'DOUBLE STANDARDS': SECURITIZING ASYLUM SEEKERS

The Case of Third Country Nationals Fleeing from Ukraine

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AUTHOR'S DECLARATION

I, the undersigned Betül Erçağ hereby declare that I am the sole author of this thesis. To the best of my knowledge this thesis contains no material previously published by any other person except where due acknowledgement has been made. This thesis contains no material which has been accepted as part of the requirements of any other academic degree or non-degree program, in English or in any other language.

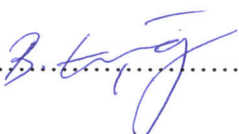This is a true copy of the thesis, including final revisions.

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ABSTRACT

The securitization literature's understanding of two logics of securitization as 'Copenhagen School's exceptionalism versus Paris School's routines' causing different sources of legitimacy is questioned in this thesis. The legitimacy frameworks offered by the two logics are also investigated. Building on Philippe Bourbeau's work merging two logics and Adam Côté's conceptualization of an engaging audience, this thesis argues that there is a common ground for the two approaches. By analyzing the case of third country nationals fleeing from Ukraine, the thesis first seeks to demonstrate that both elements of change and continuity is observed in the process of securitization. By utilizing the analytical framework of critical junctures and path dependency, the case study shows that the securitization of the third country nationals occurred through continuous practices justified by rule of law, until the critical juncture of the adoption of Temporary Protection Directive. Through conceptualizing the audience as an actively engaging agent, the thesis demonstrates that audiences 'can' have an impact on actors, processes and outcomes, even in practice-based processes.

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Disclaimer: The views and opinions expressed in this thesis are those of the authors do not necessarily reflect the official policy or position of any agency of the Republic of Türkiye or Turkish government. Assumptions made within the analysis are not reflective of the position of any Turkish state or government entity.

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INTRODUCTION

"Danger is not an objective condition.

Anything *can* be a risk; it all depends on how one analyzes the danger."[1]

Securitization, "the process of integrating an issue into a security framework that emphasizes policing and defense"[2] leads to the illusion of risky and dangerous societies. When the Copenhagen School (CS) introduced the theory of securitization, they tried to answer the questions of "what makes something an international security issue" and "what are the conditions a threat is constructed." [3] They defined securitization as fulfilled by "cases of existential threats that legitimize breaking of rules."[4]. Through "a discourse that takes the form of presenting something as an existential threat to a referent object"[5], emergency measures are legitimized when/if the audience accept is as such. Therefore, it is intersubjective and socially constructed.[6] Moreover, we see a logic of exceptionality introduced through securitization. Further, the Copenhagen School introduced the Austinian speech act approach concept to security studies to explain the discursive legitimation processes of securitization.[7] The theory received enormous praise and led to a long debate among critical security scholars.

[1] David Campbell, Writing Security: United States Foreign Policy and the Politics of Identity (Minneapolis, MN: University of Minnesota Press, 2008): 1.

[2] Philippe Bourbeau, "Moving Forward Together: Logics of the Securitisation Process," *Millennium: Journal of International Studies* 43, no. 1 (2014): , doi:10.1177/0305829814541504.:187.

[3] Barry Buzan, Ole Waever, and Jaap De Wilde, Security: A new framework for analysis. Lynne Rienner Publishers (1998): 21.

[4] Buzan, Waever , De Wilde " Security: A new framework for analysis.": 25.

[5] Ibid.

[6] Ibid.: 31.

[7] Ibid.: 32-33.

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The process of securitization long remained the focal point of the debate among critical security scholars. The second-generation scholars further developed the theory and reduced its flaws based on the term speech act. They particularly addressed its performative nature, context and actor-audience relationship. However, the theoretical contribution of the CS received excessive criticism, particularly by the Paris School inspired by the post-modernist Michel Foucault. In contrast to the CS's speech act approach highlighting exceptionalism, the Paris School claims a logic of routinized practices constituting securitization.[8] In line with the logics, the sources of legitimacy are constructed utterly different. As the CS's securitizing actor acquires legitimacy through an audience assent, the Paris School ignores the concept of audience, while suggesting power positions of securitizing actors as sources of legitimacy.[9] The two theoretical approaches almost frame a battleground.

This thesis will be questioning the literature's understanding of these two approaches as mutually exclusive, in terms of logics of securitization resulting in different sources of legitimacy. The first part of the thesis will cover the theoretical debate on the nature of securitization and the sources of legitimacy. The original theory, the second-generation developments and the practice turn will be introduced, and the blind spots of the theory will be explained. A common ground for both logics and legitimacy will be suggested. In the second part, the case of non-Ukrainian asylum seekers fleeing from Ukraine will be analyzed in terms of securitization logic and legitimacy. Since the beginning of Russian Federation's military offensive in Ukraine started on 24th of February 2022, people have been fleeing from war-torn Ukraine. However, the asylum-seeking process have demonstrated 'double standards'. Securitized practices were implemented towards third country nationals, particularly towards Africans, at the Ukrainian-Polish border and further after crossing the border. The analysis will

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[8] Didier Bigo, "Security and Immigration: Toward a Critique of the Governmentality of Unease," *Alternatives* 27.1_suppl (February 2002): 73
[9] Bigo, Security and Immigration: 74.

focus on the process of securitization within the time frame 24th of February and 4th of March 2022. The dates constitute critical junctures, beginning with the Russian aggression and ending with the EU Council's decision on granting temporary protection status to third country nationals. Within the above-mentioned timeframe, the process of securitization occurred as a 'deliberative', 'iterative' and 'highly intersubjective' processes. The goal is to first explore the role of the audience in securitization processes which encompass practices. Second, the notion of change within the established security regimes will be scrutinized. The thesis will highlight the significance of an engaging audience, as the original theory emphasizes the responsibility of the securitizing actor.[10]

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[10] Buzan, Waever , De Wilde " Security: A new framework for analysis.": 34.

CHAPTER 1: THEORY

A Path-Breaking Invention: Securitization

When Barry Buzan, Ole Wæver and Jaap de Wilde published "Security: A New Framework for Analysis" in 1998, they presented a brand-new approach to security studies, revising the discipline. The critical contribution provided by Buzan, Weaver and de Wilde, resulted in a shift from the traditional military-political understanding of security to a more general one. Although definition of security in international relations varies, security is traditionally associated with state-centric military affairs and use of force.[11] The prominent realist Stephen Walt defines the discipline as "the study of the threat, use, and control of military force".[12] However, Buzan, Weaver and de Wilde, also known as the Copenhagen School (CS), are against this 'narrow' view of confining security studies with war and force.[13] Claiming that an objective measurement of security is impossible,[14] they construct a more radical view of security, through 'widening' the definition and study of security by introducing new 'sectors' of it, namely economic, environmental and societal sectors in addition to traditional military-political ones. [15] Moreover, they extensively analyze the 'logic of security' itself to conceptualize security in a way more distinctive than a threat or a problem, and different than what is merely political[16], although they consider it an intense version of what is political in a sense.[17]

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[11] Buzan, Waever, De Wilde, Security: A new framework for analysis: 1.
[12] Stephen Walt, "The Renaissance of Security Studies," *International Studies Quarterly* 35.2 (1991): 212.
[13] Buzan, Waever, De Wilde, Security: A new framework for analysis: 4.
[14] Ibid.: 32.
[15] Ibid.: 4.
[16] Ibid.: 5.
[17] Ibid.: 29.

Conceptualizing a new understanding of security, the CS introduces the term 'securitization', which received widespread recognition with great impact among scholars, leading to a more than two-decades long debate on. In their view, "security means survival"[18], and threats and vulnerabilities become a matter of security when they are "staged as existential threats to a referent object by a securitizing actor who thereby generates endorsement of emergency measures beyond rules that would otherwise bind."[19] However, securitization is considered as a process that is successfully completed "only if and when the audience accepts it as such", be it through coercion or consent.[20] In this respect, any attempts lacking audience assent is solely a 'securitizing move', not a successful securitization.[21] It is, therefore, a construction of a collective perception of a threat,[22] which makes a given audience tolerate violations of certain rules with a logic of exceptionality. Due to this actor-audience relationship, "securitization is 'intersubjective' and 'socially constructed".[23]

Drawing on John L. Austin's theory, the CS introduces the process of securitization as a "speech act".[24] With a linguistic construction highlighting the performative power of language, they argue that "in security discourse, an issue is dramatized and presented as an issue of supreme priority"[25] so that the emergency measures are exceptionally legitimized. Hence, securitization is a form of labelling generally realized by "political leaders, bureaucracies, governments, lobbyists and pressure groups".[26] Despite their claim that 'securityness' of an issue cannot be determined by an objective measurement since it is only a perception, the CS presents certain features associated with the treat, namely 'facilitating conditions', as

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[18] Ibid.: 27.
[19] Ibid.: 5.
[20] Ibid.: 25.
[21] Ibid.
[22] Ibid.: 26.
[23] Ibid.: 31.
[24] Buzan, Waever, De Wilde, Security: A new framework for analysis: 26.
[25] Ibid.
[26] Ibid.: 42.

determinant factors of the speech act.[27] Thus, a successful speech act depends on internal and external factors, where the former is associated with linguistics as the latter is all about contextual and social determinants enabling the act. The internal conditions are the grammar of security presenting a point of no return and a probable solution. The external factors are explained by the social capital of the securitizing actor, which requires an authority position be it is official or not, and the nature of threat itself, such as certain materials as weapons can be considered as threatening by many.[28] Nevertheless, CS claims that they refrain from analyzing what real security or an actual threat is.[29] They rather assert to highlight the responsibility of the securitizing actor who is talking security and so making security.[30]

A Developmental Era: The Second-Generation

The innovative theory introduced by the CS received enormous praise and recognition. Jef Huysmans states that they "constitute possibly the most thorough and continuous exploration of the significance and the implications of a widening security agenda for security studies".[31] Building on the framework depicted by the CS, scholars of critical security studies developed further research to advance the theory through internal critique, which constitute the second-generation securitization. They represent a large and diverse group, discussing various angles of the nature of securitization process, as CS also concentrates on.[32]

One the focal points of debate among the second-generation scholars is the central concept of the theory, namely speech act. Thierry Balzacq and Holger Stritzel are the prominent

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[27] Ibid.: 32.
[28] Ibid.: 33.
[29] Ibid.: 35.
[30] Ibid.: 34.
[31] Lene Hansen, "The Little Mermaid's silent security dilemma and the absence of gender in the Copenhagen School," *Millennium* 29.2 (2000): 286.; Jef Huysmans, "Revisiting Copenhagen: Or, On the Creative Development of a Security Studies Agenda in Europe," European Journal of International Relations 4.4 (1998): 480.
[32] Buzan, Waever, De Wilde, Security: A new framework for analysis: 31.

scholars criticize the CS in this respect. Balzacq states the main vulnerability of the theory is the purely poststructuralist view of speech act, formulated through Derridean revision of Austin's philosophy.[33] He states that "security as a speech act is highly problematic because it overlooks the external context, the psycho-cultural orientation of the audience, and neglects the differential power between the speaker and the listener."[34] In this respect, the CS framework conceals more than it reveals about the securitization process.[35] Stritzel also claims that the notion of speech act itself leading to securitization is too limited to apply in empirical data.[36] He asserts that the situatedness of real-life speech acts are neglected by the CS and the consideration of the term is 'too-static'.[37] Stritzel, therefore, argues the speech act is a single security articulation at a certain time cannot explain the whole social process.[38] He further emphasizes that Ole Wæver himself also acknowledges such problems that empirical studies based on the CS framework lack a standardized format leading to different usages and producing anomalies.[39] In line with Balzacq, Stritzel criticizes the CS for paying too much attention to the semantic aspect of the speech act and overlooking "its social and linguistic relatedness and sequentiality".[40] He further claims that the theory in this respect remains 'pretheoretical' requiring conceptual restructuring due to 'too vague' and 'undertheorized' terminology.[41]

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[33] Thierry Balzacq, "A theory of securitization: origins, core assumptions, and variants," *Securitization Theory*. Routledge (2010): 19-20.
[34] Thierry Balzacq, "The three faces of securitization: Political agency, audience and context," *European Journal of International Relations* 11.2 (2005): 174
[35] Ibid.: 191.
[36] Holger Stritzel, "Towards a theory of securitization: Copenhagen and beyond," *European Journal of International Relations* 13.3 (2007): 377.
[37] Ibid.: 366.
[38] Ibid.: 377.
[39] Ibid.: 359.
[40] Ibid.: 358.
[41] Ibid.

Balzacq revives the theory by bringing what he calls 'strategic practice' into equation[42], claiming that "speech act approach ultimately reduces security to a *conventional procedure".*[43] He argues that security the CS version of speech act is an 'illocutionary' act, which is a 'self-referential' practice.[44] However, the theory also claims that speech act is 'perlocutionary', meaning "what is done by saying something",[45] constituting a philosophical flaw leads to confusion. Balzacq, therefore, introduces the term 'pragmatic act', considering discourses as actions. Hence, discourses are not self-referential.[46] His approach, of course, provides new methodological implications that political agency, audience, and social context in which rhetorical action takes place are also included in the securitization equation.[47] Balzacq, therefore, provides an understanding of speech act in which discourse is more integrated into the real world.

Stritzel also offers a more comprehensive framework for the theory, criticizing the dichotomy of the post-structuralist stance of the CS explaining speech act solely with discourses and their acceptance of facilitating conditions which depends on material world.[48] In this respect, the causal role given to external world is not "mediated through language".[49] He, therefore, offers an update linking the discourse and external conditions impacting the process, which are social and linguistic structures.[50] What Stritzel calls as a 'strategic-relational approach' to the theory consists of a triangle of text – which has a performative force – context – in which discourses are embedded, and positional power of securitizing actors.[51] He further introduces the terms 'internalist' and 'externalist' reading of securitization to have a more

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[42] Balzacq, The three faces of securitization: Political agency, audience and context: 172-173
[43] Ibid.: 172.
[44] Ibid.: 177.
[45] Ibid.
[46] Ibid.: 178.
[47] Ibid.
[48] Stritzel, Towards a theory of securitization: Copenhagen and beyond: 366.
[49] Ibid.
[50] Ibid.: 367.
[51] Ibid.: 368-369.

systemic understanding of the dichotomy he addresses. The former is utilized to explain the concept of performativity as the latter is about the discursive embeddedness of the speech act.[52] Hence, Stritzel also offers an approach usefully linking the material world out there and discourses to explain speech act.

Since the relation of the theory with the material world is examined by the scholars, another point of debate is context. In the original formulation of the theory, context is associated with the external factors enabling the speech act.[53] Context, therefore, only has an enabling or constraining role in the CS version of securitization process. Empirical studies, however, attribute greater roles to context. For instance, Claire Wilkinson highlights the significance of the social and political context in which securitization occurs by analyzing the so-called Tulip Revolution occurred in Kyrgyzstan.[54] She demonstrates that the local context in Kyrgyzstan, which prevented people from addressing their security concerns through any means of speech, enabled the securitizing action to be taken before the speech.[55] Hence, the political context far from free speech and democracy altered the sequence of the securitization process, enabling an action to be taken before the justification and legitimacy construction.[56] In this respect, Wilkinson criticizes the CS as building a Eurocentric and Westphalian theory on the Western assumption of democracy, ignoring other political contexts such as the conditions in the post-Soviet countries.[57] She concludes that the process of securitization and the dynamics between speech and act is not linear but complex, and highly dependent on political context.[58] Supporting Wilkinson's emphasis on the local context, Nils Bubandt introduces the concept 'vernacular security' to analyze different scales of security discourses which are 'global,

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[52] Stritzel, Towards a theory of securitization: Copenhagen and beyond: 377.
[53] Buzan, Waever, De Wilde, Security: A new framework for analysis: 32.
[54] Claire Wilkinson, "The Copenhagen School on tour in Kyrgyzstan: Is securitization theory useable outside Europe?," *Security Dialogue* 38.1 (2007): 7.
[55] Ibid.: 20-21.
[56] Ibid.: 22.
[57] Ibid.: 11-13.
[58] Ibid.: 22.

national or local'.[59] Through evaluating Indonesia's security conceptualization, Bubandt argues that there is no unified definition of security due to various contextualization, each depending on the 'local political history' defines the threat in a specific way.[60] He, therefore, concludes that contextually specific speech acts lead to various security practices at different scales.[61] Balzacq also demonstrates the significance of contextual circumstances in the process of securitization by analyzing the case of the Popish Plot.[62] He depicts that the domestic and the international context of England enabled masses to be persuaded for an action against Catholics.[63] Hence, Balzacq stresses that the securitization process is "highly context-dependent".[64]

On the other hand, Juha A. Vuori examines non-democratic contexts, claiming that the CS version of the theory is applicable to all types of political systems.[65] Vuori criticizes the logic that authoritarian regimes do not seek legitimacy in their security policies in the way democracies do. He argues that legitimacy is necessary to survive for any government, so even authoritarian regimes has to justify the employment of extraordinary measures.[66] In order to reduce the impact of social and political context, Vuori offers an explanation based on "illocutionary logic".[67] He argues that all societies have some established rules, be it democratic or authoritarian, generated through historical and social developments. When a security discourse is employed to legitimate the breaking of certain rules, securitization occurs.[68] By analyzing two processes of securitization took place in China, Vuori asserts that speech act is

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[59] Nils Bubandt, "Vernacular security: The politics of feeling safe in global, national and local worlds," *Security Dialogue* 36.3 (2005): 277.
[60] Ibid.: 276.
[61] Ibid.: 291.
[62] Balzacq, The three faces of securitization: Political agency, audience and context: 182-183.
[63] Ibid.: 183.
[64] Ibid.: 179.
[65] Juha A. Vuori, "Illocutionary logic and strands of securitization: Applying the theory of securitization to the study of non-democratic political orders." *European Journal of International Relations* 14.1 (2008): 66.
[66] Vuori, "Illocutionary logic", 68.
[67] Ibid.: 67.
[68] Ibid.: 69.

an analytically applicable source of legitimacy in authoritarian contexts, when linguistic and social circumstances are taken into consideration as the CS originally defines.[69]

Another major discussion on the theory is based on the actor-audience relationship, which the CS claims to be an 'intersubjective' one.[70] In this respect, the concept of 'audience' is critically important for the securitization theory since the success of the intersubjective securitization process depends on an audience acceptance. Scholars, however, point out that the CS has paid little attention to the concept of audience. Williams states that "the concept of audience has been left 'radically underdeveloped' by the CS."[71]. The issue is also acknowledged by Ole Wæver arguing that "the term 'audience' requires 'a better definition and probably differentiation'.[72] Scholars, therefore tried to answer various questions as: Who is the audience? What is the nature of audience assent? How do we determine the criteria for the acceptance? What if there are multiple audiences? What kinds of audience acceptance exist?

In terms of actor-audience relationship, Balzacq claims that the CS has a relatively 'self-referent' understanding of the securitizing actor rather than having an intersubjective dynamic with the audience,[73] which is quite neglected. He then asserts that a successful securitization is audience-centered because the securitizing actor is pushed to employ certain language, image and attitude resonating with the target audience in order to persuade and gain support.[74] Balzacq further argues that target audiences provide two types of support to the securitizing agent, which are moral support and formal support.[75] As the moral support is necessary in general, the formal

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[69] Ibid.: 93-94.
[70] Buzan, Waever, De Wilde, Security: A new framework for analysis: 31.
[71] Michael C. Williams, "The Continuing Evolution of Securitization Theory", in Thierry Balzacq, Sarah Léonard, and Jan Ruzicka,"'Securitization' Revisited: Theory and Cases," International Relations 30, no. 4 (December 1, 2016): 499.
[72] Ole Wæver, "Securitization: Taking Stock of a Research Programme in Security Studies" (paper presented at the annual convention of the International Studies Association, New York, 15–18 February 2009), in Balzacq et al., "'Securitization'revisited: Theory and cases," International Relations 30.4 (2016):499.
[73] Balzacq, The three faces of securitization: Political agency, audience and context: 179.
[74] Ibid.: 184.
[75] Ibid.: 184-185.

support, for instance the parliamentary decision to launch a military operation, is sufficient for the targeted mobilization. In this respect, multiple audiences possess varying levels of 'power' over the securitizing actor, which lies under their ability to provide legitimacy.[76] Nevertheless, securitizing actors always strive to maximize and broaden their audience support, since they continue to have social relationship with their target audiences to maintain their credibility.[77]

Reflecting on Balzacq's work, Paul Roe engages in the debate on the the actor-audience relationship by analyzing the United Kingdom (UK) decision making process to invade Iraq.[78] Concentrating on the neglected role of audience in mobilizing state behavior, Roe introduces two distinct stages of audience acceptance which are 'stage of identification' and 'stage of mobilization'. The empirical analysis he provides suggests that the British public were quite convinced that the Saddam Hussein's regime constituted a threat when Tony Blair-led government raised the claims on potential reacquisition of weapons of mass destruction by Iraq,[79] Roe defines this phase when the treat is intersubjectively established as the 'stage of identification' of securitization, which could be considered as a 'rhetorical securitization', a term introduced by Nicole Jackson.[80] According to Jackson, "Once an issue is rhetorically adopted, it must affect the development of policy for it to be effective in practice. Otherwise, the activities have only been rhetorically securitized with no practical result."[81]. When it comes to 'active' securitization called as 'stage of mobilization', the actual employment of extraordinary measures is necessary.[82] In this case, UK's decision to invade Iraq was enabled

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[76] Ibid.: 185.
[77] Ibid.
[78] Paul Roe, "Actor, audience (s) and emergency measures: Securitization and the UK's decision to invade Iraq," *Security Dialogue* 39.6 (2008): 615-635.
[79] Ibid.: 625.
[80] Ibid.: 621.
[81] Nicole J. Jackson, "International Organizations, Security Dichotomies and the Trafficking of Persons and Narcotics in Post-Soviet Central Asia: A Critique of the Securitization Framework", *Security Dialogue* 37.3 (2006): 313, cited in: Paul Roe, Actor, audience (s) and emergency measures: 621.
[82] Roe, Actor, audience (s) and emergency measures: 621.

and legitimized through the parliamentary approval, which is a 'formal support', despite the lack of 'moral support' due to public opinion against the use of military force.[83] By showing the example that audiences might stay at the 'stage of identification' without accepting the 'stage of mobilization', Roe indicates the significant facts that securitization is two staged. And more importantly, by reflecting on Balzacq's work demonstrating the importance of power positions of the securitizing actor, he shows that "speaking security is not the same as doing security."[84]

Among the second-generation scholars, the concept of speech act remains the main focus of debate. The speech and language maintain their central role as a means of acquiring legitimacy for security policies. However, the performative nature of speech act and its post-structuralist versus constructivist conceptualization is widely discussed. In this regard, the relationship of the discourse with the material world i.e., speech act with the facilitating conditions is corrected to reduce philosophical flaws of the theory. The concept of audience which is almost negated by the CS receives attention due the intersubjectivity claims of the theory. The importance and forms of audience assent are acknowledged as a source of legitimacy. In this respect, audiences can accept or reject certain securitizing moves. Moreover, as the CS aims to highlight the responsibility of the securitizing actor[85] who is talking security and so making security, the second-generation indicates the significant fact that "speaking security is not the same as doing security."[86]

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[83] Ibid.: 632.
[84] Ibid.
[85] Buzan, Waever, De Wilde, Security: A new framework for analysis: 34.
[86] Roe, Actor, audience (s) and emergency measures: 632.

Securitization Beyond Speech

Following the CS, the second-generation scholars privilege speech in securitization over other means of expression. However, speech is not the only way security threats are constructed. Scholars excessively criticized such position. Lene Hansen, for instance, indicates that there are even instances of 'silent security dilemma's, when a threat cannot be vocalized.[87] By analyzing honor killings in Pakistan, Hansen demonstrates that the speech act framework developed by the CS cannot explain all security constructions.[88] She shows that gender identity of women in Pakistan leads to gender-based insecurities, which result in a 'strategic response' of silence of Pakistani women due to fear.[89] She introduces the term 'security as silence' which occurs when a subject of security either lacks the opportunity or has a limited possibility to voice its security issues.[90] Drawing on Judith Butler's work on performativity, Hansen further introduces 'bodily performances' through which insecurities are expressed.[91] She therefore offers a powerful critique of speech act, while demonstrating 'absence of gender' in the CS framework.[92]

Wilkinson further criticizes the central position of speech in the process of securitization.[93] She also underlines that there exist cases of restrictive conditions of expressing security concerns such as censorship and political disenfranchisement. Under such circumstances, people express their security issues through other ways such as leaving the country or protesting.[94] Wilkinson also demonstrates the over-reliance of the CS on speech, by showing physical action preceding speech during the so-called Tulip Revolution.[95] Moreover,

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[87] Hansen, The Little Mermaid's silent security dilemma and the absence of gender in the Copenhagen School,: 287.
[88] Ibid.
[89] Ibid: 305.
[90] Ibid.: 294.
[91] Ibid.: 302.
[92] Ibid.: 305-306.
[93] Wilkinson, The Copenhagen School on tour in Kyrgyzstan: 12.
[94] Ibid.
[95] Ibid.: 21-22.

Michael C. Williams argues that the pivotal position of speech in the theory makes it a part of 'discursive legitimation'.[96] In this respect, Williams states such understanding restricts the theoretically unlimited character of security.[97] He then asserts that in a world which political communication employs increasingly diversified means, such as images circulated via modern media have an undeniable role in securitization Williams further exemplifies the extraordinary visuals of September 11 in constructing the threat of terrorism via televisual media.[98] The role of 'image-rhetorics' should therefore be acknowledged in constructing security.[99]

As the scholars criticize the mere focus on speech by the CS, they justify their attempts to broaden the means of securitization through the cases demonstrating such subjects in certain contexts causing either an inability to speak up insecurities or with the increasingly diversifying means of communications. Such questioning can be considered as internal critique resulting in production of alternatives to discursive justification. The attempts by Hansen, Wilkinson and Williams are therefore examples of introducing other mediums to express insecurities, when communication is limited, altered and broadened.[100]

'U Turn': From Exceptional to Banal

While the scholars of critical security studies question the focus on speech and discursive legitimation of securitization, new schools of securitization emerged, namely the

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[96] Williams, Michael C. "Words, images, enemies: Securitization and international politics." *International Studies Quarterly* 47.4 (2003): 512.
[97] Ibid.: 513.
[98] Ibid.: 524.
[99] Ibid.: 527.
[100] For an extended overview see Lene Hansen, 'Theorizing the Image for Security Studies: Visual Securitization and the Muhammad Cartoon Crisis', European Journal of International Relations, 17(1), 2011, pp. 51–74; Lene Hansen and Helen Nissenbaum, 'Digital Disaster, Cyber Security, and the Copenhagen School', International Studies Quarterly, 53(4), 2009, pp. 1155–75. Kearns, Matthew. "Gender, Visuality and Violence: Visual Securitization and the 2001 War in Afghanistan." International Feminist Journal of Politics 19, no. 4 (December 2017): 491–505. https://doi.org/10.1080/14616742.2017.1371623.

Paris School. The Paris School shifted the focus of theory from linguistic reading of threat construction towards the modes of government. According to the Paris School, security is not necessarily rhetorical, but it can be constituted through various technical and practical implementations. In contrast to the CS's approach highlighting exceptionalism, the Paris School claims a logic of routinized practices constituting securitization, presenting the most powerful critique to the CS through a Foucauldian approach.[101] The two theoretical approaches to the study of securitization almost frame a battleground as the nature of securitization is utterly different in each one.

The Paris School's foremost scholar Didier Bigo explains the process of securitization with routinized practices stating that securitization is not simply a speech act. He criticizes the pure focus by the CS on the political discourse which "underestimates the role of the bureaucratic professionalization of the management of unease".[102] From Bigo's perspective, the CS neglects the effect of 'political mobilization' which generates securitization.[103] Bigo defines securitization of migration as a "transversal political technology, used as a mode of governmentality by diverse institutions to play with the unease or to encourage it if it does not yet exist, so as to affirm their role as providers of protection and security and to mask some of their failures."[104] He, therefore, conceptualizes securitization as a socially constructed mode of ruling based on misgivings in order to cover some other structural problems by the unease managers. In this respect, Bigo emphasizes the role of securitizing agents enjoying power positions with certain interests. Other scholars considered from the Paris School, Ayse Ceyhan

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[101] Bigo, Security and Immigration: 73.
[102] Ibid.: 74.
[103] Ibid.: 72-73.
[104] Ibid.: 65.

and Tsoukala also recognizes the process as unease management in accordance with institutional interests such as budget increases.[105]

The practice-based approach Paris School introduced lead to a debate on logics in explaining the process of securitization. On the one hand, the CS employs a logic of exceptionalism. The original version of the theory claims a construction of shared understanding of exceptional circumstances in order to justify exceptional policies.[106] Williams argue that the exceptionality understanding of the CS is has deep roots in the work of Carl Schmitt.[107] He depicts that the idea of making decisions on normal politics and exceptional politics, which is the CS definition of securitization, resonates with Schmittean understanding of decision making and 'politics of emergency'.[108] Schmitt's theory on sovereignty defines the term by the 'act of decision'.[109] In this respect, ''Sovereign is who decides upon the exception''.[110] Exception, therefore, cannot be predetermined by external conditions or explained by any other predetermined rules. A decision has to be made to on whether a case constitutes an emergency.[111] Hence, the CS version of speech act resonates with the Schmittean understanding of sovereignty. With a sense of urgency, the CS claims that a securitizing actor defines what is beyond normal politics requiring extraordinary measures breaking the normal political rules.[112]

On the other hand, the Paris School approach to the process of securitization is based on the logic of daily practices causing it. Bigo states that "securitization of immigration is the result

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[105] Ayse Ceyhan and Anastassia Tsoukala, "The Securitization of Migration in Western Societies: Ambivalent Discourses and Policies," *Alternatives: Global, Local, Political* 27.1_suppl (2002): 27.

[106] Buzan, Waever, De Wilde, Security: A new framework for analysis: 26.

[107] Williams, Words, images, enemies: Securitization and international politics: 515.

[108] Ibid.: 515-516.

[109] Ibid.: 516.

[110] Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, Translated by George Schwab, Chicago, University of Chicago Press, (1985|1922): 5.

[111] Williams, Words, images, enemies: Securitization and international politics: 516-517.

[112] Ibid.: 25.

and not the cause of the development of technologies of control and surveillance."[113] Therefore, in Bigo's perspective the security practices such as visa policies and border controls implemented everyday lead to securitization. Drawing on Bigo's work, Tugba Basaran, introduces the law aspect to the logic of routine. Basaran demonstrates that law is an instrument of securitization and even exceptional policies -such as waiting zones and detention camps - are established through unexceptional laws and unexceptional means. [114] She exemplifies constitution of border zones through 'national and international law and police cooperation' as a banal, daily practice. As the ordinary practices of the liberal rule, security implementations are not exceptional but daily mechanisms. [115] In this respect, securitization is inherent in any kind of mode of government, be it based on misgivings or a liberal one.[116] She therefore shows that exceptionalism cannot be a determinant for securitization.

As the foremost scholars of the two schools are on the edges regarding the discussion on two logics, the 'U-turn' of the literature towards practices led to a re-positioning among both schools. Influenced by the Paris School's emphasis on practices, Huysmans indicates that a sharp distinction between exceptionalism and routine is problematic since the 'little security nothings' creates a process of securitization rather than speech acts. In other words, Huysmans acknowledges the significance of continuous practices over speech acts.[117] Starting his article with the belief in the CS's theoretical accuracy, Huysmans supports Bigo's argumentation by suggesting a comprehensive understanding of the speech act including routine practices in order not to be locked within exceptionality. He simply re-appropriates the CS's position. What he calls as 'little security things' in this respect is 'dispersed' practices which are automated, and heavily mediated by surveillance technologies, investing insecurity in everyday objects and

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[113] Bigo, Security and Immigration: 73.
[114] Tugba Basaran, *Security, law and borders: at the limits of liberties*. Routledge (2010): 104.
[115] Basaran, Security, law and borders: 105.
[116] Ibid.: 104.
[117] Huysmans, "What's in an Act?": 377.

relations. [118] He, therefore, provides a more practical definition of the speech act, positioning the 'act' part in the center. Nevertheless, Huysmans still explains the speech act with the exceptionality arguments. He states that "the speech act of security is a break in the normal political rules"[119] which is not a routine practice. The act Huysmans offers is a creation of a rupturing scene.[120] It is a decision-making moment which requires accountability and authority to securitize, "moments of political gravity and a split between political exceptionality and normality." [121] Huysmans, therefore, acknowledges the literature's highlight on security practices undermining the speech act theory of securitization which was formerly explained through the performative nature of language.[122]

However, acknowledging that both logics are correct leads us to the sequentiality debate, which remains quite unresolved. The Paris School scholars such as Ceyhan and Tsaoukala provide a discursive securitization conceptualization although sharing the post-modernist approach. They argue that securitization is the result of securitizing discourses which then lead to securitized policy implementations. Through socio-economic, securitarian, identitarian and political discourses generating unease which in fact involve ambivalences and incoherencies in terms of their relationship with real the world facts, the securitization process occurs. [123] However, Bigo argues that security practices such as visa policies and border controls lead to securitization. In contrast to this sequence, Ceyhan and Tsaoukala assert that securitization leads to security practices such as stricter public policies and the utilization of new surveillance devices.[124] Although Ceyhan and Tsaoukala consider security practices such as border controls as symbols fueling securitization discourse, they emphasize the ineffectiveness of actual

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[118] Ibid.: 375-376.
[119] Ibid.: 372.
[120] Ibid.: 373.
[121] Ibid.: 375.
[122] Huysmans, What's in an Act?: 372.
[123] Ceyhan and Tsoukala, The Securitization of Migration: 24.
[124] Ibid.: 22.

practice.[125] Therefore, their position can be considered as a moderate, reconstructed version of the Paris School approaching to the CS.

The question of who can securitize is another aspect debated. Bigo explains the popularity of the securitization with the interest of political actors and security professionals in creating new security threats in the absence of a Soviet enemy during the post-Cold War.[126] He offers a further critique in this realm arguing that since speech acts are resulted from the power positions of the actors, they cannot be considered as individual securitizing actors creating new frames. Bigo then highlights that the security professionals utilize their authority and institutional knowledge to create threats with a war-based polity.[127] As the CS acknowledges that the securitizing actors holding power positions such as bureaucrats in general have some power to define security, they argue that such power is never absolute. [128] Since the securitization process is successfully concluded through an audience acceptance, the CS argues that there is no guaranteed persuasion power of securitizing actor, although they can hold power positions.[129] In this respect, the CS criticizes the Paris School for centralizing the actor as a point of analysis. They argue that "to study securitization is to study the power politics of a concept."[130]

The discussion on securitizing agent leads us to actor-audience relationship views of each approach. The original theory seeks audience assent to justify extraordinary security policies. Hence, the underlying reason for such intersubjective relationship is the legitimacy provided to certain policy. Securitization "entails structural effects by reconfiguring and

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[125] Ibid.: 33.
[126] Bigo, Security and Immigration: 76-77.
[127] Ibid.: 74, 81.
[128] Buzan, Waever, De Wilde, Security: A new framework for analysis: 31.
[129] Ibid.
[130] Ibid.: 21.

ordering societies on the model of emergency exception."[131] Although the CS initially left the concept of audience neglected, the second-generation scholars engaged in a debate to elaborate more on the intersubjective nature of the concept. However, the Paris School excludes external audiences from securitization process. Basaran argues that the rule of law legitimizes securitization processes and illiberal policies.[132] Hence, it is the liberal structure itself provides legitimacy, leaving the concept of audience out. Adam Côté criticizes the Paris School since they "have located the concept of the audience within a highly structured, Bourdieu-inspired field of (in)security".[133] According to the Paris School, shared security meanings are produced by actors which are 'security professionals' and they are then imposed on the societies.[134] As this stance is criticized by the aforementioned arguments of the CS, some scholars as Balzacq argues that it is an advantage to overcome the challenges posed by the vague actor-audience relationship in the original version of the theory.[135] However, such approach puts all the emphasis on the actor and structure, leaving no room for an audience to say when it comes to legitimacy.

The debate over explaining the securitization process has not reached any consensual point. Yet, it is safe to argue that the role of security practices is widely acknowledged, consequent to the Paris School's arguments. Even some scholars from the CS updated their positions through introducing a new speech-act definition and terminology referring to practices. While schools discuss the logic of exceptionalism and the logic of routine, followers of two schools approached to each other. Nuanced approaches among the schools, therefore, emerged. However, such 'in between' versions could not resolve the sequentiality debate on

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[131] Ibid.: 465.
[132] Basaran, Security, law and borders:104.
[133] Adam Côté. "Agents without agency: Assessing the role of the audience in securitization theory." *Security Dialogue* 47.6 (2016): 549.
[134] Côté, Agents without agency: Assessing the role of the audience in securitization theory: 549.
[135] Balzacq et al., "'Securitization'revisited: Theory and cases," *International Relations* 30.4 (2016): 504.

whether discourses or practices come first. Another issue remaining unresolved is the actor-audience relationship. While the CS explains legitimacy through audience acceptance, the Paris School excludes any audience intervention in analyzing the process of securitization.

What We Miss Out

Primarily, what the scholars of securitization theory miss out is that, for analytical accuracy, logics are followed. These are aforementioned logics of exceptionality and routines. When scholars favor one over the other, they end up having an incomplete picture. If one follows the CS, where only the exceptional policies causing enormous change backed up with discursive legitimation are recognized, the constitutive role of security practices implemented consistently over time is neglected. The role of practices, however, cannot be neglected as the practice turn in the literature reveals. If scholars prefer concentrating on the logic of routinized practices constructing security, they end up merely analyzing structures made of routines with an exaggerated sense of stability, leaving limited or no room for change. They are apparently not mutually exclusive as Huysmans, Ceyhan and Tsaoukala shows. However, when applied both, there exist a sequentiality problem, which still remains unresolved by the scholars. As Balzacq states "actually, every securitization is a historical process that occurs between an antecedent influential set of events and their impact on interactions."[136]

Secondly, the concept of audience remains undertheorized. Côté demonstrates the problematic conceptualization of audience both theoretically and empirically.[137] As Stritzel states, the CS "splits the actor into two elements: the securitizing actor performing a securitizing move by uttering a security speech act, and the relevant audience accepting or refusing this move".[138] Côté first explains that the original claims of the theory are problematic due to the

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[136] Balzacq, The three faces of securitization: Political agency, audience and context: 193.
[137] Côté, Agents without agency: Assessing the role of the audience in securitization theory: 542-543.
[138] Stritzel, Towards a theory of securitization: Copenhagen and beyond: 363.

inherent contradiction between the 'act versus process' terminology, as the former indicates a definite moment of security definition while the latter points out a procedure of construction.[139] Since the speech act is defined as an illocutionary act where the securitizing actor creates a social reality by utilizing the power of language, the conceptualization of the theory according to Côté puts the emphasis on the actor and the act itself, leaving a small chance for actor-audience interaction. In this respect, the agency of the audience is quite limited. On the contrary, the CS claims that the process of securitization is intersubjective, and the securitizing move is only successful when the audience accepts it. Securitizing policies are justified by audience acceptance, and shared security meanings are generated collectively.[140] Hence, there is a sense of social interaction and 'intersubjectivity', underdeveloped by the theory.

Moreover, what second generation scholars miss is that audiences in real life are more than sources of legitimacy. The theory was initially formulated to explain how an issue becomes a matter of security. The whole process of securitization is simply a process of construction requiring some sense of legitimacy. It is therefore a process of legitimation. Thus, scholars have discussed the aforementioned contexts such as democratic and authoritarian societies, in order to examine whether the legitimacy is gained through the same process. Vuori therefore offers the aforementioned 'illocutionary logic' to provide an analytical framework for legitimation in authoritarian societies. [141] The second-generation scholars try to develop the concept of audience only because it was a source of legitimacy in the theory, since a successful securitization requires audience assent. However, Adam Côté, shows that the empirics attribute greater role to the audience by analyzing 32 empirical cases.[142] Moreover, Côté argues that second-generation conceptualization of audience makes it 'mechanical' where the audience

[139] Côté, "Agents without agency": 542.
[140] Ibid.
[141] Vuori, "Illocutionary logic": 68.
[142] Côté, Agents without agency: Assessing the role of the audience in securitization theory: 549.

"accept contextually consistent securitizing moves while rejecting all others." [143] Such understanding, therefore, decreases the explanatory power of the theory because in reality, audiences have more role and agency than accepting or rejecting a securitizing move. Hence, Côté, considers the CS conceptualization of audience as 'agents without agencies'.[144]

Furthermore, the concept of audience is not even questioned by the Paris School because the logic of routine already provides a sense of legitimacy through the securitizing actor itself. 'Security professionals' already enjoy a level of legitimacy gained through their power positions and institutions such as state and military. Hence, the Paris School ignores the concept of audience as their securitizing actors provides a sense of legitimacy. By utilizing their power positions, securitizing actors impose their policies on larger groups. However, they neglect the fact that in real life audiences can have a say on practices implemented by institutions as state. Practice-based security constructions are not only legitimized by the actor's legitimate position. For instance, Basaran considers international law-making a banal process.[145] Implementation of law is a routine, however, law making is a decision-making moment requiring authority and legitimacy, for instance support and reciprocity from the international community as an audience.

"Moving Forward Together"

In order to avoid the first analytical flaw discussed above, this thesis suggests 'moving forward together' as Philippe Bourbeau offers. Bourbeau introduces an utterly different approach to securitization, challenging the theoretical debate of the two schools.[146] Instead of taking a side in the logics debate, he presents a criticism and a common ground of both

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[143] Côté, Agents without agency: Assessing the role of the audience in securitization theory: 550.
[144] Ibid.: 551.
[145] Basaran, Security, law and borders: 105.
[146] Bourbeau, "Moving Forward Together"

approaches. Bourbeau claims that both theories are incomplete while neglecting "the issue of continuity and change."[147] He introduces performance and path dependence as common analytical grounds. What is called performance is an inclusive term consisting both speech act and Foucauldian discursive practices.[148] In this respect, he successfully merges two approaches, as the literature shifts to practices. The path dependency is about critical junctures where decisions are made. Developmental pathways are then deeply influenced by these past decisions.[149] Through such conceptualization, Bourbeau manages to balance the role of change and continuity in analyzing security. Suggesting a comprehensive explanation, he demonstrates a migration case study which illustrates multiple points of intersection of the two theoretical schools.[150] Moreover, he refuses to take a side on the questioned sequential relation between discourse and practice. Through examining the French migration case, Bourbeau depicts the dichotomy of the moderate speeches are presented, while the highly securitizing practices are implemented,[151] Hence, he shows that the sequential causality is not inevitable. Therefore, performance and path dependence will be utilized to analyze the process of securitization in the case of third country nationals fleeing from Ukraine.

An Engaging Agent: Audience

In order to avoid the reduction of the audience to a mechanic 'agent without agency', which I stated above as the second analytical flaw of the theory, the concept of audience requires correcting. The analytical framework will be built on the work of Côté, Building on the empirics, Côté offers an 'actively engaging' audience, that can 'act' within the context and interact with "securitizing actors within mutually constituted social, bureaucratic, and linguistic

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[147] Bourbeau, "Moving Forward Together": 191.
[148] Ibid.: 193.
[149] Ibid.: 194.
[150] Ibid.: 205.
[151] Ibid.: 201.

circumstances that are (re)created and transformed through this engagement."[152] Thus, the process of securitization is not as simple and linear as Stritzel depicts.[153] It is a 'deliberative' process.[154] Further, an 'active audience' can contribute to the substance and the outcome of the securitization process. "Audiences have the potential to exploit contextual advantages and/or modify structural constraints in order to exert greater or lesser influence on the process."[155] Therefore, this conceptualization presents the potential to explore audience agency, of whom are attributed a sense of power, possibility and even some sense of responsibility to impact the securitization process. Moreover, it increases the level of intersubjectivity of the theory, which is neglected by the CS. Therefore, in order to increase the explanatory power of the theory, the conceptualization of Côté will be employed as the case will be further demonstrating the accuracy of his understanding.

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[152] Ibid.: 551.
[153] Stritzel, Towards a theory of securitization: Copenhagen and beyond: 363.
[154] Côté, "Agents without agency": 552.
[155] Ibid.: 552.

CHAPTER 2: CASE STUDY

THE CASE OF THIRD COUNTRY NATIONALS FLEEING FROM UKRAINE

Securitizing Asylum Seekers

Russian Federation's military offensive in Ukraine started on February 24, 2022. Since then, people from Ukraine have been fleeing from the country due to the most traditional security concern in the study of International Relations, war. The escalation of conflict has reportedly led to civilian casualties and destruction of civilian infrastructure, forcing people to leave Ukraine. The scope of humanitarian crisis has been measured by numbers. According to UN High Commissioner for Refugees (UNHCR) data, in just first 12 days, more than 2 million refugees have been forced to flee to neighboring countries. As of June 21st, 2022, 8,007,014 refugees have crossed the border from Ukraine, as 5,261,278 of them are recorded across Europe.[156] The situation has constituted the biggest refugee flow Europe faces after the so-called Syrian refugee crisis in 2015.[157]

Since the very first day of the conflict, a flow of refugees from Ukraine were welcomed by the neighboring European countries.[158] On 24th of February Chief of UNHCR Filippo Grandi stated that "Civilian lives must be protected and safeguarded at all times, in line with

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[156] UNHCR, Ukraine Refugee Situation, in:
https://data.unhcr.org/en/situations/ukraine/location?secret=unhcrrestricted#category-13-324086 [21.06.2022]
[157] Drew Desilver, After a month of war, Ukrainian refugee crisis ranks among the world's worst in recent history, Pew Research Centre, 25.03.202, in: https://www.pewresearch.org/fact-tank/2022/03/25/after-a-month-of-war-ukrainian-refugee-crisis-ranks-among-the-worlds-worst-in-recent-history/ [24.06.2022]
[158] UNHCR, Ukraine Refugee Situation

International Humanitarian Law" and "UNHCR is also working with governments in neighboring countries, calling on them to keep borders open to those seeking safety and protection."[159] On the same day, Polish President Andrzej Duda stated on television that they will be in solidarity with people fleeing from Ukraine as a neighboring country. [160] Except the devastating war in Ukraine, everything seemed to be in line with international humanitarian law with respect to the asylum seekers, until the news and reports demonstrating the 'double standards' for black and brown people, particularly Africans fleeing from Ukraine were facing emerged.[161]

News appeared on social media and mass media as people were trying to flee from a war-torn country, depicting a tragic dichotomy. On the one hand, Ukrainians leaving their homeland were welcomed with open arms with solidarity.[162] On the other hand, black and brown people were facing extraordinary practices.[163] A Nigerian student, for instance, shared videos on Twitter demonstrating that Polish border guards were threatening to shoot African students trying to cross the border from Ukraine. [164] The videos depicting the contrasting pictures in refugee flow have gone viral on social media. UNHCR chief Filippo Grandi

[159] UNHCR, Statement on the situation in Ukraine attributed to UN High Commissioner for Refugees Filippo Grandi, 24.02.2022, in: https://www.unhcr.org/news/press/2022/2/621770524/statement-situation-ukraine-attributed-un-high-commissioner-refugees-filippo.html [24.06.2022]

[160] TVP World, Poland stands in solidarity with Ukrainians who fight for our freedom: President Duda 24.02.2022, in: https://tvpworld.com/58708680/poland-stands-in-solidarity-with-ukrainians-who-fight-for-our-freedom-president-duda [24.06.2022]

[161] For a coverage of news see Oussama Aamari - Morocco World News. "Western Racism, Double Standards on Full Display amid Ukraine War." https://www.moroccoworldnews.com/2022/03/347364/western-racism-double-standards-on-full-display-amid-ukraine-war. Accessed June 23, 2022.

[162] Chris Melzer, People across Poland show solidarity with refugees from Ukraine, 01.03.2022, UNHCR, in: https://www.unhcr.org/news/stories/2022/3/621dd8214/people-across-poland-show-solidarity-refugees-ukraine.html [24.06.2022]

[163] See Soteriou, Emma. "African Refugees Fleeing Ukraine Face 'Shockingly Racist' Treatment at Hands of Border Guards." LBC. LBC, March 1, 2022. https://www.lbc.co.uk/world-news/african-refugees-ukraine-racist-treatment/.; Fadel Allassan, "#AfricansInUkraine: Escaping Students Describe Rejection at the Border," Axios, March 8, 2022, https://www.axios.com/2022/03/08/africans-in-ukraine-racism. ; "Concerns Mount as Black People Report Racism While Fleeing Ukraine," The Independent (Independent Digital News and Media, March 6, 2022), https://www.independent.co.uk/news/world/europe/ukraine-refugees-racism-russia-invasion-b2024175.html.

[164] Khaleda Rahman, Black Immigrants Report Racist Treatment As They Try to Flee Ukraine, 28.02.2022, Newsweek, in: https://www.newsweek.com/black-immigrants-report-racist-treatment-flee-ukraine-1683216 [21.06.2022]

condemned the 'discrimination, violence and racism' against some fleeing Ukraine and stated that although he had been 'humbled' by the support for Ukrainian refugees by communities welcoming, Black and Brown people, most of whom are foreigners who had been studying or working in the country had a different experience showing and ugly reality.[165]

According to the news and reports, third country nationals who are mostly the black and brown people, were going through exceptional security practices. Emphasizing that the situation is 'legally unjustifiable', the UN Experts issued the statement that "reports indicate the racialised denial of entry for people of African descent into some neighbouring countries. Even where they have been granted entry to third countries, people of African descent have reported restrictions including visas issued for two weeks or fewer."[166] As of 1st of March 2022, non-Ukrainian citizens fleeing from Ukraine who have no right to enter Poland or Schengen area could only receive a temporary permit at the border to stay in Poland for 15 days.[167] The legal situation is due to the refugee definition of Geneva Convention of 1951 that refugees are the people who are threatened with persecution in their own country.[168] Most of Africans which are students in Ukraine does not fit in this legal definition.[169] Moreover, Africans living in Ukraine reported several incidents of discrimination, exclusion while crossings the Ukraine-Polish border. According to the news and reports, Ukrainian border guards prevented Africans to exit as Polish border guards denied their entry. [170] Some who managed to cross the Polish

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[165] UN, UNHCR chief condemns 'discrimination, violence and racism' against some fleeing Ukraine, 21.03.2022, in: https://news.un.org/en/story/2022/03/1114282 [24.06.2022]
[166] Relief Web, Ukraine: UN experts concerned by reports of discrimination against people of African descent at border, 03.03.2022, in: https://reliefweb.int/report/ukraine/ukraine-un-experts-concerned-reports-discrimination-against-people-african-descent [24.06.2022]
[167] "Act on Foreigners of 12 December 2013," European Website on Integration
 https://ec.europa.eu/migrant-integration/library-document/act-foreigners-12-december-2013_en. [20.06.2022]
[168] United Nations High Commissioner for Refugees, "What Is a Refugee?," UNHCR, accessed June 25, 2022, https://www.unhcr.org/what-is-a-refugee.html.
[169] Soraya Ali, "Ukraine: Why so Many African and Indian Students Were in the Country," BBC News (BBC, March 4, 2022), https://www.bbc.com/news/world-africa-60603226.
[170] Monika Pronczuk and Ruth Maclean, Africans Say Ukrainian Authorities Hindered Them From Fleeing, 01.03.2022, in: https://www.nytimes.com/2022/03/01/world/europe/ukraine-refugee-discrimination.html [24.06.2022]

border were even detained in Poland. Several newspapers covered the release of the Nigerian citizens fleeing from Ukraine detained in Poland, following the initiatives of the Nigerian Ambassador to Poland.[171]

The contrasting picture of the Ukrainian and non-Ukrainian asylum seekers can be explained through identity. Scholars of critical security studies have already reached a consensus on the securitization of migration lies behind the concept of identity. Bigo argues that the logic behind such securitization is the conceptualization of the state as a sovereign single body with a homogeneous national identity acquired through territorialization and borders, which allows the construction of migrants as an external destructive threat inside.[172] He highlights that the security professionals utilize their authority with a war-based polity based on the idea that the society must be protected.[173] Ceyhan and Tsaoukala also state that conceptualization of the Westphalian state sovereignty and identity which define state territories and borders, and individual and collective identities are the reasons lying behind the symbolic securitization through accumulation of rhetorical arguments.[174] Moreover, the CS scholars also argue "whether migrants or rival identities are securitized depends upon whether the holders of the collective identity take a relatively closed-minded or a relatively open-minded view of how their identity is constituted and maintained."[175] Scholars are, therefore, in consensus that the migrant is securitized due to their identities and the host nation's identity perceptions. Hence, it is safe to state that their non-Ukrainian identity caused such securitization.

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[171] Euronews, Nigerians fleeing Ukraine war freed from Polish detention camps, say officials, 21.04.2022, in: https://www.euronews.com/2022/04/21/nigerians-fleeing-ukraine-war-freed-from-polish-detention-camps-say-officials and Daily Trust, Ukraine War: 13 Nigerians Released From Detention In Poland, 20.04.2022, in: https://dailytrust.com/ukraine-war-13-nigerians-released-from-detention-in-poland [24.06.2022]
[172] Bigo, Security and Immigration.:67
[173] Ibid.: 74, 81.
[174] Ceyhan and Tsoukala, The Securitization of Migration in Western Societies: 21.
[175] Ibid.: 23.

Audience as an Engaging Agent

There has been no speech from Polish, Ukrainian or European Union side – in this respect possible securitizing agents due to their authority positions- regarding such policy until the news went viral. The CS argue that "some security practices are not legitimized in public by security discourse, because they are not out in the public at all."[176] The CS provides the example of "black programs in the United States" which have no official budget coverage. In a democracy, the CS continues, such an extraordinary policy should be justified and legitimized through rhetoric. However, such programs are kept private due to the danger of leaking information. They further argue that such behavior is based on the logic of security itself.[177] When a field is established as a part of security itself, the act is legitimate by nature. In this respect, the CS shares the Paris School views because the case constitutes a practice, actualized by 'security professionals' therefore inherently has a sense of legitimacy.[178] Hence, when there is no audience, legitimacy is not pursued even in democracies, if the act is performed by an authorized officer in the field of security.

Nevertheless, the securitized performances going on at the Ukraine-Polish border received excessive publicity, reaching out to several audiences. Since then, an actively engaging audience has been observed in the process instead of an accepting or rejecting audience. Firstly, the public on social media appeared as an active audience. [179]They demonstrated that at the Polish- Ukrainian border, African and South Asian citizens residing in Ukraine have been forced to wait in segregated groups or denied of entry, an exceptional policy implemented

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[176] Buzan, Waever, De Wilde, Security: A new framework for analysis.: 28.
[177] Ibid.: 28.
[178] Ibid.
[179] Guardian News, "Discrimination and Racism as People Flee Ukraine Shared on Social Media," YouTube (YouTube, February 28, 2022), https://www.youtube.com/watch?v=c17tY3tgOlQ&ab_channel=GuardianNews. [24.06.2022]

towards them.[180] Videos and tweets under the hashtag #AfricansinUkraine have been circulated on social media,[181] which triggered other audiences to support their protest to put pressure to respective governments – securitizing actors. In this respect, several crowdfunding initiatives were realized.[182]Hence, the audience started a massive campaign to pressure the securitizing actor stop implementing a securitized, exceptional practice.

The news and reports circulated due to high audience interaction also triggered the international community, the most important audience of the world of nation-states. In this respect, multiple audiences possess varying levels of 'power' over the securitizing actor, which lies under their ability to provide legitimacy.[183] In this case, international community has more power on respective governments, due to their reciprocal legitimacy-based relationship. Several active agents among the international community interacted with securitizing agent and 'acted' within the given international context. The audience, in this respect, reiterated their arguments on legitimacy by referencing to international law. The Nigerian Presidency issued a press release on February 27th on Nigerian and citizens of other African countries in Ukraine, stating that "there are… reports of Polish officials simply refusing Nigerian citizens' entry into Poland from Ukraine." The press release emphasized that "it is paramount that everyone is treated with dignity and without favour. All who flee a conflict situation have the same right to safe passage under UN Convention and the colour of their passport or their skin should make no

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[180] Virginia Pietromarchi, More African students decry racism at Ukrainian borders, Al Jazeera, 02.03.2022, in: https://www.aljazeera.com/news/2022/3/2/more-racism-at-ukrainian-borders [24.06.2022]

[181] Pernille Baerendtsen, "#AfricansInUkraine: We Are Students, We Don't Have Guns," · Global Voices (Global Voices, February 28, 2022), https://globalvoices.org/2022/02/28/africansinukraine-we-are-students-we-dont-have-guns/amp/. .
Also see https://twitter.com/search?lang=de&q=%23AfricansinUkraine

[182] Foundation for Social Diversity (FSD) / Fundacja na rzecz Różnorodności Społecznej (FRS), "Support Black and Brown People Fleeing War in Ukraine," FundRazr, accessed June 23, 2022, https://fundrazr.com/africansinukraine?ref=ab_AGBpi4h8ZP1AGBpi4h8ZP1 and Godwin Mungwadzi, "Young Thug Asks Rappers for Help to Get African Nationals out of Ukraine," GREEDYSOUTH (Blogger, February 28, 2022), https://www.greedysouth.co.zw/2022/02/young-thug-asks-rappers-for-help-to-get.html?m=1.

[183] Balzacq, The three faces of securitization: Political agency, audience and context: 185.

difference."[184] Moreover, South Africa's Head of Public Diplomacy Clayson Monyela on the same day tweeted that "SA students & other Africans have been badly treated at the #Ukrain/Poland border. Amb J Mngomezulu has driven from Warsaw (5 hours) to go deal with the matter, receive our nationals & offer further support. Amb G Tsengiwe in Hungary is also attending to SANs on his side."[185]

Further, Nigerian Minister of Foreign Affairs Geoffrey Onyeama on February 27th declared that he made a phone call with the Minister of Foreign Affairs of Ukraine. Minister Onyema stated that he "expressed concern at the news of Ukrainian border guards hindering the exit of Nigerian citizens. He asserted that Ukrainian border guards have been instructed to allow all foreigners to leave. He promised to investigate and revert quickly."[186] By doing so, the Nigerian officials constituted an example of interaction and deliberative process between the actor and the audience, attempting to modify the actor behavior within a given context. In this respect, due to his power position Nigerian Minister even received an assurance from his counterpart that the practices would be left. Besides, the audience continued to make statements on social media. A twitter activist stated "to be clear, government officials in Poland, Bulgaria, Hungary are SAYING they will welcome all people crossing over from Ukraine, but those policy statements still have not been implemented at those same borders. Each border, today, is still having ugly incidents of racism."[187]

The interaction pushed the Polish authorities to express a justification on their position. Polish ambassador to Nigeria Joanna Tarnawska has told the local press that "Everybody

[184] Nigeria, Presidency. Twitter, 27.02.2022
https://twitter.com/ngrpresident/status/1498038178657316868. [24.06.2022]
[185] Clayson Monyela, Twitter, 27.02.2022
https://mobile.twitter.com/ClaysonMonyela/status/1497882434179944458. [24.06.2022]
[186] Geoffrey Onyeama, Twitter, 27.02.2022
https://twitter.com/GeoffreyOnyeama/status/1497887110401077254?ref_src=twsrc%5Etfw. [24.06.2022]
[187] Rahman, Black Immigrants Report Racist Treatment As They Try to Flee Ukraine

receives equal treatment," and "I can assure you that I have reports that already some Nigerian nationals have crossed the border into Poland."[188] On February 27th, Chancellery of the Prime Minister of Poland tweeted that "Almost 200,000 refugees have already found shelter in Poland regardless of their nationality. There is no discrimination! #StopFakeNews #CheckYourSources #PolandFirstToHelp"[189] Hence, the debate on practices on border became a back and forth, deliberative and iterative process between the securitizing actor and the engaging audience.

The audience, however, kept referring that the practice of the securitizing actor is not legitimate by referring to international law. On February 28th, the African Union released a statement that they are "disturbed by reports that African citizens on the Ukrainian side of the border are being refused the right to cross the border to safety…. The Chairpersons urge all countries to respect international law and show the same empathy and support to all people fleeing war notwithstanding their racial identity."[190] On March 1st, the United States State Department Bureau of African Affairs tweeted that "The United States is coordinating with UN agencies and other governments to ensure every individual, including African students, crossing from Ukraine to seek refuge is treated equally - regardless of race, religion, or nationality."[191] The US, therefore, emphasized the practices towards African students are not legitimate in their eyes. Further, the US shows that they are actively engaging in the process to alter the outcome. They further supported African Union in this realm stating that "We join @_AfricanUnion in

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[188] OlumoRocktv. Twitter: 26.02.2022
https://twitter.com/OlumoRocktv/status/1497658364431581191?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetem
bed%7Ctwterm%5E1497658364431581191%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2F
www.olumorocktv.com%2Fnigerians-other-africans-are-not-denied-entry-into-poland-ambassador-video%2F.
[24.06.2022]
[189] Chancellery of the Prime Minister of Poland. Twitter: 27.02.2022,
https://twitter.com/PremierRP_en/status/1497941722839584768. [24.06.2022]
[190] "Statement of the African Union on the Reported Ill Treatment of Africans Trying to Leave Ukraine,"
Statement of the African Union on the reported ill treatment of Africans trying to leave Ukraine | African Union,
June 26, 2022, https://au.int/en/pressreleases/20220228/statement-ill-treatment-africans-trying-leave-ukraine.
[191] Bureau of African Affairs, Twitter 28.02.2022
https://twitter.com/asstsecstateaf/status/1498406259569143808. [24.06.2022]

urging "all countries to respect international law and show the same empathy and support to all people fleeing war notwithstanding their racial identity."[192]

Subsequently on March 2nd, the Ukraine Minister of Foreign Affairs declared that they made adjustments in their policy. Minister Dmytro Kuleba tweeted that: "We have established an emergency hotline for African, Asian and other students wishing to leave Ukraine because of Russia's invasion. We are working intensively to ensure their safety & speed up their passage."[193] Minister Kuleba further stated that "Africans seeking evacuation are our friends and need to have equal opportunities to return to their home countries safely. Ukraine's government spares no effort to solve the problem." [194] Hence, the clear pressure on the respective securitizing agents to alter their behavior. had an impact. Furthermore, Polish Ministry of Foreign Affairs published press releases stating that Poland is receiving people from every country, "including students from Africa, the Middle East, and Asia" [195]claiming that "manipulated photos and videos circulate on social media to discredit and tarnish the image of both Ukraine and Poland"[196]Therefore, the audience also shaped the rhetoric of the Polish authorities, engaging in a back-and-forth discussion.

Following the actor-audience engagement, on 2nd of March 2022, the EU Commission proposed temporary protection for people fleeing from Ukraine for the Council to adopt. [197] When the discussions were ongoing in the Council, the only aspect of the protection proposal

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[192] Bureau of African Affairs. Twitter. Twitter, 28.02.2022.
https://twitter.com/AsstSecStateAF/status/1498407141241151503. [24.06.2022]
[193] Dmytro Kuleba, Twitter: 27.02.2022,
in: https://twitter.com/EUinLibya/status/1499661306793762820 [24.06.2022]
[194] Dmytro Kuleba, Twitter: 27.02.2022,
in: https://twitter.com/dmytrokuleba/status/1498791864916496389 [24.06.2022]
[195] MFA Poland, Poland helps refugees at Polish-Ukrainian border, 02.03.2022, in:
https://www.gov.pl/web/diplomacy/poland-helps-refugees-at-polish-ukrainian-border [24.06.2022]
[196] MFA Poland, Russian aggression against Ukraine - stop fake news!, 02.03.2022, in:
https://www.gov.pl/web/diplomacy/russian-aggression-against-ukraine---stop-fake-news [24.06.2022]
[197] European Commission, Ukraine: Commission proposes temporary protection for people fleeing war in
Ukraine and guidelines for border checks, 02.03.2022, in:
https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1469 [24.06.2022]

caused controversies was the status of third country nationals residing in Ukraine.[198] The group

is mostly composed of 76 thousand foreign students, which became a matter of discussion since

the beginning of the conflict.[199] On March 3rd, The International Organization for Migration

Director General released a press statement that they are "alarmed about verified credible

reports of discrimination, violence and xenophobia against third country nationals attempting

to flee the conflict in Ukraine."[200] The council, on March 4th, approved the inclusion of third

country nationals with legal residence in Ukraine to Temporary Protection Directive who are

unable to return home, and the stateless people. [201] The decision meant granting extended rights

to non-Ukrainians fleeing from war in terms of visa and migration regulations. Consequently,

the UNHCR released a press statement welcoming the EU decision to offer third country

nationals and stateless people in the temporary protection status and encouraged member states

to take inclusive approach in granting the rights. [202]

The actor-audience interaction within the given timeframe demonstrates that, audiences

have more role in the process of securitization than merely accepting or rejecting. As Côté

states, audiences are actively engaging agents. The situation of non-Ukrainians, and particularly

African students remained as a matter of discussion during the 'deliberative' and 'iterative'

process securitization within the international law context. The process was completed when

the EU made a decision on granting temporary protection status. As Côté argues, through

speech, multiple audiences which are public via social media, and international community via

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[198] European Council, Justice and Home Affairs Council, 3-4 March 2022, in:
https://www.consilium.europa.eu/en/meetings/jha/2022/03/03-04/ [24.06.2022]
[199] Ministry of Education and Science of Ukraine, International students in Ukraine, in:
https://studyinukraine.gov.ua/en/life-in-ukraine/international-students-in-ukraine/ [24.06.2022]
[200] IOM. Discrimination and Racism Against Third Country Nationals Fleeing Ukraine Must End: IOM Director
General, 03.03.2022, in: https://www.iom.int/news/discrimination-and-racism-against-third-country-nationals-
fleeing-ukraine-must-end-iom-director-general [24.06.2022]
[201] European Council, Ukraine: Council unanimously introduces temporary protection for persons fleeing the
war, 04.03.2022, in: https://www.consilium.europa.eu/en/press/press-releases/2022/03/04/ukraine-council-
introduces-temporary-protection-for-persons-fleeing-the-war/ [24.06.2022]
[202] UNHCR, News Comment: UNHCR welcomes EU decision to offer Temporary Protection to Refugees
fleeing Ukraine, 04.03.2022, in: https://www.unhcr.org/news/press/2022/3/6221f1c84/news-comment-unhcr-
welcomes-eu-decision-offer-temporary-protection-refugees.html [24.06.2022]

various means 'acted' within the given context in order to impact the outcome.[203] Hence, the role of audience in the process of securitization is beyond being a passive source of legitimacy. Also, the process of securitization is not a linear process. The process is iterative because there has been a back-and-forth interaction between actors and audiences, in addition to audience-audience interaction. Even securitizing practices in Foucauldian terms, what Bourbeau includes in his definition of 'performances', received audience reaction. Actors modified their behaviors through interaction with the audience. Therefore, audiences provide legitimacy not only to 'speech acts', but also to 'practices'; comprehensively, to security 'performances'.

Securitization Beyond 'Schools'

One can argue that it was a relatively insignificant case happened in a limited time frame of chaos, which does not represent a policy or set of practices. Indeed, the Minister of Foreign Affairs of Ukraine answered the Nigeran Foreign Minister as: "It's official: no restrictions for foreign nationals to leave the country exist. Problem is the result of chaos on the border and check points leading to them".[204] Apparently, it was not an ordinary, daily border control as the Paris School defines. However, extraordinary security practices were implemented both in the limits of law through detention, and beyond the scope of law, through segregation. The CS states that there is a size and significance issue in securitization because, it is the aim of securitization theory to find the opportunity consider and examine 'less important' cases with low impact through widening the security agenda.[205] Therefore, as Huysmans highlights, the accountability aspect should be emphasized, and small decision makers, even the border guards, should be responsible for securitization because they are practicing. [206]

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[203] Côté, "Agents without agency": 552.
[204] Goeffrey Onyeama, Twitter: 27.02.2022, in:
https://twitter.com/GeoffreyOnyeama/status/1497887112250761220?ref_src=twsrc%5Etfw [24.06.2022]
[205] Buzan, Waever, De Wilde, Security: A new framework for analysis.:25-26.
[206] Huysmans, What's in an Act?: 379-380.

Securitization, in this case at the Ukrainian-Polish border, occurred through Foucauldian practices with no examples of CS definition of speech act, however within an exceptional context. At the specific extraordinary moment when thousands of people departed to borders, during an emergency of war, extraordinary security practices were implemented. Nevertheless, the visa regime and practices such as detention cannot be explained through the chaos at the border or any other exceptionality arguments. They were implemented through already established laws in force regulating migration and detention. There was an already established security regime, a path dependent set of practices. Therefore, as Basaran argues, the rule of law enabled the securitization processes and discriminatory policies.[207]

The process of securitization ended with the adoption of the Temporary Protection Directive due to the legal construction of new security framework. The law-making process in this respect occurred within the exceptional context of the conflict and the scale of the new arrivals to the EU/Poland border. On the contrary to Basaran's claims constructing law making as a banal practice, the decision to determine the legal protection framework constitutes a critical juncture in Bourbeau's terms. Constructing a new path dependency, the adoption of the Temporary Protection Directive is a decision-making moment in Schmittean terms, which would determine the security implementation for the non-Ukrainians fleeing from the country. Hence, there is a change in the regime of practices, occurred at an exceptional moment, a critical juncture. Through the instrument of law, the EU regulated the new framework of security policies towards the third country nationals fleeing from Ukraine, as the conflict continues. Therefore, the case shows us the established practices does not have to be followed forever, with an exaggerated sense of continuity. As shown in this case, changes can occur at critical

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[207] Basaran, Security, law and borders:104.

junctures determining security performances ahead. Therefore, two logics go hand in hand, and the empirics are in line with Bourbeau's argument, balancing the exceptionality and routines.

CONCLUSION

Since the Copenhagen School's (CS) introduction of the theory of securitization, the theory has developed and led to generation of different schools. The Paris School emerged as a powerful critique to the CS, offering an utterly different logic of securitization which then caused a U-turn in the literature towards practices. The literature's understanding of two logics of securitization as 'exceptionalism versus routines' leading to different legitimacy frameworks is questioned in this thesis. Although the scholars of critical security studies acknowledge the role of both discourses and practices in constructing insecurities, the two logics are on the edges for analytical accuracy. However, both of them end up incomplete because of the mutually exclusive understanding of continuity and change. The sources of legitimacy frameworks offered by the two logics are also incomplete. The CS undertheorizes the concept of audience, while attributing a mere legitimating role to the audience. Securitization is considered as a linear and simple process where the actor makes a securitizing move and the audience accept or reject. The Paris School excludes the role of an external audience in the process of securitization, since the insecurity construction is understood as a mode of government. Practice approach puts the emphasis on the securitizing actor and structure, leaving no room for an audience to say.

Building on Bourbeau's work resolving the aforementioned problems of continuity and change, this thesis argues that there is a common ground for the two approaches of securitization. By analyzing the case of third country nationals fleeing from Ukraine, the thesis shows that both elements of change and continuity is observed in the process of securitization. By utilizing the analytical framework of critical junctures and path dependency, the case study shows that the securitization of the third country nationals occurred through continuous practices justified by rule of law, until the critical juncture of the adoption of Temporary

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Protection Directive, granting asylum rights to third country nationals. The EU in this respect introduced a new security structure, constructing a new path dependency.

Drawing on Côté's conceptualization of audience as an engaging audience, the thesis demonstrates that audiences 'can' have an impact on actors, processes and outcomes. Whether or not, or to what extent the audience had an impact on the EU decision to include third country nationals in Temporary Protection Directive is beyond the scope of this thesis. What this case, in terms of audiences, demonstrates first is that both public and international community are the audiences, which holds actively engaging agencies. They acted within a given context in order to impact the outcome of the securitization process. Secondly, the case shows that securitization is not a linear but a deliberative and iterative and highly intersubjective process. Third, the analysis depicts that security practices are not immune from audience introspection in contrast to Paris School's exclusion of external audiences. Audience also provide a sense of legitimacy to securitization processes encompassing practices.

The original theory emphasizes the responsibility of the securitizing actor who is talking security and so making security. The second-generation goes beyond and shows that "speaking security is not the same as doing security" so the power position of the securitizing actor matters. This thesis highlights the significance of an actively engaging audience, who actually has the power, possibility and even some sense of responsibility to impact the securitization process. In order to avoid the possibility of the delusion of a dangerous society, future research could be conducted to measure the extent of the audience impact.

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