework through which the Agency can assist non-EU countries in border management and deploy European Border and Coast Guard teams on their territory. The Status Agreements are initiated and negotiated by the European Commission, with authorisation of the Council of the EU and consent of the European Parliament. Standing corps officers deployed by Frontex through a "Status Agreement can exercise executive powers, meaning the necessary powers to perform the tasks required for border control conducted on the territory of the partner non-EU country in the presence of national officers. Their duties are outlined and agreed with the host non-EU country in a dedicated operational plan. The document sets out the scope and timeframe of the operation, the tasks and powers of the members of the teams and practical measures related to the respect of fundamental rights and data protection." (Frontex, 2021a, 12)*

Formally, the Member States of the European Union, as well as third countries, control the standing corps in the exercise of executive powers. However, within the European Union, the standing corps can operate without the supervision of the member state, according to the regulation on the use of force:

> *"The use of force, including the carrying and use of service weapons, ammunition and equipment, shall be exercised in accordance with the national law of the host Member State and in the presence of border guards of the host Member State. The host Member State may, with the consent of the home Member State or the Agency, where appropriate, authorise members of the teams to use force on its territory in the absence of border guards of the host Member State. The host Member State may prohibit the carrying of certain service weapons, ammunition and equipment, provided that its own law applies the same prohibition to its own border guards or staff when involved in return-related tasks." (Art. 82/ 8 in European Union 2019)*

The standing corps can therefore exercise executive power at the external borders of the European Union without national officials having to be present. Moreover, while Article 43 of the Regulation states that the host Member State shall instruct the standing corps in the operation, it also emphasizes the binding nature of the jointly developed operational plan and grants the Agency the right to communicate its views on any national instructions. "[T]he host Member State shall take those views into consideration and follow them to the extent possible".

The standing corps has thus classic border police tasks and powers. And the border police is fully equipped for this purpose: The arsenal of state-of-the-art weapons and equipment includes, for example, semi-automatic pistols, batons, pepper spray or drone (see the statement by Frontex Director, Fabrice Leggeri, in European Parliament, 2021; Monroy, 2021) and can be acquired independently by the agency. Although the armament was part of the new Frontex regulation from the beginning, it initially presented the agency with major legal challenges in its implementation (Politico, 2021). However, these were solved by an agreement with Poland on the registration of the weapons (Monroy in Cilip, 2021). According

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to the Frontex regulation, the arming of the standing corps in operations at the external borders of the European Union may only be restricted if it would otherwise be stronger than that of the border guards of the Member State, as cited above.

Moreover, Frontex received further powers in 2019, of which particular reference should be made here to the conducting of so-called Vulnerability assessments (Article 32). Frontex monitors and assesses Member States' capacities and operational readiness (technical equipment, systems, capabilities, resources, infrastructure and adequately skilled and trained staff) and has the power to issue orders to Member States to resolve problems at the external borders. In addition, the agency has wide-ranging powers to work with and in third countries and, since 2016, has had a centralised role in knowledge production, external border monitoring, and the authority to set border management standards for Member States.

As Frontex own officers, the European Border and Coast Guard standing corps is uniformed, armed, has border police tasks and executive powers. It is thus de facto a European border police. The supranational agency's first executive power is a paradigm shift in the European Union. It represents the Europeanisation of a domain that was previously the exclusive preserve of the Member States.

The practice of European border control

In addition to the formal powers, another aspect is crucial in the classification of the standings corps, namely its policy and the practice of border control in the EU. The establishment of the border police can be understood in a genealogy of the Frontex agency, which from the beginning has shown a strong discrepancy between formal powers and border practice. Against the backdrop of permanently perceived migration emergencies in the Member States and an under-regulation, the agency continuously exhausted or strategically exceeded its mandate: "[T]he agency [has] repeatedly triggered developments through numerous oversteps of competence that were later legalised" (Lehnert, 2014, 503, own translation). It has been shown in various empirical studies that the practice of responsibilities, chains of command, and control mechanisms in the field at the external borders of the European Union differ greatly from those in theory. Fernandez-Rojo (2021, 205/6) already writes about this, for example, in reference to the 2011 Frontex regulation and the work of so-called European Border Guards in joint operations:

> *"Frontex's operational coordinator and operational manager, who are deployed in the territory of the Member State where the operation is taking place, act as the main authorities in charge of guaranteeing the effective and uniform implementation of the activities foreseen in the special operation plan. While the Regulation of Frontex […] repeatedly state that the power to manage the external borders lies with the Member States, Frontex's operational assistance in practice exceeded the mandate of strictly assisting, coordinating and facilitating operational cooperation between the Member States."*

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Fernandez-Rojo observes this de facto strength of Frontex especially in the figure of the coordinating officer, who is a kind of guardian of the jointly agreed operational plans.

> *"The extraordinary migratory pressure that the national border authorities are under, the long-standing know how of the Agency in regard to the coordination of joint operations, and the very close cooperation of the coordinating officer and the national authorities in practice blur the lines of authority between the host Member State and Frontex and the command of the EBGT [European Border Gard Teams]." (see for further empirical examples Karamanidou & Kasparek 2020, 5ff.; Sarantaki 2023, 67ff.)*

Campesi (2021, 147) pushes this argument even further and writes of an empirically observable hierarchy of Frontex over the national border guard units in the field. However, Freudlsperger, Maricut-Akbik and Migliorati (2022, 1984) appear accurate in their assessment that an "empirical trend" can be observed, which they call "the exercise of 'joint sovereignty' in the EU".

Against this background of border practice, the European Border and Coast Guard standing corps emerged, and it now also has formal sovereign rights. It can be assumed that Frontex will further establish its border police profile and, despite formal limitations in the field, act as fully-fledged border police alongside those of the member states.

Thus, the fact that a European border control unit, a European border police, has been established does not mean that national border control units would cease to exist. Rather, the European border regime is a system with multiple, overlapping competencies, responsibilities, and border practices that has produced a border control unit that is "neither fully supranational, nor constituted as a nation-state" (Kasparek, 2021, 333, own translation). However, with the new regulation, Frontex and the member states now also formally share responsibility for border control for the first time. In the process of European integration, a "postnational border police" (Campesi, 2018), a specifically European border police, has emerged.

Discourses on the establishment of the European Border and Coast Guard standing corps

Within the European Union and among the various European institutions, the discourses on the establishment of the European Border and Coast Guard standing corps are rather heterogeneous. There is an – unresolved – discursive tension that reflects the different political agendas in the field of European border and migration policy and the specific construct of sovereignty in the European border regime.

It is scarcely surprising that the undertaking of opening up a core area of nation-statehood to supranational institutions and increasingly aligning their competences with those of national border control units has triggered controversy since the establishment of Frontex (Monar, 2006, 175). Criticism regarding the growth of the agency and too comprehensive transfers of competences or fears about national sovereignty, have persisted over the years. However, due to the specific circum-

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stances of European integration – to which I will return later – they have not led to a dismantling of Frontex. On the contrary, the expansion of external border management in the European Union was and is the central consensus among Member States in the field of border and migration policy. The states, especially those on the periphery of the European Union, accept the de facto transfering of border control competencies to the supranational level, but discursively and formally maintain national sovereignty over borders, as I have shown elsewhere (Hilpert, 2020). The de facto disposition of the external border states to transfer border control competences to the European level reflects a pragmatic understanding of sovereignty: In favour of the political capacity to act, state actors are willing to share sovereignty. But this only, if formally and discursively the national supremacy over borders is largely maintained. This principle comes to a head with the establishment of the standing corps.

Yet the executive power of Frontex is a paradigmatic shift in that it now formally recognizes the surrender, or at least the sharing, of sovereignty over border control. The political discourses that accompany the establishment of the standing corps are in an unresolved tension that reflects the specific construct of sovereignty in the European border regime:

Frontex and the European Commission have accompanied the introduction and establishment of the standing corps with great pathos and communicated it as a ground-breaking step toward integration. Frontex, according to its self-portrayal, has become the "operational arm of the European Union" (Frontex, 2021b, 7), the "forefront of EU's efforts to secure its external borders and fight serious cross-border crime" (ibid: 26). The now-terminated Frontex chief Leggeri wrote in the 2021 annual report of a "game-changer", a "breakthrough for Europe because it constitutes the European Union's first uniformed law enforcement service" (ibid: 1). *European Border and Coast Guard Agency* – the very name of the agency is a promise; as a matter of course, the agency refers to its personnel accordingly as EU border guards. "With its own officers, Frontex has become a fully-fledged member of the global border and coast guard community" (Frontex, 2021a, 3).

This is accompanied by identity-forming discourses about the construction of a common European "we". Frontex protects "our" external borders:

> *"Of course, our Agency has a variety of […] responsibilities related to our external borders. Frontex monitors them 24/7, collects and analyses streams of data from all around Europe to create a full picture of what is going on at the borders. This comprehensive information helps Frontex and Member States to identify and address weak spots and future challenges to better protect our borders." (Frontex, 2021b, 10)*

The common border police is seen as playing a crucial role in the European integration project. "[T]he formation of the standing corps is a major achievement of European integration. It brings about a real transformation of Frontex: soon, there will be more Frontex statutory staff working in the field than in the headquarters, making it a truly operational arm of the EU" (ibid: 20).

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Frontex's pathos is contrasted by the pronouncements of the Member States of the European Union. In their joint communications through the Council, they relativise the scope of the establishment of the standing corps and continue to emphasise that the supremacy over border control remains with them:

> *"Member states will retain primary responsibility for the management of their borders, with Frontex and its staff providing technical and operational assistance subject to the agreement of the member states concerned. Under the proposed new rules, staff of the standing corps deployed to a member state will be able to exercise executive powers to carry out border controls or return tasks, always subject to the authorisation of the host member state, including the use of force and weapons." (Council of the EU, 2019)*

they write, for example, after the agreement on the new Frontex reform in 2019. The discursive efforts to maintain national sovereignty with regard to external border control while at the same time de facto surrendering or at least sharing this very sovereignty reflect the specific sovereignty construct in the European border regime. And it may be understood as a compromise among the Member States. After all, the Member States had and have very different attitudes toward the Commission's proposal of an updated mandate for the European Border and Coast Guard Agency and the idea of a European border police (Bossong, 2019). Some states, led by France, only see a solution to the persistent "migration problems" in the decided relinquishment of national sovereignty and the Europeanisation of border control and have always pushed for the expansion of Frontex (see, for example, the calls by Macron: Élysée, 2019; Hilpert, 2015; 2020). Others, such as Poland (Tagesspiegel, 2021, October 1) or Hungary (Welt, 2019, September 17), insist that border control must remain a national task. Hungarian Foreign Minister Péter Szijjártó comments on the 2019 Frontex reform with "Frontex is a travel agency" (ibid.).

Due to these diverging positions, a conflict arose around the Frontex reform in 2019, which led the then Commission President Jean-Claude Juncker to make the following statement:

> *"I have been somewhat surprised by a number of recent events. For over two years, all EU heads of state or government have been calling for better protection of Europe's external borders. The European Commission has taken this call seriously and drawn up a proposal to strengthen the protection of our external borders by increasing the number of EU border guards to 10 000 by the end of 2020. But now, all of a sudden, reservations are being expressed on many sides about a perceived impact on national sovereignty. Everything is moving too fast, we are told, and the figures cited are said to be too high. This is blatant hypocrisy! First they ask the European Commission to do something, then we make a proposal, and now it is precisely those who have so far loudly criticised the insufficient protection of the EU's external border who do not want to make a commitment. Europe cannot operate like that. We have to act quickly to ensure that we are prepared and that the EU's external borders are really under control. The Member States concerned should put their reservations aside and swiftly adopt the proposal for protecting the EU's external border." (Welt, 2018, December 30)*

The discrepancy between the offensive presentation of the standing corps as a fully European law enforcement service and the relativisation of its role by some Member

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States has not been resolved to date. The two poles stand side by side in a field of tension, but almost without mutual reference. The compromise ultimately found in the regulation with the states, who expressed "reservations" includes mainly a longer time window for the deployment of personnel for the border police and some rhetorical concessions in the text. The latter reflect the specific sovereignty construct in the European border regime – de facto surrender of national sovereignty in favour of the political capacity to act while formally and discursively maintaining national sovereignty over borders. Nevertheless, Frontex's offensive communication seems risky. Already during the debate on the establishment of the standing corps, it had become apparent how fragile the construct of benefit-oriented, pragmatic understanding of sovereignty and discursive maintenance of classical nation-state supremacy is, if the competences of the agency are supposed to concern too explicitly sovereign tasks (see also FAZ, 2018, December 6; Deutschlandfunk, 2015, December 15).

Uniforming and professional identity

"For the first time in history, the European Union has its own uniformed service" (Frontex, 2021a, 3) stresses Frontex continuously, putting the spotlight on a significant innovation that underpins the discourses around the "truly operational arm of the EU" with visual symbols of sovereignty: the first-time uniforming of a European border guard unit. With the uniforming of the standing corps, Frontex is pursuing the strategic goal of establishing the unit as a fully-fledged, modern border police force.

As at nation-state borders, a uniformed border police makes the sovereign claim to the territory and the demarcation to the outside visible. In the nation-state, the uniform of state officials is a historically established symbol of power, comparable to flags, statues, or hymns (Hobsbawm, 2012 [1983], 273). To the wearer it confers legitimacy and authority, and thus it is a means of communication of the state (Wiggerich & Kensy, 2011, 10; for an overview of the history of state and non-state uniforms and uniforms as social practice, see Tynan & Godson, 2019). Rowe et al. (2022, 3) also understand uniforms as symbolic capital of executive bodies, which functions not only towards the population or the public, but also internally: "[T]he uniform has symbolic properties that communicate to officers, as well as to external audiences." It contributes to the formation of a professional identity, affiliation and self-legitimation of the executive officers (ibid.).

Frontex uses the uniform as a means of symbolic communication and aims to interpret it as follows: "The officers will wear blue uniforms that represent the entire European Union and protect the European area of freedom, security and justice." (Frontex, 2022a). Through the uniform, therefore, the border police here become the representatives of the European Union as a whole. The decision on the uniform was preceded by an elaborate mapping and benchmarking process, which

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was primarily based on the uniforming standards of established border police forces and testifies to an institutional awareness of the symbolic nature of uniforms in general and the specific effect of colours or models of uniforms in particular (Rowe et al., 2022, 3).

With the aim of establishing the unit as a fully-fledged, modern border police force, the uniform selection criteria were:

> *"It is of strategic importance that the visual appearance of the uniform conveys credibility and trustworthiness. It should carry authority but must not be intimidating. Furthermore, it should be recognizable as law enforcement while at the same time symbolically conveying the European dimension and its values." (Frontex, 2020, 4)*

At the result, the uniform is a mixture of two shades of blue, which are attributed the following meaning:

> *"The use of dark blue ensures that it is visually similar to the uniforms of most national law enforcement authorities. It conveys authority, while serving the community. Hence the uniform is clearly recognisable and credible as law enforcement without being intimidating. The inclusion of azure blue, featuring prominently on the upper half of the shirt and jacket of the garments used for the field related tasks conveys the European dimension and its values, thus distinguishing the Statutory Staff from those of national authorities in a subtle but adequate manner." (ibid., 6)*

The uniform of the standing corps is thus in continuity with those of the law enforcement services of the Member States, which had agreed on blue as the uniform colour of their clothing in the 1990s. However, it also symbolizes the novelty, namely a border control unit that is intended to represent not only the European Union as a whole, but also its values.

Towards the standing corps officers, the agency tries to promote a professional identity and affiliation not only through the uniform as "symbolic properties that communicate to officers". It also actively pushes self-perception as new EU professionals through other identity-creating impulses.

As we know from research on EU professionals working in the various fields of activity in the European institutions or in EU-related tasks in the Member States, they have a specific function in the process of European integration. Their loyalty to the European unification project and possible pioneering role into a broader European society, has occupied research on European integration for some time (see e.g. Georgakakis & Rowell, 2013; Büttner, 2018; Lewicki, 2017, 155ff.). Drewski (2022, 10ff.) illustrates this with the example of the work of Haas, who had already asked in 2004 about the changing loyalties, feelings of belonging, and value systems of European professional elites, emphasising the importance for the European society-building process. Drewski himself in 2022 published an elaborate analysis of a common European identity among employees of the European Commission.

Frontex appears to be aware of the integrative potential of EU professionals. The agency promotes the sense of belonging among the new or to-be-recruited border guards not only regarding their unit, but also to a specific supranational project, of

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which they are exclusive pioneers. While the "choral spirit" is stimulated through sporting activities (see World Police and Fire Games) or initiative rituals (Frontex, 2022a), in addition to the uniform, the raising of the European flag on ceremonial occasions is also intended to reinforce the supranational character of the unit. Frontex presents the recruitment, training and everyday work of the standing corps in a media-effective way and uses various social media formats, such as video clips in which standing corps officers like "Christina" report on their work (here as a return specialist), emphasise the personal benefits of working in international teams (here: "gain a lot from their expertise and knowledge") and provide insights into their private lives (here: jogging, distance learning in Greece) (Frontex, 2023). This "human" portrayal of the unit as a gathering of committed Europeans working together for a better, safer Europe serves, on the one hand, as an advertisement for recruiting new employees and, on the other, is part of the agency's comprehensive public relations work, which aims to positively influence the often very negative public image.

The establishment of the standing corps as supplementary institutionalisation

As Monar already wrote in 2006 (175), the idea of a European border guard unit is radical:

> *"The creation of a common European Border Guard can surely be regarded as one of the most advanced and ambitious projects which has so far emanated from the discussion on the future development of the European Union (EU) as an 'area of freedom, security and justice'. It would be the most radical answer to the question of burden-sharing at external borders in the enlarged EU and presents formidable challenges in terms of its political feasibility, potential implications for national sovereignty and practical organisation."*

If borders are constitutive for the modern nation-state (Jellinek, 1929, 406ff.), then their Europeanisation is of course a decisive step in the process of European integration and in the transformation of nation-statehood and sovereignty in Europe. As such, the vast majority of authors acknowledge it (e.g. Balibar, 2002, 89; Scott, 2012, 86; Beurskens & Miggelbrink, 2017; Campesi, 2021; 2ff.). In the literature, the European border regime is attributed a decisive role for the entire process of European integration (for an overview: Deleixhe & Duez, 2019, 928), the external border is understood as an "anticipation of a territorial union yet to be realised" (Kasparek, 2013, 40, own translation), and especially Frontex is considered to play a decisive role here due to its at least harmonising function (Sarantaki, 2023, 36).

The 2019 Frontex regulation is the Europeanisation of borders in a new quality. As Frontex own personnel, the European Border and Coast Guard standing corps is uniformed, armed, has border police tasks and executive powers. It is thus de facto a European border police. The supranational agency's first executive power is a paradigmatic shift because it now formally recognises the surrender, or at least the sharing, of sovereignty over border control within the European Union.

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The establishment of the standing corps is to be understood as the result of *supplementary institutionalisation*. Theoretical work on supplementary institutionalisation (Vobruba, 2012, 127ff.; Vobruba & Preunkert, 2012, 203ff.; Fehmel, 2015) considers the project of European integration in its political, social and economic complexity and multidimensionality and in relation to the concrete formation practices. It combines action-theory with theory of institutions and thus offers an extremely elaborate analytical format of the development of European integration. The theoretical framework assumes an interdependence of institutions and their conditions of existence and reproduction and therefore a field of tension between institutions and action of actors. In contrast to neofunctionalism, this is an actor-centred approach that allows for empirical testing of the hypothesis. It takes into account the constellation of actors and interests as well as the resources for action in institutionalisation processes, just as much as the effect of existing institutions on the actions of actors. More precisely: the effect of existing institutions, which are observed and interpreted by actors and thus become a guideline for their actions (Vobruba & Preunkert, 2012, 203ff.).

In this theoretical framework supplementary institutionalisation describes the dynamics of processes of deepening Europeanisation and institutionalisation. Accordingly, existing institutions (like the Eurozone or the border regime), establish new relations of cooperation and competition and the resulting interests and potentials for action within the European Union. They can lead to consequential problems in the implementation of the integration step, especially due to unclear regulations, and to a lack of efficiency (ibid.). Therefore, the consequences of integration steps once introduced are very likely to condition the development of new integration steps:

> *"An integration step creates problems; these problems can hardly be dealt with in any other way than by a further integration step, which sooner or later leads to problems again. With each integration step, structures are created which, intentionally or unintentionally, change the possible courses of action for dealing with the problems that follow. Each integration step thus shapes the following integration steps. This is because decisions are always made on the basis of existing structures and the resulting constraints on action. The effect of such constraints on action in the EU can be seen in the fact that integration problems lead to supplementary institutionalisation." (Preunkert & Vobruba, 2015, V, own translation)*

In the course of European integration, institutions have emerged that are only stable and capable of acting when further integration steps are taken (Vobruba, 2012, 130).

Supplementary institutionalisation as an empirical phenomenon depends, as Fehmel emphasises, on "subjectively interpreted constellations of interests and power relations" (Fehmel, 2015, 191, own translation). Consequential problems arising from integration steps of course lead to supplementary institutionalisation only under certain circumstances, namely when their solution is understood by the relevant actors as a supranational task. Conflicts within the European Union thus have an integrative effect and can promote European society-building, as long as

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appropriate conflict frameworks are established: "Conflicts have a society-building effect when they lead to the formation, institutionalisation and further development of conflict frameworks" (ibid.: 192, own translation).

The establishment of the European border police is almost a perfect example of supplementary institutionalisation. The creation of the Frontex agency is already such a case (Vobruba, 2012, 129ff.) – the free movement of persons in the course of the institutionalisation of the Schengen area gave rise to consequential problems in external border control, which were supposed to be resolved by the creation of the agency. This was followed by new conflicts over external border management, the solution to which was again located at the European level. An executive body was added to the common border management agency in order to remain functional. As in other policy areas, the "migration crisis" perceived in the European Union in 2015 was the driver of deepening integration in border management. Attempts were made to solve the "migration problem" at the national level, primarily through the temporary reintroduction of border controls (Hilpert 2015). However, since these could not eliminate the structural problems and the previous competencies and resources of the agency in border control were considered insufficient, the paradigmatic shift occurred that led to the agency's executive power. As the fulfilment of a common European border management agency, in a deepening step of integration it received genuine border police tasks and executive powers previously reserved for the bodies of European nation states. Vobruba (2012, 127ff.) explains the phenomenon of overcoming deficient institutionalisation by supplementary institutionalisation with the fact that the costs of reversing Europeanisation steps are considered by the relevant actors to be significantly higher than the costs of not carrying them out – this is why states are interested, for example, in maintaining the common currency or in expanding common border control. In this case, the external and internal borders of the European Union were so deeply integrated that a reversal was not considered opportune by the political actors.

The establishment of the European border police as a supplementary institutionalisation is also observable in actor perceptions: "The changes to the European Border and Coast Guard Agency (Frontex), already agreed with EU ministers, aim to resolve the current shortcomings and better respond to the present needs in security and migration" writes, for example, the European Parliament (European Parliament 2019) after the adoption of the Frontex Regulation.

To summarise: The institutionalised Schengen area and the establishment of Frontex were accompanied by new conflicts over external border control. Potentially, the problems arising from European integration could also be regulated nationally, and this has been attempted in part, as temporary reintroductions of national border controls show. However, because the Member States as a whole are interested in the preservation and functioning of the European border regime and locate the resolution of conflicts at the European level, the European framework for

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problem-solving has been maintained and thus supplementary institutionalisation has taken place. By increasingly resolving border conflicts in the European conflict space and generating supplementary institutionalisation processes, this promotes the European society-building process.

Underregulated European border police

It can already be observed that the establishment of the European Border and Coast Guard standing corps leads to consequential problems of European integration. Because if the standing corps is a border police, it is an under-regulated border police.

Even before the updated mandate, a control deficit; the overlapping, ambiguous responsibilities in operations; and the large discrepancy between formal mandates and the practice at the border have led to conflicts, lack of transparency, and human rights violations (see above and, e.g., Kasparek & Karamanidou, 2020, 84). The complex balance of responsibilities between the agency and the states of operation can be illustrated by the example of the pushback allegations during various operations of the agency in Greek waters. The as yet unanswered question of whether Greece or Frontex should bear responsibility for alleged human rights violations at sea illustrates the impact of the de facto division of responsibility that has existed for years (Freudlsperger et al., 2022; 1999). The legal problems associated with under-regulation were not addressed when the new standing corps was established.

Essential aspects of the design and legal framework of the standing corps' work do not result from the Frontex Regulation but are gradually defined by the Management Board of the Agency – such as the configuration of the different standing corps categories, the rules to carry and use weapons, the storage of weapons or a supervisory mechanism to monitor the application of the provisions on the use of force by the statutory staff. The Management Board is composed of representatives of the heads of the border authorities of the Member States and two members of the European Commission. It is therefore not a political, democratically elected body that sets the direction of the standing corps – the agency's democratic deficits continue here.

The question of the legal responsibility of standing corps officers in the event of misconduct in the field is particularly relevant. Numerous observers point out that, on the one hand, the legal framework is not defined and inconsistent across Member States and, on the other hand, there are no appropriate internal and external control mechanisms for the work of the border police (Rosenfeldt, 2021, 349ff., from civil society; Monroy in Cilip, 2021). It is still not clearly regulated who can be held responsible for human rights violations at the external borders of the European Union.

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In the event of possible misconduct by the standing corps, responsibility continues to lie formally with the host state, which, however, delegates executive powers to the European officers and does not have to be present during operations. Regarding the disciplinary consequences of officer misconduct, Article 43 of the Regulation states that, although the host Member States are authorised to issue instructions in accordance with the operational plans, the disciplinary measures depend on the status of the officers. For the statutory staff, reference is made to a supervisory mechanism that, among other things, regulates provisions on the use of force. In 2021, an advisory board was established for this purpose, with its members appointed by the Executive Director of the Agency and having only an advisory function (Frontex, 2021;2022c; Bossong, 2019, 3). Standing corps members, who are not statutory staff remain subject to the disciplinary measures of their home Member State. So, in the event of misconduct, the law of the sending state applies to officers who are seconded from the member states on a short-term basis or on a long-term secondment, even if the assignment is carried out according to the law of the assignment state. In a Management Board decision of 2023 about "adopting the rules on the secondment of category 2 of the European Border and Coast Guard Standing Corps" detailed comments were made on working conditions, annual leaves, etc. of the seconded officers, but disciplinary issues were still completely omitted (Frontex, 2023a).

Criticism of the under-regulation of the standing corps comes not only from civil society or opposition political actors, but also from representatives of national police unions. Due to the unclear legal situation, lack of control and the absence of staff council representation, they see a serious danger for the border police officers, which they want to counter, among other things, through internationalisation efforts of the employee representation (Dbb, 2020).

The European Union has thus de facto set up its own European border police, which is fully equipped for border policing and is allowed to carry firearms, but has not provided it with a democratic and legal supervisory body analogous to a national border police. The specific sovereignty construct in the European border regime, the fact that sovereignty in external border control is de facto shared with a supranational body, but this is not formally labelled as such, leads to the under-regulation of the European border police. It can be seen here that the attempt to maintain the fragile balance between the European border regime on the one hand, and national prerogatives and sovereignty on the other immanently leads to deficient institutionalisation. In order not to overburden or even alarm the national systems, all the consequences of the integration step will only unfold gradually.

It can be assumed that this deficient institutionalisation will be remedied in a fairly short time by further integration and institutionalisation steps. This is supported by the political, civil society and trade union criticism; by the foreseeable problems in the practical work of the standing corps (e.g. unclear disciplinary measures) and

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also by the experience that competence transgressions of the agency can lead to further institutionalisation. Not least because there is a broad consensus among member states that irregular migration can only be tackled supranationally and that external borders must therefore be better secured. So, it is to be expected that the European border police will become a stable and permanent institution. The balancing act of not associating the institutionalisation of the standing corps with a loss of national sovereignty will be a political challenge. How the overlapping competencies of the European and national law enforcement units can be fruitfully combined and used will be a practical challenge. In any case, further steps of supplementary institutionalisation can be expected, not only in the field of border policy, but also in other areas such as European employee representation.

References

Bach, M. (2010). Die Konstruktion von Räumen und Grenzbildern in Europa. Von verhandlungsresistenten zu verhandlungsabhängigen Grenzen. In: M. Eigmüller & S. Mau (Eds.), *Gesellschaftstheorie und Europapolitik. Sozialwissenschaftliche Ansätze zur Europaforschung*. Wiesbaden: Springer VS.

Balibar, É. (2002). *Politics and the other scene*. London: Verso.

Beurskens, K. & Miggelbrink, J. (2017). Special Section Introduction – Sovereignty Contested: Theory and Practice in Borderlands. *Geopolitics* 22(4), 749–756.

Bossong, R. (2019). The expansion of Frontex. *SWP Comment* 2019/C 47.

Büttner, S.M. (2018). EU-Experten und -Professionals. In: M. Bach & B. Bach-Hönig (Eds.), *Europasoziologie. Handbuch für Wissenschaft und Studium*. Baden-Baden: Nomos Verlagsgesellschaft mbH & Co. KG.

Campesi, G. (2015). *Polizia della frontiera. Frontex e la produzione dello spazio europeo. Roma*: Derive Approdi.

Campesi, G. (2018). European Border and Coast Guard (Frontex): Security, Democracy, and Rights at the EU Border. In: G. Campesi (Eds.), *Oxford Research Encyclopedia of Criminology and Criminal Justice*: Oxford University Press.

Campesi, G. (2021). *Policing Mobility Regimes*. London: Routledge.

Carrera, S. (2010). *Towards a common European border service?* Brussels: CEPS.

Cilip (2021, April 5). *Frontex und die Gewaltfrage*. Retrieved from: https://www.cilip.de/2021/04/05/frontex-und-die-gewaltfrage (last accessed: 2023, January 31).

Council of the EU (2019). *European Border and Coast Guard: Council confirms agreement on stronger mandate*. Retrieved from: https://www.consilium.europa.eu/en/press/press-releases/2019/04/01/european-border-and-coast-guard-council-confirms-agreement-on-stronger-mandate/ (last accessed: 2023, January 31).

Cuttitta, P. (2014). Migration Control in the Mediterranean Grenzsaum. Reading Ratzel in the Strait of Sicily. *Journal of Borderlands Studies* 29(2), 117–131.

Dbb (2020). *Frontex – Die Zukunft hat bereits begonnen*. Retrieved from: https://www.dbb.de/mediathek/magazine/europathemen/artikel/frontex-die-zukunft-hat-bereits-begonnen.html (last accessed: 2023, January 31).

https://doi.org/10.5771/2566-7742-2023-1-74 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY

Del Sarto, R. (2010). Borderlands: The Middle East and North Africa at the EU's Southern Buffer Zone. In: D. Bechev & K. Nicolaïdis (Eds.), *Mediterranean frontiers. Borders, conflict and memory in a transnational world.* London, New York, New York: Tauris Academic Studies.

Deleixhe, M. & Duez, D. (2019). The new European border and coast guard agency: pooling sovereignty or giving it up? *Journal of European Integration* 41(7), 921–936.

Deutschlandfunk (2015, December 15). *Ausbau von Frontex. Eingriff in nationale Souveränität?* Retrieved from: https://www.deutschlandfunk.de/ausbau-von-frontex-eingriff-in-nationale-souveraenitaet-100.html (last accessed: 2023, January 31).

Drewski, D. (2022). *National and regional symbolic boundaries in the European Commission. Towards an ever-closer union?* London, New York: Routledge.

Eigmüller, M. (2020). Grenzen und Europa. In: M. Klessmann, H. Krämer & D. Gerst (Eds.), *Grenzforschung. Handbuch für Wissenschaft und Praxis*. Baden-Baden: Nomos.

Élysée (2019). *Pour une Renaissance européenne*. Retrieved from: https://www.elysee.fr/emmanuel-macron/2019/03/04/pour-une-renaissance-europeenne (last accessed: 2023, January 31).

European Parliament (2019). *European Border and Coast Guard: 10 000-strong standing corps by 2027*. Retrieved from: https://www.europarl.europa.eu/news/en/press-room/20190410IPR37530/european-border-and-coast-guard-10-000-strong-standing-corps-by-2027 (last accessed: 2023, January 31).

European Union (2019). *Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard*. Retrieved from: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1896 (last accessed: 2023, January 31).

Fehmel, T. (2015). Europäische Integration durch soziale Konflikte. In: J. Preunkert & G. Vobruba (Eds.), *Krise und Integration. Gesellschaftsbildung in der Eurokrise*. Wiesbaden: Springer VS.

Fernández-Rojo, D. (2021). Eu migration agencies. The operation and cooperation of Frontex, EASO and Europol. Northampton: Edward Elgar Publishing.

Finotelli, C (2018). Southern Europe: Twenty-Five Years of Immigration Control on the Waterfront. In: A. Ripoll Servent & F. Trauner (Eds.), *The Routledge handbook of justice and home affairs research.* London, New York: Routledge.

Frankfurter Allgemeine Zeitung (FAZ) (2018, December 6). EU-Innenminister verschieben ehrgeizige Grenzschutzpläne um Jahre. Retrieved from: https://www.faz.net/-gq5-9he89 (last accessed: 2023, January 31).

Freudlsperger, C., Maricut-Akbik, A. & Migliorati, M. (2022). Opening Pandora's Box? Joint Sovereignty and the Rise of EU Agencies with Operational Tasks. *Comparative Political Studies* 55(12), 1983–2014.

Frontex (2020). *Management Board Decision 20/2020*. Retrieved from: https://prd.frontex.europa.eu/document/management-board-decision-20-2020-of-1-august-2020-establishing-the-design-and-specifications-for-the-uniforms-of-the-statutory-staff-in-the-european-border-and-coast-guard-standing-corps (last accessed: 2023, January 31).

Frontex (2021). *Management Board Decision 7/2021.* Retrieved from: https://frontex.europa.eu/assets/Key_Documents/MB_Decision/2021/MB_Decision_7_2021_on_supervisory_mechanism.pdf (last accessed: 2023, January 31).

Frontex (2021a). *Frontex: Beyond EU borders.* Luxembourg: Publications Office of the European Union.

https://doi.org/10.5771/2566-7742-2023-1-74 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY

Frontex (2021b). In brief 2021. Luxembourg: Publications Office of the European Union.

Frontex (2022). *'The World Police and Fire Games have started in Rotterdam!'* on Twitter 2022, July 24. Retrieved from: https://mobile.twitter.com/Frontex/status/1551113856080125952 (last accessed: 2023, January 31).

Frontex (2022a). *News: Another group of standing corps officers ready for deployment.* Retrieved from: https://frontex.europa.eu/media-centre/news/news-release/another-group-of-standing-corps-officers-ready-for-deployment-sXMeD2 (last accessed: 2023, January 31).

Frontex (2022b). *2022 in brief*. Luxembourg: Publications Office of the European Union.

Frontex (2022c). *Management Board Decision 61/2022*. Retrieved from: https://prd.frontex.europa.eu/document/management-board-decision-61-2022-amending-management-board-decision-7-2021-establishing-a-supervisory-mechanism-to-monitor-the-application-of-the-provisions-on-the-use-of-force-by-statutory-staff-of/ (last accessed: 2023, January 31).

Frontex (2023). *Meet Christina, a standing corps officer on Youtube.* Retrieved from: https://www.youtube.com/watch?v=D8WhG05ptrY (last accessed: 2023, January 31).

Frontex (2023a). *Management Board Decision 07/2023.* Retrieved from: https://prd.frontex.europa.eu/document/management-board-decision-07-2023-adopting-the-rules-on-the-secondment-of-category-2-of-the-european-border-and-coast-guard-standing-corps (last accessed: 2023, January 31).

Frontex (2023b). *Management Board Decision 05/2023*. Retrieved from: https://prd.frontex.europa.eu/document/management-board-decision-05-2023-adopting-profiles-to-be-made-available-to-the-european-border-and-coast-guard-standing-corps-for-2024 (last accessed: 2023, January 31).

Georgakakis, D. & Rowell, J. (2013). Introduction: Studying Eurocracy as a Bureaucratic Field. In: D. Georgakakis & J. Rowell (Eds.), *The Field of eurocracy. Mapping EU actors and professionals.* Basingstoke, New York, NY: Palgrave Macmillan.

Hess, S. & Kasparek, B. (2017). Under Control? Or Border (as) Conflict: Reflections on the European Border Regime. *Social Inclusion* 5(3), 58–68.

Hilpert, I. (2022). Fragile buffer zones. The externalisation dynamism in the field of border security and possible alternatives. In: *Zeitschrift für Migrationsforschung* 2.

Hilpert, I. (2020). *Die doppelt codierte Grenze und der Nationalstaat in Europa. Eine Untersuchung am Beispiel der Republik Italien*. Wiesbaden: Springer VS.

Hilpert, I. (2015). Grenzen europäischer Grenzen. Das Schengen-System in der Migrationskrise. In: J. Preunkert & G. Vobruba (Eds.), *Krise und Integration. Gesellschaftsbildung in der Eurokrise.* Wiesbaden: Springer VS.

Hobsbawm, E. J. (2012) [1983]. Mass-Producing Traditions: Europe. In: E. J. Hobsbawm & T. O. Ranger (Eds), *The Invention of tradition*. Cambridge Cambridgeshire: Cambridge University Press.

Jellinek, G. (1929). *Allgemeine Staatslehre*. Berlin, Heidelberg: Springer.

Jureit, U. & Tietze, N. (Eds.) (2015). *Postsouveräne Territorialität. Die Europäische Union und ihr Raum.* Hamburg: Hamburger Edition.

Kalkman, J.P. (2021). Frontex: A Literature Review. International Migration 59(1), 165–181.

Karamanidou, L. & Kasparek, B. (2020). Fundamental Rights, Accountability and Transparency in European Governance of Migration: The Case of the European Border and Coast Guard Agency Frontex. *Global Migration: Consequences and Responses* – Working Paper Series.

https://doi.org/10.5771/2566-7742-2023-1-74 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY

Kasparek, B. (2013). Von Schengen nach Lampedusa, Ceuta und Piräus: Grenzpolitiken der Europäischen Union. *Aus Politik und Zeitgeschichte* 63(47), 39–45.

Kasparek, B. (2021). *Europa als Grenze. Eine Ethnographie der Grenzschutz-Agentur Frontex*. Bielefeld: transcript.

Klepp, S. (2011). *Europa zwischen Grenzkontrolle und Flüchtlingsschutz. Eine Ethnographie der Seegrenze auf dem Mittelmeer*. Bielefeld: transcript.

Klessmann, M., Krämer H. & Gerst, D. (Eds.) (2020). *Grenzforschung. Handbuch für Wissenschaft und Praxis*. Baden-Baden: Nomos.

Lehnert, M. (2014). *Frontex und operative Maßnahmen an den europäischen Außengrenzen.* Baden-Baden: Nomos.

Lewicki, P.M. (2017). *EU-Space and the Euroclass. Modernity, Nationality and Lifestyle among Eurocrats in Brussels*. Bielefeld: transcript Verlag.

Loschi, C. & Slominski, P. (2021). Interagency Relations and the EU Migration Crisis: Strengthening of Law Enforcement Through Agencification? In: J. Pollak & P. Slominski (Eds*.), The Role of EU Agencies in the Eurozone and Migration Crisis. Impact and Future Challenges.* Cham: Springer International Publishing.

Marung, S. (2013). *Die wandernde Grenze. Die EU, Polen und der Wandel politischer Räume; 1990–2010*. Göttingen, Bristol, Conn: Vandenhoeck & Ruprecht.

McMahon, S. (2012). North African Migration and Europe's Contextual Mediterranean Border in Light of the Lampedusa Migrant Crisis of 2011. *EUI Working Paper SPS.*

Meissner, V. (2021). The European Border and Coast Guard Agency Frontex After the Migration Crisis: Towards a 'Superagency'? In: J. Pollak & P. Slominski (Eds.), *The Role of EU Agencies in the Eurozone and Migration Crisis. Impact and Future Challenges*. Cham: Springer International Publishing.

Monar, J. (2006). The project of a European Border Guard: Origins, Models and Prospects in the Context of the EU's Integrated External Border Management. In: M. Caparini & O. Marenin (eds), *Borders and security governance*, Wien; Zürich: LiT.

Monroy, M. (2021). Retrieved from: https://digit.site36.net/2021/11/15/pistols-and-ammunition-frontex-chooses-weapons-manufacturer-from-austria (last accessed: 2023, January 31).

Mungianu, R. (2013). Frontex: Towards a Common Policy on External Border Control. European Journal of Migration and Law 15(4), 359–385.

Nail, T. (2016). *Theory of the border*. Oxford: Oxford University Press.

Politico (2021, January 21). *Frontex's growing pains*. Retrieved from: https://www.politico.eu/article/frontex-growing-pains-europe-migration-border-coast-guards-hiring-chaos (last accessed: 2023, January 31).

Preunkert, J. & Vobruba, G. (2015). Vorwort. In: J. Preunkert & G. Vobruba (Eds.), *Krise und Integration. Gesellschaftsbildung in der Eurokrise.* Wiesbaden: Springer VS.

Rosenfeldt, H. (2021). *Frontex im Zentrum der Europäischen Grenz- und Küstenwache*. Tübingen: Mohr Siebeck.

Rumford, C. (2014*). Cosmopolitan Borders.* Basingstoke: Palgrave Macmillan.

Sarantaki, A.-M. (2023). *Frontex and the Rising of a New Border Control Culture in Europe.* Milton: Taylor & Francis.

Schenck, J.-C. (2006). Bundespolizei / Bundesgrenzschutz 36–39. In: H.-J. Lange & M. Gasch (Eds.), *Wörterbuch zur Inneren Sicherheit*. Wiesbaden: Springer VS.

https://doi.org/10.5771/2566-7742-2023-1-74 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY

Scott, J.W. (2012). European Politics of Borders, Border Symbolism and Cross-Border Cooperation, 83–99. In: T.M. Wilson & H. Donnan (Eds.), *A companion to border studies.* Chichester: Wiley-Blackwell.

Tagesspiegel (2021, October 1). *Polens Konflikt mit der EU weitet sich aus*. Retrieved from: https://www.tagesspiegel.de/politik/streit-uber-zustandigkeit-an-der-grenze-zu-belarus-4280509.html (last accessed: 2023, January 31).

Trevisanut, S. (2016). The EU external border policy. Managing irregular migration to Europe. In: F. Ippolito & S. Trevisanut (Eds.), *Migration in the Mediterranean.*

Mechanisms of international cooperation. New York: Cambridge University Press.

Tynan, J. & Godson, L. (Eds.) (2019). *Uniform. Clothing and discipline in the modern world.* London, New York, London: Bloomsbury Publishing.

Vlachopoulos, K. (2020). *10,000 standing corps and expanded responsibilities: FRONTEX's reform and its impact*. Hellenic Foundation for European & Foreign Policy Policy Brief No. 110/2020.

Vobruba, G. (2012*). Der postnationale Raum. Transformation von Souveränität und Grenzen in Europa*. Weinheim und Basel: Beltz Juventa.

Vobruba, G. & Preunkert, J. (2012). Die Eurokrise – Konsequenzen der defizitären Institutionalisierung der gemeinsamen Währung. In: K. Kraemer (Ed.), *Entfesselte Finanzmärkte. Soziologische Analysen des modernen Kapitalismus*. Frankfurt am Main: Campus.

Walters, W. (2002). Mapping Schengenland: Denaturalizing the Border. Environment and Planning D: *Society and Space,* 20(5), 561–580.

Walters, W. (2006). Border/Control. *European Journal of Social Theory* 9(2), 187–203.

Weber, F., Wille, C., Caesar, B. & Hollstegge, J. (Eds.) (2020). *Geographien der Grenzen. Räume – Ordnungen – Verflechtungen*. Wiesbaden: Springer VS.

Welt (2018, December 30). *'We shouldn't agree with the populists, but confront them instead.'* Retrieved from: https://www.welt.de/politik/ausland/article186298844/Jean-Claude-Juncker-We-shouldn-t-agree-with-the-populists-but-confront-them-instead.html (last accessed: 2023, January 31).

Welt (2019, September 17). *'Frontex ist ein Reisebüro.'* Retrieved from: https://www.welt.de/politik/ausland/plus200360072/Ungarns-Aussenminister-Peter-Szijjarto-Frontex-ist-ein-Reisebuero.html (last accessed: 2023, January 31).

Wiggerich, S. & Kensy, S. (Eds.) (2011). *Staat, Macht, Uniform. Uniformen als Zeichen staatlicher Macht im Wandel?* Stuttgart: Steiner.

Zaiotti, R. (2011*). Cultures of border control. Schengen and the evolution of European frontiers*. Chicago, London: University of Chicago Press.

Zapata-Barrero, R. (2020). Editorial: 'Mediterranean thinking' for mapping a Mediterranean migration research agenda. *Comparative Migration Studies* 8(1), 6.

https://doi.org/10.5771/2566-7742-2023-1-74 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY