

# Emancipation in a Reception System: Asylum-Seekers in Poland in a Security Grey Zone Between Liberal Democracy and Nation-State

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*The security of asylum-seekers in the context of conditions of reception has not been frequently researched. This article aims to fill this gap by arguing that asylum-seekers in Poland are stuck in a grey zone between being secure and being securitised by the host society, with little opportunity to use their own agency. The basis for my study is the theory of the Welsh School of Critical Security Studies which focuses on understanding security through emancipation. The methodology contains a structural analysis of the reception system through the lenses of the agency–structure relationship and a legal and institutional study, as well as an in-depth examination of security practices combined with a reconstruction critique. The results show that the Polish reception system is a structure which is highly asymmetrical in relations of power, especially in the fundamental case of setting a security agenda. This thus constitutes a substantial constraint on migrants' agency – with some potential for emancipation, however. In conclusion, the research points out the discrepancy between elements of the reception system driven by principles of liberal democracy and the nation-state and calls for a more inclusive, empowering and participatory security provision within the reception system in Poland.*

*Keywords: asylum-seekers, reception system, Poland, agency, emancipation*

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## Introduction

Increased migratory flows all around the world have led to thriving academic discussion on the phenomenon. The biggest impact of this topic can be observed in sociology, with the manifesto of the 'sociology of mobilities' (Urry 2000) and the emergence of numerous concepts such as the fluid society, super-diversity and transnationalism (Grzymała-Kazłowska and Phillimore 2018). Migration also becomes one of the central notions of analysis in security studies and its critical branch in particular. Jef Huysmans (2019) points out that migration is among the political and policy concerns to be approached from a security angle in the very near future. However, the scholars concentrate more on border regimes, push-backs, detention or irregular migration than on the conditions of reception (International Organization for Migration 2019). This seems to be continued as migrants on the Polish-Belarusian border are currently facing push-backs and are experiencing many dangers that can even result in death (Grzymyski, Jaroszewicz and Krępa 2021). Nonetheless, I focus on the Polish reception system exclusively, apart from what is happening on the border, to expose how much emancipatory change can be achieved within a nation-state frame for a person who has managed to lodge an asylum application. Importantly, recent studies on reception facilities emphasised their Janus-faced reality based on both care and control (Malkki 2002; Szczepanikova 2013) stemming from geopolitical realities such as, *inter alia*, the transformation of the European political space (Andrijasevic 2010). Although the Polish migration law follows EU regulations, there are still significant differences in the mode of operation in various member states and also between the spacial-political dimensions of the EU as a whole and its members (Rigo 2008).

Moreover, some researchers, with the use of 'push-pull' models, contribute to the perception that asylum-seekers do not possess the ability to widen the scope of their autonomy within migration systems (Squire 2017). Migrants are often subjected to different forms of '-isations' – such as securitisation (Aradau 2004; Bauman 2016; Bigo 2002; Fomina and Kucharczyk 2018; Karyotis 2011; Tsoukala 2011), criminalisation (Siegel and Nagy 2018) or (de/re)politicisation (Cuttitta 2018). The way in which migration is being researched suggests that migrants are seen as the objects of actions undertaken by states or societies. Despite the human-rights protection systems in many countries, non-citizens have little or no influence on the policies concerning (governing) them. However, some academics appealed for research to shift analytically from the subordination to the potency of migrants (Mainwaring 2016; Squire 2017), which is in line with the 'empowerment' approach common in social-policies literature (Rappaport 2002). The aim of this paper is thus to contribute to the debate by applying the achievements of Critical Security Studies (CSS) in their investigation of the potential for asylum-seekers (henceforth I use the term 'migrants' interchangeably with 'asylum-seekers' to denote exclusively those undergoing the asylum procedure) in Poland to exercise their agency in the realm of security.

I argue that the Polish reception system (of admission and social assistance for asylum-seekers during the asylum procedure) constitutes significant yet not completely oppressive constraints on migrants to fulfil their security potential – i.e. to be agents instead of objects. This state of affairs stems from, firstly, the exclusion of migrants from setting the security agenda, secondly the substantial power asymmetries between them and Polish citizens and, thirdly, the political practices manoeuvring between securing (i.e. ensuring migrants' safety) and securitising migrants (i.e. presenting them as a threat to the country and its citizens). Therefore, asylum-seekers remain in suspension – being neither criminals nor beneficiaries of protection; the reception system is not a prison. However, it does not imply migrants' admission to the community – its indeterminacy stems from a substantial tension between two hypostases of the Polish state: liberal democracy and the nation-state. While using these terms, I understand fuzzy sets

of ideas and desired principles or imaginaries rather than clearly defined politics or philosophical systems. Hence, the former set embraces dialogue, human rights, diversity and changeability, whereas the latter denotes an attachment to axioms, the 'national interest', homogeneity and the *status quo* (cf. Booth 2007; Follis 2012; Malkki 2002). I conclude the study by rejecting the 'desecuritisation' approach and offering a possible remodelling of the system in question to make it more emancipatory. To prove my argument, I elaborate on the following research questions:

- What is the position of the asylum-seeker within the reception system regarding the agency–structure relationship?
- How do the legal provisions frame the possibility of migrants making autonomous decisions on exercising agency in the realm of security?
- How do the real security practices undertaken within that system constrain migrants' agency?
- Do the empirical data prove that the Polish reception system provides a security to asylum-seekers which is understood as emancipation or it is, rather, 'security in a cage'?

The methodological foundation of the study is the use of Margaret Archer's (2000) morphogenesis theory to demonstrate why agency (the potential to both autonomously decide and to transform the conditions embedded in the reception system) is vital in understanding the central concept of CSS – which is emancipation. I then examine the Polish reception system through a structural and legal analysis combined with the outcome of a literature review of in-depth insights provided by recently published studies on the topic. My observations during my six years of professional work experience within the Polish reception system are also relevant for the study.

### **Morphogenesis and the Welsh School of Critical Security Studies: the conceptual interdependence of agency with emancipation and its methodological implications**

The relationship between structure and agency is one of the central issues in the social sciences and is also relevant for migration studies (Bakewell 2010; Squire 2017). Multiple definitions of agency have been created with the common features of intentionality, voluntarism, choice and the autonomy of individuals from structural constraints (Campbell 2009). In turn, I understand structure as capabilities, ideas and institutions which are external to individuals (Cox 1981). This relationship, which occurs through social practices, constitutes the core element of critical inquiry (Strydom 2011). Yet, agency depicts not a mere autonomy in relation to other actors but the voluntarily active side of the person which constitutes an agent – a completely passive being can stay autonomous but not agential. It is in this way that 'agency' is understood by many scholars (e.g. Bakewell 2010; Mainwaring 2016; Siegel and Nagy 2018; Squire 2017).

The structure–agency dilemma has already been addressed by various scholars. Archer (2000) has proposed an analytical dualism that allows for the exploration of the interrelationships between structure and agency which enable the investigation of power relations. According to her theory, it should firstly be noticed that human actions are not determined by but conditioned by society. Second, the structures are reproduced with the possibility of being transformed throughout the process known as morphogenesis, within which agency and structure can be analysed separately. Then, more (self)understanding of one's agency would lead to a more 'emancipatory collective action' (Archer 2000: 2) as agency triggers 'powers which ultimately enable people to reflect upon their social context, and to act reflexively towards it' (2000: 308). Archer (2000) rejects rational choice theory, therefore she claims that individuals exercise their agency reflexively and creatively and that the final consequence of one's action is difficult to predict. Such an approach offers a helpful tool for examining migration (Bakewell

2010) and is consistent with views on agency and the structures of the proponents of a critical approach to security – by both elucidating structural oppression and enabling change (see, in particular, Booth 2007 as well as Mainwaring 2016; Wyn Jones 1999). According to Wyn Jones (2001: 16), posing the question of agency is indispensable to ‘orientate theorizing toward emancipation’ and, in practice, within Critical Security Studies (CSS) there is an urge to strengthen the agency of those ‘whose security is governed’ (Basu and Nunes 2013: 68).

The adjective ‘critical’ in this context refers to two features of these studies on security. One is its opposition to the ‘traditional’ approach, conceiving states as the only referents of security and military threats as the main field of research (precursors: Buzan 1983; Buzan, Wæver and de Wilde 1998). A second incarnation of that critique is manifested by drawing on Gramscian theorisation to unmask multifaceted hegemonic relations (Cox 1981) and, more importantly, on the Frankfurt School, especially when putting an individual as the ultimate referent of security and anchoring the analysis in the concept of emancipation (Booth 1991, 2007; Wyn Jones 1999, 2001). Importantly, emancipation is not an act of salvation with the possibility to point out the moments ‘before’ and ‘after’ but, rather, a state of mind or mode of existence based on consciousness, with free will always present to some extent (McDonald 2014) and with permanent room for improvement (Wyn Jones 1999). Scholars representing the latter part of CSS have started with the previous understanding of security as a lack of threats (Booth 1991; cf. Buzan 1983) but they postulate seeing security as being inseparably intertwined with the struggle for freedom (Booth 1991) and exposing structural impediments that impact on the lives of individuals and groups (Basu and Nunes 2013). Yet theorising about structures without addressing agency precluded the offering of a complete emancipatory project, which is especially visible in Cox (1981). In sum, the emancipation–security nexus has been explained as follows: reducing the threats promotes the freeing of people from oppression and humanises them, while diminishing structural oppression creates a space in which people feel safer (Booth 2005, 2007; Wyn Jones 1999). To achieve this goal, measures in the form of both recognition and redistribution are necessary (Booth 2007; Wyn Jones 2001) to ensure respect for different worldviews with the equal enjoyment of both rights and material resources. Therefore, ideally, refugees should be granted the same rights that citizens enjoy, because security cannot be achieved without the power deriving from membership in a political community (Linklater 2005). Hence, emancipation can lead to a cosmopolitan democracy replacing sovereign nation-states if it can be proven that cosmopolitanism – better than nation-states – serves common security (Booth 2007).

It is important, here, to address a predicament when using the concept of security, what has been raised by the third – post-structuralist – strand of ‘critical’ security studies (so-called Paris School, e.g. Bigo 2002; Tsoukala 2011). Setting the security agenda is itself a manifestation of power (Buzan 1983) and, as Cox (1981: 128, original emphasis) has stated succinctly, ‘theory is always *for* someone and *for* some purpose’. Thus, ‘[c]ritical theory must be partisan in its concern for the oppressed and the marginalized’ (Wyn Jones 1999: 69). To achieve this, the mechanism of migration policy and politics should be deconstructed by focusing on securitisation, which means moving issues from ‘normal’ politics into the realm of an emergency and, hence, justifying the use of extraordinary means (Buzan *et al.* 1998). This stress on political power and the symbolism of security is in line with CSS; however, paying attention only to a discourse is insufficient (Booth 2007). Drawing on Didier Bigo’s (2002), Matt McDonald’s (2008, 2014) and Rita Floyd’s (2011) work on securitisation, I understand it not merely as a speech act but, also as sometimes tacit political practices, which means they are visible through jurisdiction, legal stipulations and physical security measures which construct asylum-seekers as a threat. Therefore, in sum, the more securitised migrants are, the more their agency becomes problematic for the state because it

starts to be seen as threatening so-called national security (Mainwaring 2016; Mainwaring and Walton-Roberts 2018). In consequence, this lowers their potential for emancipation, i.e., for deciding upon the security provision. Moreover, social and psychological issues (e.g. relative deprivation and social exclusion) in the light of research seem to be of particular importance for criminogenic processes which may lead even to terrorism (Hardy 2018). In this way, securitisation produces insecurity.

Some scholars go even further and propose the radical rejection of the notion of 'security'. According to Claudia Aradau (2004), the conceptualisation offered by the founders of the Welsh School is caught in the trap of securitising the hosting society as a threat for migrants and, thus, maintaining *antagonism*. Instead, she offers an approach aimed, rather, at abolishing the fight than at supporting one side of the struggle (Roe 2004). Such a 'desecuritisation' approach is based on a previous understanding of the term as the 'shifting of issues out of emergency mode and into the normal bargaining processes of the political sphere' (Buzan *et al.* 1998: 4; cf. Roe 2004) but also assumes recognition of the 'Others' as equal political subjects (Aradau 2004). This can be achieved when citizens start to perceive migrants not as 'just migrants' but as humans with all the complexities of their identity and personality (Aradau 2004; Roe 2004). They then stop supporting some institutional practices (e.g., deportations) undertaken 'in their name' against persons from outside the political community (Aradau 2004). Thus the main contribution made by Aradau is the attempt to broaden the scope of the agency of asylum-seekers (Roe 2004), which is claimed to be beneficial for all. A lack of autonomy hampers integration (Szczepanikova 2013) and the securitisation of migration is illogical and counter-productive (Karyotis 2011), whereas liberation and redistribution eradicate antagonism and violence. Therefore, '[e]mancipation, empirically, is security', not the price of it (Booth 1991: 323), hence more emancipation for migrants means more security for all.

However, an important question stems from the dilemma concerning the intentional avoidance of migrants using their own agency. The socialisation of people as subordinate and psychological manipulation results in their lack of 'the capacity to use their *own* understanding' (Booth 2007: 112–113, original emphasis). This leads to *alienation*, understood as a conflict arising from functioning in a society between what is their 'own' for individuals and their real existence, a kind of 'subjugation' of the human 'essence' (Lukács 1971: xxiv). The issue is whether the persons concerned would agree with subordination if, firstly, they are provided with full knowledge (e.g. about ideas of feminism, lifestyle in Europe, or Polish law provisions for victims of domestic violence) and, second, they are capable of deciding 'rationally' (e.g. without emotional pressure from family or a fear of supernatural forces). Hence, the crucial issue seems to be the provision of information about the possibility of a different way of life which would allow migrants to understand that they can choose how to live and the state's readiness to support them if their choice provokes a hostile reaction to their family. Only then can it be said that a person makes a voluntary, 'own' decision with critical distance from the structures.

The above-mentioned solutions determine the choice of the methodology for my research. I start with a structural analysis of the reception system in order to explore the agency–structure relationship and identify any asymmetries of power distribution. I then analyse the security measures – set by the system and exercised in practice – regarding the scope for agency (or, more precisely, the free choice of agency) which they give to asylum-seekers. The sources contain all the legal acts establishing the reception system as well as the tender documents and informational materials of the state agencies on the topic, with attention paid to their discourse in a bid to unveil hidden political assumptions. To fully reconstruct the phenomena in question, I use secondary sources in the form of studies mainly based on observation, file reviews and direct in-depth interviews, conducted recently by academics, NGOs, the Ombudsman (RPO) and the Supreme Audit Office (NIK) and supported by my occupational knowledge

from my former work in the Office for Foreigners. The above-mentioned studies on the Polish reception system provide qualitative data on the lives of asylum-seekers in Poland – the results of 11 biographical interviews with foreign women who have experienced violence from a partner (Klaus 2016, 2019) and of 30 interviews with mainly Russian, Ukrainian and Syrian asylum-seekers in Poland (Pachocka, Pędziwiatr, Sobczak-Szelc and Szałańska 2020). The results are analysed knowing that there was no random sampling in these studies and that basing the analysis mainly on interviews carries the risk of missing those individuals with the least agency who do not want to speak (cf. Klaus 2016). Due to this predicament, the findings of the interviews are used to present a variety of experiences and interpretations rather than generalising. Next, using abductive inference, diagnostic analysis and a reconstructive explanatory model (Strydom 2011) I conclude on the position of asylum-seekers in a security context within the Polish reception system.

Anticipating possible criticism of my declared methodology, I advance the following caveats. The status of the scientist always raises ethical questions, especially while researching the lives of people originating from different backgrounds. Therefore, examining concepts in an interpretative and ‘culturally sensitive’ way is essential (Basu and Nunes 2013). However, it should be recognised that the culture can itself become oppression if it assumes, for example, the inferiority of women (Booth 1995, 2007). As both positivism and postmodernism hinder emancipation, the renunciation of allegedly values-free – yet, in fact, supportive for the dominant and the political *status quo* – scientism cannot lead to relativism failing to address normativity at all (Booth 1995, 1997, 2007; Cox 1981; Wyn Jones 1999, 2001). Thereby, following the contemporary trend in Critical Theory, I assume as a goal a rational and common-for-all ‘anthropologically rooted moral-psychological need for recognition’ of one’s agency in pursuit of ‘cooperative self-realisation’ (Strydom 2011: 104–105, 114; cf. Wyn Jones 1999) – i.e., a cogitative free choice with respect to others’ freedom (cf. Booth 2007). This also shapes my approach to the intentional avoidance of exercising agency as signalled earlier. Therefore, the combination of a system (structural and legal) examination of state bureaucracy with in-depth insights concerning lives and cultures of migrants seems to be the most pertinent methodological choice. Recognition of both the coherent picture of the reception system presented so far in Polish science and the various points of view of particular asylum-seekers is a solution for possible ethical constraints concerning my previous professional engagement in that system.

Last but not least, the analysis should abandon methodological nationalism and reveal distorted, ideological, naturalised or reified (Strydom 2011) practices such as, firstly, unequal power distribution, secondly, hidden normativity, thirdly, social constructs conceived of as natural laws or attributes and finally, the alienation of social institutions from individuals (cf. Booth 2007). Therefore, the ‘Polish reception system’ should be considered as the both people (government officials and civil servants with their interpretations) and the structure (law, procedures, norms, routine, symbols) animated by those individuals. Also security, as a lack of threats depends on our interpretation what the threats are. Struggles over interpretation (which I call the ‘interpretation clash’) should be seen as resistance; choice can be free whereas emancipation is always against oppression, hence the resistance is a choice countering some power (cf. Mainwaring 2016). It corresponds with the methodological assumption of Critical Theory that considers reality as experienced through constraints, which we do not contemplate but resist (Strydom 2011) and, in fact, agency partly overlaps conceptually with power (Campbell 2009) and with resistance. Such resistance can lead to the emancipation from instrumental securitisation, different kinds of exclusion or inherited cultural constraints. In sum, therefore, security-as-emancipation means the eradication not only of threats but also of *antagonism* and *alienation*.

### **Ternary asymmetry and the interpretation clash: asylum-seekers' power(lessness) from a bird's-eye perspective**

In this section I lay out the general picture of the reception system in question by elaborating on the position of an asylum-seeker in Poland regarding the agency–structure relationship. Firstly, it is crucial in this analysis to elucidate the basic relations of citizens with non-citizens in order to prove the substantial limitations of migrants' agency in the realm of security due to the power asymmetry and their exclusion from setting the security agenda. States can pose a threat to their members (Booth 1991; Buzan 1983; Wyn Jones 1999); thus migrants are even more endangered because human rights without citizen rights become, to some extent, illusory (Booth 2007; cf. Klaus 2020). At the same time, migration is heavily and purposely securitised in the Polish political discourse (Fomina and Kucharczyk 2018; Klaus 2020; Pachocka *et al.* 2020), which can also impact on interpersonal relations in the field.

Continuing my investigation of the position of individuals within the reception system, it is essential to notice that the system in question is based on state law. Therefore we can argue that it forms a structure created by people (citizens) who do not participate in it as objects while its objective participants (asylum-seekers), in turn, have little institutional power (agency) to transform that system. Furthermore, as social reality is being constituted through communication, their lack of Polish language skills is another significant obstacle for migrants to become agents (Klaus 2016), while integration measures provided by the state are not sufficient (Supreme Audit Office 2015). Moreover, the amount of financial benefits often forces migrants renting flats to live in substandard conditions (Klaus 2014; Supreme Audit Office 2015). This lowers migrants' feeling of possessing safe accommodation and, hence, their potential to be self-confident social agents. Last but not least, according to the law, the reception centre's residents are obliged to follow the instructions of the staff (Act 2003: art. 82.1.2) and they receive any correspondence concerning the asylum procedure through a centre employee (art. 54.2) which strengthens the migrants' sense of being supervised (cf. Klaus 2016). Hence there is a considerable power asymmetry between individuals, i.e. between asylum-seekers and Polish citizens as civil servants and society members.

Secondly, the structure of this system is highly institutionalised through the law, control, asylum procedures and the provision of the basic needs of migrants by the state agency (Klaus 2019); migrants usually do not know the language and the law (Klaus 2016; Commissioner for Human Rights 2013) and they are often traumatised (Klaus 2014), therefore, their level of cultural capital is not always sufficient to actively participate in education or social life (Pachocka *et al.* 2020). However, to some extent, a principle of communication in a language understandable by the applicant (Act 2003: e.g. art. 82a.7) should be considered as a securing solution. Next, the agency of asylum-seekers can be also constrained by the structures embedded in their community. Patriarchal patterns of family life, conservative customs, and the role of the elders in diasporas (Klaus 2014, 2016, 2019; Pachocka *et al.* 2020) prove that oppressive (i.e. diminishing a person's agency) practices also exist extensively within migrants own communities, with women being particularly disadvantaged. The abovementioned constraints produce an asymmetry between individuals and structures. Of course, an agent and a structure as such are incomparable. My purpose is, then, to show that, as in the case above, the agent operates on a different level of power attribution than that on which the structure is built and the location of individuals within hierarchies of power affects how much autonomy and agency is accessible to them as to individuals (Bagguley 2003).

Finally, due to intensive rotation (Commissioner for Human Rights 2013), asylum-seekers in Poland are not able to create a community which would serve as an efficient representation of their interests and, given their slight number, their feeling of being in a minority is significantly reinforced. Thus, even

with the advocacy of Polish citizens or settled migrants, asylum-seekers' communities seem to be somewhat fluid and feeble when compared to the state apparatus or the element of Polish society who declare an anti-refugee stance – which might constitute 60 per cent of Poland's population (Public Opinion Research Center 2018). It should be also noted that asylum-seekers can work only after a delay of six months in the issuance of their decision (Act 2003: art. 35), due to the protection of the labour market and the avoidance of pull factors (thus they are seen as a threat). Given the importance of labour in Critical Theory (Strydom 2011), migrants' agency is crucially limited when they are forbidden to work and their social structure cannot be constituted around labour daily routine (cf. Squire 2017). Furthermore, the limited physical space of the centres enhances ethnic and cultural conflicts and the autosegregation between the residents, as the different ethnic groups separate themselves from each other (Klaus 2019; Pachocka *et al.* 2020). Notwithstanding the quite high level of homogeneity of the migratory population, facilitating the establishment of some Chechen and other informal networks (Klaus 2016; Pachocka *et al.* 2020), the overall character of asylum migration to Poland proves that a third kind of asymmetry exists: an asymmetry between structures created by Polish people and those created by migrants.

Having outlined the general structural conditions of the reception system, we now need to note that there is a significant difference between the situation of migrants staying in the reception centres and those renting flats independently. We cannot clearly predict which type of assistance is better suited to migrants – it depends on their needs as, in the centre, they receive more support and outside they develop a more independent lifestyle. Therefore, crucial in that matter would be the ease of choice. Yet, according to the law (Act 2003: art. 71.1) accommodation in the centre is the default assistance whereas granting financial benefits to enable migrants to live outside the centre is possible upon request for several reasons – for security among others (art. 72). As the final decision in that matter is up to the Office for Foreigners (hereinafter OF), the agency of asylum-seekers remains limited, which is also important for their integration prospects (Szczepanikova 2013). However, resistance is possible through successfully proving that there is a threat in the centre, for instance, by securitising other residents. This proves that two ways of providing assistance enable the exercise of two sides of power: first, by the OF to make a decision on that matter and second, by migrants to securitise anything inside the centre; however, to be successful this securitisation must adopt the OF's interpretation of security, which I will hereinafter call the interpretation clash – a clash between officials' and migrants' understanding of a security which excludes migrants from setting the security agenda (cf. Bilgin 2003 on security and identity). The analogous process is present during the proceeding asylum claim. Given the provision of non-reification, it is worth remembering that the clash occurs more between migrants' and civil servants' – to some extent discretionary – interpretations of the threats and the proper ways to deal with them, rather than a unitary interpretation of any office as such (Mainwaring and Walton-Roberts 2018; cf. Klaus 2019). Therefore, the asymmetry of power between individuals mentioned before is especially relevant in this context – however, their agency remains conditioned by the structural constraints.

Other examples of the interpretation clash concern patriarchal domination and domestic violence (Klaus 2016). Importantly, the clash might sometimes be a stimulus of one's critical reassessment of his or her own culture and, consequently, it might lead to emancipation from culturally rooted constraints, such as, for instance, patriarchal domination (cf. Klaus 2016, 2019). Emancipation from the cultural constraints depends on the presence of asylum-seekers on Polish territory which, in turn, depends on the asylum procedure (Act 2003: art. 74). Therefore, the arduous process of help for the victims of violence can be interrupted by their voluntary (art. 75) or forced (art. 74.2.2) return to their countries of origin or by irregular migration within the EU (Klaus 2016). Therefore, the power of, first, the OF to determine

asylum claims and, second, of a member of the family to force the others to withdraw the application (art. 40.1) and go to another country (if he or she expects legal problems because of the use of violence) is of a great importance for the victim's life. The striving for agency in such cases is pivotal as the victim can lodge a separate (from the family, cf. Act 2003: art. 27.1–2) application and attempt to stay in Poland. The lack of legal provision for the stimulation of such a decision at a later stage than the initial lodging of the application (cf. art. 27.3) proves that the critical potential of the reception system remains incidental and can be exercised only through the advocacy of other actors – a victim's friends or NGOs (Klaus 2016) – or, still incidentally and discretionally, by the civil servant's suggestion that lodging a separate application is a possibility. Sometimes, too, the civil servants follow a misunderstood 'cultural sensitiveness' and do not want to disturb 'private' relations between a wife and her husband (Klaus 2014, 2016). As a result, some migrants have doubts about institutional security provisions and claim the need to make arrange their own security (Klaus 2019), which proves rather more hopeless than emancipatory. Therefore, there is a strong need for an inclusive approach to solving the problem of the victim, instead of either the state-centric and nationalistic approach of letting the problem 'disappear' when the family leaves Poland or of the relativist ignorance of 'cultural sensitiveness'.

The parent–child relationship, family customs and privacy are other important fields of the interpretation clash in the realm of security (cf. Klaus 2014, 2019). The law obliges the residents of reception centres for asylum-seekers to 'show particular concern for the safety of underage children' (Regulation 2015: §12.1); however, the understanding of this wording is heavily dependent on a discursive construction impacted on by cultural patterns. Another relevant issue of family life is the possibility of practising their traditional cuisine (Szczepanikova 2013). The adults are provided with their meals in the canteen (Act 2003: art. 71.1.b); however, the OF stipulates the need to take into account the cultural norms of the residents and recommends that staff consult the asylum community at the centre (Office for Foreigners 2019b), which is the only official participatory mechanism identified within the system. Yet, the residents can also prepare the food for themselves (Regulation 2015: §11) and are provided with both the appliances (§4.1) and the financial resources (Act 2003: art. 71.3). Moreover, there are some possibilities for migrants to express their opinions on the quality of the assistance received (hence, also on security matters), through regular complaints lodged in their native language (art. 82a.7) or in *ad hoc* evaluation surveys carried out by the OF – these latter exposed the community's highest level of satisfaction with medical care offered and the lowest with the meals (Supreme Audit Office 2015). Given this assessment, the possibility for migrants to cook their own meals provides some room for agency. However, in sum, setting the security agenda rests out of reach of asylum-seekers as any complaints must be within the frame of the law and not *about* it.

### **Manœuvring practices within the reception system in Poland**

Having set the general picture of the reception system, which has exposed the substantial limitations to migrants' agency due to their disadvantageous position which constrains their ability to set the security agenda, I now embark on an exploration of the practices of the system. This analysis will elucidate the existence of both securing and securitising measures within the reception system and contribute to defending the notion of security against desecuritisation proposals in order to strengthen the emancipatory dimension of the identified securing practices.

The Polish Constitution says that Poland ensures the *human* rights and security of *citizens* (art. 5, emphasis added), which suggests that security is somehow a *national* value. However, this wording

should not be overinterpreted, as human rights includes several security provisions which will be presented here. First and foremost, securing migrants is the purpose of international protection (Act 2003: art. 13–18a). In turn, ‘being a threat to the state *or* to the society’ is a reason to refuse granting subsidiary protection (art. 20.1.2.c, emphasis added) although, interestingly, not the refugee status (art. 19.1). Furthermore, the very access to such protection is often hindered by Border Guards arbitrarily denying migrants’ right to apply for asylum (Fomina and Kucharczyk 2018; Klaus 2020) and legislative measures to introduce push-backs. Moreover, asylum-seekers can be detained (if a criminal is to be arrested, then who is to be detained?) or obliged to regularly check in at Border Guard posts if they crossed the border irregularly or if ‘it is required by reasons of national defence or security or the protection of public safety and order’ (Act 2003: art. 87–88). Detention cannot be applied to the victims of violence or if it endangers migrants’ life and health (88a.3) although, in fact, this stipulation is not always observed (Klaus 2020). Thereby, first, securing and securitising practices must be balanced in law: alongside the asylum procedure (aimed at securing migrants) there is also a lurking securitising process in place – limited, again, by some securing provisions. Second, in the legal discourse, the state is reified and alienated from society, suggesting that migrants can be ‘dangerous’ even if society is not endangered by them (and only a mythical ‘state’ is). Third, the previously mentioned balance is distorted by the revealed securitising practices of Border Guards at the frontier hindering migrants’ access to the asylum procedure and later imposing detention or even push-backs.

Manœuvring between securing and securitising migrants is also visible when ensuring their basic needs. The OF provides asylum-seekers, independent of their financial situation, with the conditions indispensable for their material lives – food, shelter, sanitation etc. (Act 2003: art. 70–71). In sum, a glimpse at the elementary, biological aspect of security proves that migrants are kept quite safe and secure. However, it is essential to remember that the ban on migrants working creates an exclusive dependency on the social assistance provided by the OF. The fact that individuals cannot cater for themselves even though they would like to do so deprives them of their agency, which often leads to emotional problems (Klaus 2014). Furthermore, if for some reason they decide to work illegally, they are in danger of exploitation and criminalisation (Pachocka *et al.* 2020). Thus, the only legal choice for migrants is to agree to the level of allowance stipulated by the government. Any possible effort they make to ameliorate their material existence through work is securitised as breaking the law.

Concerning medical aid, this is more inclusive than a nationalistic approach; we can see that the care is, interestingly, the same as for Polish citizens (Act 2003: art. 73) with sometimes even a swifter access to services (Pachocka *et al.* 2020). In each reception centre there is a general practitioner and a nurse (Office for Foreigners 2019b), which makes medical care more quickly available to the residents. Another important fact is the ‘epidemiological filter’ aimed at the diagnosis of infectious diseases which, on the one hand, forms an important measure for keeping migrants safe and secure. On the other, if we take into account the wording of the legal basis for it by claiming that the applicant is obliged to undergo examinations (Act 2003: art. 30.6, 81.1), we *prima facie* see a securitising logic; however, migrants’ refusal to be examined results in them being granted only half of the amount of financial benefits they would normally receive, no accommodation in the centre and the sanitary inspectorate being informed (art. 81.3). This odd logic, combining the *a priori* suspicion that migrants transmit diseases with the rather moderate sanction, indicates manœuvring between ‘national security’ and liberal-democratic provisions.

Another example of manœuvring practices can be found in the struggle against different forms of violence, especially domestic violence, which is frequent in reception centres (Klaus 2016). There are several anti-violence programmes and procedures as well as meetings of centre staff with the police,

a 'Policy of protection of children' (Office for Foreigners 2019a: 8–9) and a general procedure against domestic violence (Act 2005: art. 9d; Klaus 2016). There is also a legal provision ensuring access to the relevant information (Act 2003: art. 82a) which, together with the others, form significant empowerment measures. However, different forms of violence pose a serious threat to the security of migrants, notwithstanding the permanent presence of security guards in each centre (Office for Foreigners 2019b). The problem is also the underestimation of threats by state officials (Klaus 2016). As a result, some migrants exercise agency aimed at 'peace-making' on their own – e.g. by separating fighters (Klaus 2016, 2019). Furthermore, efforts to secure the residents' safety are not able to fully prevent any emerging informal domination of stronger residents over the others through imposing their own rules (Klaus 2019) – often violently to preserve conservative customs (Klaus 2016). Hence, there is both a securitising suspicion of migrants in general and a significant but not sufficient effort to secure the protection of the most vulnerable (cf. Act 2003: art. 68, with less stigmatising – compared to 'vulnerability' – wording: 'persons who may require special treatment'). Another example of such suspicion is a weird stipulation that asylum can be granted in spite of sexual orientation but that 'sexual orientation cannot include acts which according to Polish law are crimes' (Act 2003: art. 14.2, probably conflating the natural sexual orientation with socially constructed sexual customs or practices). In turn, the requirement that all staff participate in a short training programme about the asylum procedure, preventing violence and intercultural relations should be addressed to all outsourced staff, including guards (Office for Foreigners 2019a) and should be recognised as a securing practice. This measure is a step towards a more inclusive approach and provides knowledge about the socially constructed nature of potentially naturalised phenomena (violence etc.); however, probably, once held, training is scarcely enough to have a satisfactory effect. In general, institutional measures against violence have been assessed by scholars as insufficient (Klaus 2016).

Efforts to balance both the securing and the securitising logic have likewise been identified in the case of the maintenance of family ties and preserving migrants' cultural identity – an area even more subjected to discrepancy in interpretation. As both family and culture may either support or constrain emancipation, this field remains full of ambiguity. According to the law, the centre's residents have the right to uphold their customs, national and cultural traditions and religious practices (Act 2003: art. 82a.1). In each facility there are common areas designated for leisure activities and the access of guests to the centre is possible with an OF permit (Regulation 2015: §7.1). Consent for this permit can be refused for reasons, first, of the security of the residents and staff (§7.5.1) and, secondly, the security of the centre (§7.5.2), no matter what it implies. A significant level of discretion concerning this decision strengthens the asymmetries revealed earlier. However, the residents can freely exit the facilities before 11 pm (§12.3); nevertheless, they can only get reimbursed for the cost of transport under certain circumstances (Act 2003: art. 71.1.1.i) and are obliged to come back within two days under pain of the suspension of assistance (art. 77) and within seven days under pain of discontinuation of the asylum claim (art. 40.1.2.3). Given the rather modest amount of financial assistance for both residents of the centres and applicants living outside (Regulation 2016: §2–6) and female residents' fear, often, of going out due to the remote location of the centre (Klaus 2019) or of patriarchal oppression from their husbands (Klaus 2016), the possibilities of having meetings outside home seem scarce. Moreover, most of the centres are located in remote areas because of the delicate procedures and market reality (Klaus 2019; Pachocka *et al.* 2020), which show the impact of a system superior even to the nation-state, namely capitalism. This is similar to the medical care which deteriorated after replacing the public operator with a private entity (Pachocka *et al.* 2020). In sum, the possibilities of maintaining substantial links with the real world outside the centre are significantly constrained while the conditions inside,

though being diversely assessed by different actors (Supreme Audit Office 2015; Pachocka *et al.* 2020) cannot, due to the permission required to visit, provide an undisturbed social life as well. This weakens migrants' ability to create social structures and underlies the asymmetry exposed.

Last but not least, another example of manoeuvring practices is the alimentionation of children. The conditions required if the state is to provide children over the age of six with food – namely that he or she attends school (Act 2003 art. 71.3.1) – may be seen by migrants as a disciplinary measure aimed at compelling parents to send their offspring to school (Pachocka *et al.* 2020). This measure both securitises migrants as possibly prone to abscond from that duty and secures the childrens' right to an education.

### **Security and how to deal with it**

In this section, I present the implications of my results by reconstructing the reception system as it is built into the structure of the Polish state and, to fulfil the underpinnings of CSS, I offer possible solutions to the problematic issues revealed. Importantly, the alternatives proposed should not be utopian but 'feasible transformations of the existing world' (Cox 1981: 130). Three results are of prime relevance.

First, the overall design of the reception system is construed according to an external interpretation of security; migrants considered as not belonging to the political community are simultaneously both the referents of security and the instrumentalised objects of a securitisation which aims at the reproduction of sovereign power. The question 'Whose security?' means not only 'Who is to be secure?' but also 'What does security mean?' – answering it is the primary manifestation of power or sovereignty reproducing itself through securitisation of all 'Others'. The substantial limitations of asylum-seekers' agency in Poland can be attributed to their disadvantageous position in relation to both citizens' agency and structure (state) and, resulting from this, their scarce ability to impose their interpretation of security mainly due uniquely to their lack of citizenship status. These results support the notion, as has been argued before by other scholars, that the agency of refugees is seen by the state with suspicion and the securitisation of migration serves to 'produce social cohesion, mobilise political support and claim political legitimacy' (Humphrey 2013: 179), as the state's main aim is to construct unity through the exclusion of others by governing people's feelings of insecurity (Booth 2007; Humphrey 2013). Thus, securitisation is the essential analytical tool with which to grasp the government's power, manifested in presenting migrants as a threat. This results in citizens distancing themselves from migrants (CBOS 2018; cf. Klaus 2020) and seeking protection from the state which, in consequence, reinforces the government's power as a 'rescuer' (Bauman 2016; Humphrey 2013; Tsoukala 2011) and substantially hampers migrants' emancipation. Thereby, as the findings suggest, the limitations of migrants' agency are not imposed exclusively to ensure security but they do serve to reproduce the government's power.

Second, some emancipatory measures within the system have been identified and more can be proposed to reduce alienation and antagonism. The reception system security practices manoeuvre between securing (inclusive, stemming from liberal-democratic principles) and securitising (nationalistic) approaches – the problem here is not a nation *per se* but its exclusionary praxis leading to antagonism with the 'Others' impairing common security (Booth 2007). However, all emancipatory measures remain limited by 'national security', an excuse for exclusionary logic. Therefore, asylum-seekers remain in suspension, being neither 'criminals' (as irregular migrants) nor beneficiaries of protection (as recognised refugees) and they express (differently named) needs for emancipation. Hence, the reception system as a 'waiting room' is not a prison. However, it does not mean admission to the community – its indeterminacy can be unravelled by referring to the metasystem of the liberal-democratic nation-state

which forms a field of conflict between the principles of human rights and of ‘national security’ (cf. Booth 2007) where the securitisation of the ‘Others’ undermines not only liberal-democratic and humanitarian values in general (Klaus 2020) by alienating some individuals but also jeopardises common security by intensifying antagonism (Booth 1991).

To ensure the victory of human rights over exclusionary security excuses some scholars have argued for ‘desecuritisation’ – ideally through a fundamental political shift from the friend–enemy distinction towards the full inclusion of ‘Others’ (Aradau 2004; Hansen 2012). This logic is in line with cosmopolitan assumptions of CSS – as Mainwaring and Walton-Roberts (2018: 135) have claimed – even with the extension of some rights to migrants; without questioning the very nature of borders and the nation-state, these measures are ‘simultaneously exclusionary’. In fact, the dis-identification of citizens from oppressive practices (e.g., deportations) proposed by Aradau may inevitably create doubts over the very identification of citizens with their political organisation. Yet, this form of desecuritisation raises some worrisome issues. The first issue is how to question the very nature of borders and other security tools without opening the floodgates to all threats (drugs and weapon smuggling, human trafficking, infectious diseases) and how to ensure the safe and effective right to asylum in the case of massive inflows provoked by open borders. Second, as has been already revealed, some migrants in the centres realise their agency either to the detriment of their co-inhabitants’ security or to complement the insufficient security measures in place. This shows the difficulties of attempting to dispose of the notion of ‘security’ because it properly depicts the relevant deficiencies of the system in question. Without the ‘security’ concept, these deficiencies could vanish from our analysis. Third, giving up the struggle over the notion of security strengthens our non-emancipatory understanding of it (McDonald 2014) and, in fact, can be conservative rather than progressive (Hansen 2012). Finally, desecuritisation can mean ignoring the insecurity of the powerless and, hence, be disempowering and silence those who suffer by depriving them of an efficient means to articulate their needs (Booth 2007; Hansen 2012). Thus, even after a radical remodulation of the political order, one problem remains: security – however it is named.

Hence, third, due to the identification of both emancipatory security practices already existing within the reception system (e.g., assistance for the victims of domestic violence) and oppressive structures maintained by the migrants themselves (patriarchal patterns of family relations), I argue that the notion of security can prove its emancipatory dimension as the basis of both international protection and the struggle against various forms of oppression. Therefore, I would rather follow Wyn Jones’s (1999) and Booth’s (2007) arguments for broadening, deepening and extending the security concept and the calls for ‘moderate’, ‘sensible’ (Roe 2004) and ‘just’ (Floyd 2011) securitisation in order to articulate a discourse of security which is ‘radically cosmopolitan’, ‘oriented to the concerns of the most vulnerable’ and ‘concerned with overturning structures of oppression or exclusion’ (McDonald 2014: 161). Therefore, even within the nation-state structure, some further emancipatory measures in the reception system might be offered. The first is de-ideologisation, which means considering the primacy of ‘human suffering, not *raison d’état*’ prism (Wyn Jones 1999: 159) and, thus, shifting from a nationalistic, state-centric and power-driven approach to an inclusive and dialogue-driven one. This is manifested in a compassionate problem-solving (Booth 2007) attitude rather than an antagonistic one, or turning a blind eye (*inter alia* regarding help for the victims of violence) and assumes pro-understanding campaigns as currently present training for staff. Second, it is de-naturalisation in the form of considering vulnerability and a lack of agency not as naturally but, rather, as socially rooted – people are not ‘physically voiceless’ but ‘politically silenced’ (Booth 2007: 160). This step opens the door for more empowering measures, ideally in cooperation with NGOs, in order for the most vulnerable migrants (e.g., Chechen women) to activate their potential for (self)transformation. Finally, it is the de-reification measure, which means

presenting security concept or rules and other structures not as alienated from people and given in advance but as socially constructed and being permanently recreated. Such a step enables the introduction of more participatory measures (gatherings, surveys and committees equipped with real power) in order to orchestrate security practices *together with* asylum-seekers instead of these latter remaining silent. These measures would make the Polish reception system less distorted in terms of alienation and antagonism and, thus, bring it closer to the security-as-emancipation principle.

## Conclusion

In this paper I offered an emancipation-driven analysis of the Polish reception system in a bid to find a third way between presenting migrants as either 'victims or villains' (Mainwaring 2016). It was of great importance to select proper theoretical frames. Uncovering power asymmetries was enabled by Archer's (2000) analytical dualism of agency and structure. Next, the appropriate lenses through which to seek emancipation were provided by Aradau's (2004) critique of the Welsh School of CSS which guided the investigation into the empowerment of migrants rather than to the setting up of advocacy in their name, although the utility of the desecuritisation proposed by her is limited.

I conclude that the structure of the reception system leaves limited space for the emancipation of asylum-seekers. Through its identified power asymmetry to the disadvantage of migrants, the system possesses the power to set the security agenda and arbitrate the interpretation clash with migrants concerning what security means. If, as Booth (1997: 106) has stated, security is an 'epiphenomenon intersubjectively created', then it is here created *for* migrants (with our interpretation thereof and decision on its scope), not *with* them. Migrants, thus, are secured by being analysed through 'national-security' lenses (with a political goal to reproduce that prism) as a potential threat, i.e. by being securitised. However, the research has pointed out some emancipatory practices embedded in the system, especially releasing migrants from their cultural constraints. In this sense, the analysis supports McDonald's (2008: 568, original emphasis) call for the 'recognition of emancipatory potential *through* security'.

The three feasible remodulations of the reception system offered in this paper (de-ideologisation, denaturalisation and de-reification) may be considered as a first step towards security-as-emancipation, namely the process abolishing the grey zone between exclusion and inclusion. Also, it would humanise security by making it more linked to the lifeworld of the individuals than to a technical process of reified structures. Yet, it could also be seen as a step towards challenging the sovereign's monopoly of narration about what 'security' means on the ground. As the social order is not once given but is being continuously constructed, each citizen has an influence on the state policy towards the 'Others', which may secure them, securitise them or keep them in the zone in between. Elucidating this dilemma is the great power which lies in migration and vexes us by showing that liberal democracy, combined with the nation-state, in an endeavour to overlap essentially disjunctive values, is prone to create the security grey zone between exclusionary nationalism and inclusive human rights.

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