

POLICE AND BORDER COOPERATION IN SCHENGEN:
THE POLICE AND CUSTOMS COOPERATION CENTER (PCCC)



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Abstract

Looking at the dynamics behind police and border cooperation in the Schengen area, this article sets out to understand the choice for bilateral cooperation rather than a multilateral model. Based on three interviews conducted with professionals of transboundary border and police cooperation, this article shows how the position of actors in the field, their adoption of a certain discourse and their choice of strategy can influence the shape police and border cooperation will take. Therefore, the choice of bilateral cooperation can be attributed to the dominance held by actors advocating for bilateral cooperation in the field of police and border cooperation. This article shows that the balance of power existing in this field is shifting in favor of the advocate of a multilateral approach which influences the evolution of police and border cooperation in the Schengen Area.

Since the second half of the 1980s, Member States of the European Union have been experiencing what is commonly referred to as the Europeanization of their public services (Bauby, 2011). Usually understood as being one of the main duties/prerogatives of the State, these are the services a government provide to its population either directly or indirectly (Saurugger & Radaelli, 2008). Inside the European Union, the scope of what is considered a public service varies considerably from one Member State to the other. In this wide range of conceptions of which services should be provided by the State, there seems to be three objectives that transcend the borders of the Union; to guarantee the right for every citizen to have access to fundamental goods and services (education, healthcare, security, transports, etc.), the deepening of social link and of economical cohesion, and finally to address the failure of the market and be responsible for long term thinking (Bauby, 2011: 8). “Europeanization is a term used to describe the effects of European integration on the politics and policies of its member states as well as the process of enhancing European-level political institutions” (Ladrech, 2002: 388).

One domain seems to have escaped from this multilateral doctrine. Police and border control cooperation have traditionally been kept jealously as the prerogative of the State. However, the opening of borders inside the Schengen Area brought upon the need for states to improve their collaboration and information sharing (Garotte, 2011). The narrative, that can be found transcending the field of European security, is that the abolition of internal borders would lead to an increase in the number of transboundary crimes and that a better communication between the different repressive services of the Schengen area was needed to respond to it (Council of Europe, 2008b: 5; Klosek, 1999: 601; Vallar, 2009: 135; Ziller, 2006: 4; Scheptycki, 2002: 15; Maguer, 2007: 95). In order to increase this transboundary cooperation, the solution put forward on the eve of the application of the Schengen agreement was based on a strategy of networking of the databases. This was done by putting one police service in every state in charge of international cooperation, a single contact point strategy, therefore centralizing the process of police cooperation in the Schengen Area. Now, after a decade, this centralist approach is questioned by the peripheral actors in the field, coming mainly from actors belonging to other police and border services than the one in charge of the single contact point. These actors are proposing a more decentralized approach to increase the

efficiency of police and border cooperation, a networking of “on-the-field knowledge”. The bilateral approach, based on the networking of databases, also brought about the creation of the Police and Custom Cooperation Centers (PCCC) in 1997. These centers for police and border officer cooperation have been praised by both Member States and some European Union Institutions as the model to follow in order to enhance their cooperation (ICMPD, 2010; Council of the EU, 2008b). The use of the PCCCs as the prototype to copy shows the strong commitment for bilateral cooperation as the key solution for enhancing cooperation (Garotte, 2011; Maguer, 2009; Bigo, 1996). What can explain this choice of a bilateral approach in the domain of police and border cooperation rather than a multilateral approach in the Schengen Area?

Object of Study

In order to get a better understanding of the dynamics at play in the police and border cooperation in Schengen, I chose to focus on the PCCCs, the centers for police and border cooperation. These centers are present mostly at the French Borders, and are meant to improve cooperation between the two bordering countries (Garotte, 2011). In the PCCC of Geneva, policemen and border officers from Switzerland and from France sit in the same building, and answer the information request coming from other policemen or border officers from both sides of the border needing information from the other side. This unique setting resembles a certain “institutionalisation” of actors who are part of the security field. Policemen and border officers are usually not working in a common office; moreover, they are never in the same building as foreign policemen and border officers, which explains the unique and interesting character of the PCCCs.

Literature Review

The process of Europeanization as a whole is a subject that has generated important debates and a myriad of authors have approached this phenomenon from different angles. The first approach to Europeanization is a neo-functionalist one. Taking a structuralist approach, neo-functionalist authors have identified the Europeanization process as a top-down phenomenon in which sub-national actors and agencies “shifts their loyalties, expectations and political activities toward a new centre, whose

institutions possess or demand jurisdiction over the pre-existing states” (Hass, 1958: 16). This approach implies that States forgo their authority in certain domains to a supra-national body (EU) and that agencies, previously under the authority of the State’s institution, now switch to the supra national institution (Lindberg, 1963). This shift of loyalty reinforces the power of the supra-national institution and allow for the potential spillover. A spillover happens when the Europeanization of a certain sector creates strong incentives for the integration of similar sectors. These spillovers take place when the process of integration, in this case the shift of loyalty of the sub-national agencies, create the need for more integration in the given sector or in other related sectors (Kirchner, 1976). This neo-functional approach entails a certain loss of sovereignty on the part of the States due to this spillover process.

This neo-functional view of Europeanization has encountered numerous critics, the most preeminent coming from authors supporting intergovernmentalism as an alternative angle to understand the phenomenon of Europeanization. This intergovernmentalism approach first developed by Hoffman and later refined by Moravcsik puts the States back in the center of focus. The intergovernmentalist approach understands the States as being the preeminent actors in the integration process. They introduce the logic of diversity which “sets the limits of the spillover process” (Hoffman, 1966: 882) and thus deny the possible loss of sovereignty States could experience due to the spillover effect. Moravcsik goes on and argues that the ‘hard bargaining’ taking place in Brussels prevent the passing of important power from States to the EU, therefore guarantying the preservation of State’s sovereignty (Moravcsik, 1998). Taking this argument a step further, Milward suggests that European cooperation might in fact reinforce State’s sovereignty by reinforcing their adaptability to international constraints (Milward, 1992).

While these two approaches each had an important impact in the field of European integration, they both had serious shortcomings. The neo-functionalist approach was unable to account for numerous events; one of these was the veto DeGaulle used against the UK membership, which highlighted the limits to the spillover part of the theory (Moga, 2009). While trying to propose an alternative to the weakness of the neo-

functionalist approach, the intergovernmentalist authors also encounter criticisms, one of the most important calling the two-level game present in the theory as a simplistic model unable to account for the complexity of the interactions between the Member States and the EU (Rosamond, 2000). As a way to provide an alternative to the neo-functionalist and the intergovernmentalist approach, a new model, taking from both sides was developed.

The resulting approach is one that puts in interaction the top-down (neo-functionalism) and the bottom-up (intergovernmentalism) approaches and conceives Europeanization as being “an interactive, ongoing and mutually constitutive process” (Major, 2005: 175). This approach is based on the fact that neo-functionalism considers Europeanization as describing the effect EU institutions have on member states, while intergovernmentalism tries to explain the effect member states have on the emergence of these same institutions (Radaelli, 2004). “Given that the Member States constitute the EU and are therefore at the origin of these EU policies that they later have to adapt to, these two dimensions of Europeanization cannot be considered separately” (Major, 2005: 175-76). This approach implies that it is necessary, in order to understand the process and effects of Europeanization, to take into account mutually constitutive aspects of this relation. While this vertical inter-dependence is interesting it seems to fail to take into account the fact that bureaucracies are not homogeneous institutions, but rather an amalgam of multiple agencies. Moreover, seeing the bureaucracy as a homogeneous entity prevents us from understanding the potential effect horizontal relations between actors from different EU countries can have on policies.

To address these weak points, authors like Vauchez have incorporated the Field theory used by Bourdieu to understand this horizontal component and its effect on policy making. Vauchez, looking at the transnational field of law, argues that field theory is of utmost importance in the analysis of the European Union and helps taking into consideration “the power relations (competing forms of authority and types of social capital) that cut across the political and administrative sites of command” (Vauchez, 2015: 8-9). This idea of a sociological approach to the process of Europeanization was used in many studies. It allowed the development of an approach that is more ‘human’ or ‘incarnated’ to understand what is at play in the process of Europeanization

(Georgakakis, 2013: 226). Rather than looking only at the dynamics taking place in Brussels or the interaction between States, the sociological approach aims at exploring those new “social spaces” and “social practices” that were created or accentuated by the Europeanization process (Saurugger and Mérand, 2010: 2). Authors addressed multiple aspects going from the field of Eurocracy (Georgakakis & Rowell, 2013), the “euro-lawyers” (Vauchez, 2015) to the transnational solidarity and the welfare state (Mau & Burkhardt, 2009). In line with this idea, Didier Bigo focused his research on the development of a network of cooperation between the different police agencies present in the European Union. He established a chronology of these networks of cooperation, which helps to understand how this web of cooperation was created and perpetuated throughout the creation and development of the European Union (Bigo, 1996). This analysis is helpful to get an image of this field of cooperation that transcends the national borders of the State.

Theoretical Framework

This theory of political sociology is interesting to grasp the uniqueness of the Schengen Area. While Europeanization is often looked at from a State to the European Union or State to State relationship, political sociology allows us to break into the states and look at the agencies and individuals that form this State, and uncover the interactions these agencies and individuals have with each other. In the case of police and border cooperation, looking at the State as an entity does not allow us to see the struggle between the different police service, that shapes the homogeneous image we have when looking at it from the outside. Moreover, as Bigo has shown, the security agencies in Europe have developed ties with agencies in other neighboring countries, it is then important to take into account this horizontal dynamic that transcends borders (Bigo, 1996; 50). Agencies from one country can ally with a similar agency in another country to increase their pressure on a bigger agency inside their own country against which they would normally not have much influence. The Europeanization process can then be understood as the result of the struggles happening between agencies present inside the field. Therefore, taking into account the vertical and horizontal dynamics as well as the

inter-agencies struggles is of great interest to better comprehend the Europeanization of police and border cooperation in the Schengen Area.

Building on the political sociology of Europeanization, using what Bourdieu called “field” can allow us to take into consideration the uniqueness of the Schengen Area. Bourdieu understands a field as being “a field of forces within which agents occupy positions that statistically determine the positions they take with respect to the field, these positions-takings being aimed either at conserving or transforming the structure of relation of forces that is constitutive of the field” (Bourdieu, 2005: 30). An individual can be part of multiple fields in which he occupies different positions depending on his abilities and assets, these fields can overlap and interact with each other, which constantly remodel them, they therefore never have definite borders (Bourdieu, 1992). These fields are characterized by a constant struggle between the different agents using different means according to their positions, and this struggle constantly reshapes the balance of power. A field is also characterized by the presence of habitus, which refers to “a structuring structure, which organizes practices and the perception of practices” (Bourdieu, 1984: 170). In simpler terms, the habitus refers to the cognitive system of structures which are embedded within an individual which are the internal representations of external structures (Bourdieu, 1992). The habitus can be individual but also collective, they are shaped by and shape the field in which they are evolving. Using these Bourdieusian principles, Didier Bigo analyses the development of the cooperation between the European police services. His input is useful to understand the “field of security” that is present in Europe. He also allows us to get a better understanding of the important actors in the field, like policemen, border officers, liaison officers, security experts and magistrates to name just a few (Bigo, 1996).

To complete the analysis, the concept of discourse will be mobilized. From a Foucauldian perspective, a discourse “constitute the ‘nature’ of the body, unconscious and conscious mind and emotional life of the subjects they seek to govern” (Weedon, 1987: 108), moreover they also represent “a form of power that circulates in the social field and can attach to strategies of domination as well as those of resistance” (Diamond & Quinby, 1988: 185). Discourse have clear rules of production that prescribe what has

to be use. Ranging from which statement to use, which ensemble and which strategy to mobilize, discourses are not only mere mixtures of words or sentences (Foucault, 1969: 122). As developed in the introduction, there are two main discourses present in the field of police and border cooperation, one that aims at preserving the status quo and preserving the monopoly of some police forces on police cooperation as the other discourse, mainly aims at challenging this monopoly and advocating for a more decentralized approach. The parallel can be drawn with the definition of the field Bourdieu provided, the adoption of a certain discourse, the taking of a certain position, aims either at preserving the structure of relations of forces or at attempting to transform it which, in fine, influences the shapes Europeanization will take.

This brings us to understand the process of Europeanization in police and border cooperation as the result of the struggles happening in the field of European security. The outcome of this struggle is dependent of the position of the different actors and their choice of strategy in the use of their assets to either maintain or enhance their current position. To achieve their objectives, actors advocate for a discourse that goes in the same directions and that either legitimize or question the balance of power in place in the field. Using political sociology and the notion of Field as understood by Bourdieu allows us to look at these struggles and understand the actions of the actors and the different factors that might influence these actions.

Operationalization & Concepts

In order to understand the phenomenon of Europeanization of police and border cooperation, we will mobilize several concepts that are essential to comprehend what is at play. Following the definition of discourse mentioned in the theoretical framework there are underlining concepts that motivate the choice of discourse an actor will choose. The discourse an actor decides to advocate is related to his position in the field, this position is determined by the assets the actors have.

In this research the main asset that will be used to understand the position of the different actors will be their control on international police cooperation. At the moment, in our cases, France and Switzerland, international police cooperation is a prerogative of

one police service who detain a certain monopoly on this matter. In this case, a monopoly means that any other police or border service in the country needs to address the service in charge of international police cooperation for any matters on the subject. It is always the police service, who controls the monopoly, who will ultimately be the intermediary and decide which information goes out and to whom. When a police service has such monopoly we can assume that they occupy a central place in the field, and the other services, who depend on this actor, rather hold a peripheral position. While, as seen earlier, the actors holding the monopoly on the international cooperation are more likely to wield a discourse that fits their position and that is attached to a strategy of domination, the peripheral actors, the resisters, have a different discourse and possess different means to perturbate and try to gain more assets to increase their importance in the field. As it will be explained later, peripheral actors can use their proximity to the field as an asset to legitimize their discourse.

Since the monopoly on police cooperation is something that was given to a service by their national State and is protected by laws, the assets peripheral actors have to increase their importance in the field are limited, but can become rather powerful when peripheral actors from different states pool those together. As stated by Bigo, alliance games are multiplying because of a transnational dynamic that allows actors from both sides of the border to join forces and potentially acquire enough assets together to perturbate the national order, which would be impossible if they were acting solely inside national borders (Bigo, 1996: 50). The strategy that seems to be put forward by peripheral actors evolving in the PCCCs is the networking of these institutions to “by-pass” the police service retaining the monopoly on international cooperation. This networking of the PCCC is an idea that is central in the discourse of peripheral actors, a network of PCCC would imply that the information can be exchanged from one PCCC to another without going through the central instance. In order to sustain this idea, peripheral actors use their assets, mainly based on their on-the-field knowledge, to question and put pressure on the monopoly the central agencies hold.

Methodology

In order to understand the underlying factors behind the choice of a bilateral approach to police and border cooperation rather than a multilateral one, interviews were conducted with three officials of the PCCC; the French National Coordination of the PCCC located in Paris, and the Swiss and the French Coordinator of the PCCC of Geneva. As explained in the theoretical framework, to analyze the field and its effect on the agent, there is a need to look at the relations these agents have between each other. To uncover these different relations and get a better understanding of the interactions actors have in the field, interviews seemed the best tool to use. The interviews were conducted using a semi-structured technique. The questions were written before the interview, and the same questions were asked to the three interviewee, however, the interviewer would interact with the person being interviewed by asking more in-depth explanation or by presenting the arguments another actor made in a previous interview (Mohd Noor, 2008: 1604). This technic allowed to get an overview of those relations that form the field and how they interact between each other. The participants would often cite the name of another actor directly when criticizing a certain view of police cooperation. By opposing the answers received in a previous interview with the answers the participant was giving, it was possible to get a glimpse of the relations those actors have between each other and the dynamics that exist between two opposing views. Moreover, the use of interviews rather than solely relying on content analysis allows for a more detailed understanding of the actors and their specificity because documents coming from big instances like the Police Nationale or EU working group are hiding the conflicts or disagreement that were salient during the drafting period.

Two Competing Discourses

As mentioned above, the ethnographic study conducted before this research, which consisted in interviews with three officials of the PCCCs and a visit of their offices, seems to suggest that there are two main discourses present in the field of border and police cooperation. This section aims at describing those two discourses and

explaining how they each match a different vision of how police and border cooperation should be conducted.

The first discourse was the one largely accepted on the eve of the Schengen agreement. Following the idea that the opening of internal borders would lead to an increase in trans-boundary criminality, it was put forward that a greater exchange of information between the different repressive forces was needed. An increased participation in the Schengen Information System (SIS 1) was part of the measures taken, as well as an increase in the collaboration with Europol and the creation of PCCCs (den Boer & Bruggeman, 2007: 78; Gruszczak, 2016: 157). The French coordinator of the PCCC stated clearly during the interview that the PCCC were only a piece in the police cooperation measures. These centers are based on strict agreements with the bordering countries and are not meant to go over their respective competences. While their efficiency is not questioned, the French National Coordinator made it clear that there was no plan at the moment to further their competencies or consider alternative usage in order to facilitate their mandate and increase trans-boundary cooperation (Interview with the French National Coordination of the PCCC, April 2016).

The first discourse calls for a respect of the centralised system in place. This centralized system is based on the idea that every information needs to come back up to the “single point of contact” and that the role of the PCCC is limited to the exchange of information relating to small and medium criminality (Interview, April 2016). Everything else needs to pass through the canal of central agency in charge of police and border cooperation, who will then transfer the information to the service concerned. This networking of data-bases is assumed to be the best way to increase cooperation while maintaining a control on the information that goes in and out. In this first discourse, the efficiency of the police and border cooperation is relegated to the second line, leaving the control of the information as the first concern.

The second discourse, aims at questioning this relegation of efficiency to the background and aspires to put it on the same, or higher, level of importance as the control of information. This discourse is based on the fact that the PCCCs are proof that a decentralized cooperation system can potentially be more efficient than the actual

centralized one. As evidence of that fact, the annual report is often cited with the latest number of requests treated by the PCCC showing that this is a tool that is used more and more often by policemen and gendarme from all over the participating countries (Interview with the Swiss official of the PCCC of Geneva, April 2016). This discourse is mainly based on the assumption that the PCCC are a tool essential to address the raise of transboundary crimes since the Schengen agreement and that their role should not be downplayed by the central organs but rather accentuated.

We can also see that this second discourse is based on the assumption that the reality of the field differs from the discourse held by the “centralist”. The tenants of the second discourse argue that when the information needs to circulate quickly or that a serious crime happened in a transboundary region the PCCC is one of the tools the investigators will tend to use given their reactivity and reliability. The advocates for the first discourse imply that anything related to a serious crime has to go through the central organ to insure that the information will not be lost and that the PCCC are bound to be seen as provider for information strictly concerning small/medium criminality.

We can now see that there are two main discourses present in the field of transboundary police and border cooperation, one calling to maintain the structure of relation of forces present and the other, built around the idea of offering an alternative to the dominant discourse, aims at transforming this same structure of relation of forces. However, it is important to understand that the balance of power between these two discourses is characterized by a clear advantage for the centralist discourse. As stated above, the discourse favouring the networking of data-bases and the single contact point is one that can legitimize and further the control on police and border cooperation in the hands of the police service already detaining it. Therefore, they have access to an important part of the financial and legal resources the State dedicate to the area of police and border cooperation. They are the one deciding where and to whom these resources should go. The tenant of the second discourse are then constrained in the allocation of resources by the service in charge, creating an unfavorable balance of power on their side. While keeping this uneven balance of power in mind, the next section focuses on the positions, the actors studied in this research, have in relation to one another.

Position in the Field

Often seen as being the leader in police centralization in Europe, France has in fact multiple agencies in charge of policing the country (Lévy & Monjardet, 2002: 4). Firstly, the Police Nationale and the Gendarmerie are the two main agencies in charge of policing. The main difference between both is the sector where they operate. The Police Nationale is present in densely populated urban areas, whereas the Gendarmerie is active in small city and rural zones. Both police corps have jurisdiction on the entire French territory. The development of policing in France was marked by an intense struggle between the multiple police forces present in the territory in the early 1900s (Berlière, 1993: 26). While there are now only two main police forces, this history of struggle is still present and both forces are often competing for different reasons (Lévy & Monjardet, 2002: 4). It was only in 2005 that the databases of the Gendarmerie and the Police Nationale were put together, before policemen had to make a request to their main office who would then communicate with the Gendarmerie to access the information and vice versa. This process was rather time consuming therefore, in order to increase efficiency, they decided to put the databases in together (Interview with the French National Coordination of the PCCC, April 2016).

Another rivalry took place in the domain for the monopoly of international cooperation. Both police agencies wanted to be in charge of international communication with other agencies, however it was the Police National who was designated as being the leader in the domain, winning the struggle against the Gendarmerie (Lévy & Monjardet, 2002: 4). The Police Nationale is in charge of the “single point of contact” with Europol and Interpol and also in charge of coordinating the French PCCCs . As for the money laundering issue, it is a third player, the customs who were given priority. The French Custom is not part of the ministry of interior like the gendarmerie (The gendarmerie is under the control of both the ministry of interior and the ministry of defense) and the Police Nationale but rather they are part of the ministry of Finance (Lévy & Monjardet, 2002: 4).

We can then see that the monopoly of police and border cooperation in the French state gives the Police Nationale a central role in this field, and as other actors like the

Gendarmerie and the French Customs are relegated on the periphery of the field, having to ask the Police Nationale for any exchange of information they need with another country or international policing body (Europol, Interpol).

The Swiss federal system is a rather decentralized one. Cantons have a great autonomy from the federal government and this is reflected in their police forces as well. Each Canton has its own police force, which is in charge of law enforcement on its territory. They are dependent on the various cantonal government and are not centralized as the Police Nationale or the Gendarmerie in France are (Swiss Constitution, art. 57). This lead to an important number of independent police forces on the territory with each of their own priorities and concerns.

On the federal level there is the Police Federal (FedPol) which is in charge of the national security, international cooperation and the fight against organized crime. In Switzerland it is FedPol who is in charge of organizing and providing information to Europol (FedPol, Fiche Europol). There is also a national coordinator from the PCCCs who comes from the FedPol. While the competition between the police forces is not as salient as in France, cantonal police and FedPol do have a rather competitive relationship (Interview with the Swiss coordinator of the PCCC of Geneva, April 2016).

Following the same logic as for the French example, in the Swiss police area, the FedPol is holding onto the single contact point for international police cooperation and, therefore, occupies a central place in the field of police and border cooperation, whereas the different cantonal police, even if they do have some competencies to exchange certain information with other police services outside the country, they do still need to go through FedPol to exchange information with the bigger police agency body like the SCOPOL in France or Europol and Interpol. Those cantonal police services are then gravitating around the FedPol who occupies the central position in the field of police cooperation.

These positions actors occupy in the field of transboundary police cooperation seems to correlate with the discourse they will choose to adopt. Not surprisingly the actors advantaged by the present structure of the field, the one at the center, seem to

defend the current balance of power by advocating the first discourse whereas the peripheral actors are mainly backing the other, more reactionary discourse, to question the established order and potentially increase their importance in the field.

The Choice of Discourse

The first visit was at the ministry of interior in Paris. A big bright red building newly constructed standing more than 200 kilometers from the nearest border. It is in this building that the head of police cooperation in France is located. I met with the national coordination of the PCCC, which is attached in France to the DCPAF (Direction Centrale de la Police aux Frontières). Walking through the building people were dressed mostly in suits making it hard to know if they were policemen, civil servants or ministry officials. The transboundary aspect of the office was hard to see, French officials, French flags in the middle of the French capital made the matter they were treating rather elusive. The national coordination of France is in charge of managing the ten PCCC in which France is involved (Police Nationale, DCPAF). They review the different reports emanating from the different PCCC and they recruit the staff and the different coordinators affected to the PCCC (Interview with the French National Coordination of the PCCC, April 2016).

The interview with the French National Coordination of the PCCC revealed a clear adhesion to the centralist discourse. As mentioned above, the centralist discourse aims at downplaying the role of the PCCC and making sure the Police Nationale can keep its monopoly on police and border cooperation by avoiding having other instances gaining importance. This advocacy for the centralist discourse was especially apparent when the subject of the potential networking of the PCCCs was brought up. As mentioned in the operationalization, the networking of the PCCCs would allow the different centers to potentially exchange information between them, which at the moment is not permitted.

We want to maintain the fundamental principal on which PCCC are founded, to facilitate cooperation between partner states and exclusively between those partner states because cooperation, as it is initiated, is built on the trust shared

between people working together for years, it is a flexibility that comes from sharing the same language. Wanting to put in place a kind of PCCC network in Schengen is something we are opposed to because we consider that this is the single point of contact that has to manage the different channels of international cooperation. (Interview with the French National Coordinator of the PCCC, April 2016, translated from French by the author)

This statement gives a glimpse of the discourse held by institutions like the Police Nationale and the FedPol. The networking of the PCCC would be a threat to the monopoly they hold on international cooperation with the single point of contact (Maguer, 2007: 11). This discourse seems to be mainly based on the assumption that centralization of information avoids having, as the French coordinator puts it, the body doing things that goes against what the head wants (Interview, April 2016). Therefore, initiatives like the networking of the PCCC and the enlargement of their mandates, by his logic, would be a risk factor for the head (Police Nationale) to lose control of its members (in that case, the PCCC). He argues that such networking would lead to a loss of information and lower the efficiency of the central organs in charge of police and border cooperation (who would not receive this information). Centralization is meant to avoid this loss of information and make sure the central agencies are efficient.

My second location was the PCCC of Geneva. Located on the outskirts of the airport tarmac, it stands a few hundred meters from the French-Swiss border. The PCCC is on the second floor of what the Swiss coordinator calls “a luxury container” (Interview with Swiss PCCC official, April 2016). It does, in fact, resemble an ensemble of containers. On the first floor is the office of the French Nationale Police affected at the French part of the Geneva airport. Walking toward the PCCC involved meeting an array of French police officers in their blue uniform. On the PCCC floor, along a straight hallway, there were multiple rooms in which officers sometimes in uniforms, sometimes with a simple polo with the PCCC logo on it, or even in simple civilian clothes were interacting with each other. There, the transboundary aspect of police cooperation was apparent. It was a completely different image than the building in Paris. People watching computer screens, answering the phone and writing notes to give to colleagues from the

other country made the cooperation almost palpable. The PCCC works 24/7 all year round. In 2015, 19'714 information demands were treated in these offices (Annual Activity report of the PCCC of Geneva, 2015). Demands treated in the PCCC are mostly what could be called small and medium delinquency and range from identifying various information about cars and persons to comparing DNA profiles. The demands can come from anywhere in the two countries represented in the PCCC, last year demands from more than 94 French departments, from Paris to the French Antilles came through the PCCC of Geneva (Annual Activity Report of the PCCC of Geneva, 2015).

This potential of a networking of PCCC is a position strongly defended by the Swiss official I interviewed. This leads us to take a look at the second discourse that is emerging in some PCCC and among other professionals working in the field of transboundary cooperation (Maguer, 2007; 110). This second discourse, focusing on the networking of field knowledge rather than databases, is based mainly on the proximity to the field those actors have. While not in opposition with the first discourse, this emerging way of thinking means police cooperation sees a greater flexibility and a reform of the highly centralized system for international cooperation as holding the potential to ameliorate greatly the capabilities of the different repressive forces from both side of the border (Vallard, 2009; 140).

The peripheral actors advocating for the second discourse are aware of the arguments repeated by the centralist actors. The Swiss coordinator of the Geneva PCCC also stresses the importance and efficiency of their data system, unique in its kind among the PCCC, COPDAS, that is the electronic log that keep the details of the information and of the requiring officers. This thorough electronic log is a good way to make sure no information is lost and that every transfer is documented in detail. As an answer to the fear the French National Coordinator has that the head would not be able to control the body anymore the Swiss coordinator of the PCCC answered that;

It is simply because the body is ill organised, until further proof it is the head that directs the movement of the arm. It is all a question of organisation. And he [the French national coordinator] understands by that, the ascent of the information. He [the French National Coordinator] is scared

to lose information. In a well-organised system there is no loss of information. At the moment, our electronic system [COPDAS] does not allow us to ascent the information automatically. I talked to you briefly about a future strategy. There will not be any loss because it is an electronic system. But, this is only conditional. In France, as in Switzerland, there are pilot projects that are in place. In the near future PCCC could all use the SIENA system of Europol. This is a system where we decide to whom we send the information. In our PCCC we transmit the information only between ourselves. But you could also open this information to the single point of contact of the country. And you could also open it to Europol if you believe it is a relevant information for one of the 15 serious crimes that Europol has to manage. We are here in a smart IT strategy of the future. The French have not really understood that sadly. (Interview with the Swiss coordinator of the PCCC of Geneva, April 2016, translated from French by the author)

The system mentioned in the statement is SIENA, already in use in the PCC? (No custom) of Heerlen, at the moment in trial in multiple countries (Interview, 2016). Developed by Europol, SIENA is an electronic system that allows the users to unveil their information to specific actors connected to the system. If the trial is deemed successful it could be implemented in every PCCC and could be a further step toward an homogenization of practices among the PCCC and could also be seen as one of the building stones on which a networking of the PCCC would be build (Gruszczak, 2016; 170). It is also clear that actors defending this second discourse are aware of the critics held by the tenants of the centralisation discourse and present their discourse as being complementary and that the fears the “centralists” have about the loss of information is not valid if the organisation and the electronic system are efficient. Therefore, relying on their knowledge of the field and using the technological argument to back up their discourse in order to answer to the criticisms of the tenant of the centralist discourse, the peripheral actors hope to legitimize their view and potentially increase their importance in the field of police and border cooperation.

Moreover, the Swiss coordinator, who worked in the judicial cantonal police of Geneva, brings forward another argument to support this second discourse. This one is based on the knowledge of the field and the use of the PCCC. Attacking mostly the

strong position the French National Coordinator had on the limits of the PCCC to treat only matter relating to the small and medium criminality, the Swiss official believes this to be a stance that does not reflect the reality on the field. This was also a position held by the French coordinator of the PCCC in Geneva, a custom official, showing that this downplaying of the role of the PCCC to the small and medium criminality is not shared among all the French officials working in this field, but is rather different when the actors are directly on the field. In the interview the French coordinator of the PCCC of Geneva highlights this issue.

The separation between small/ medium and serious criminality is not watertight. What I happened to say regularly to the national instance [French National Coordination of the PCCC] is that at the beginning we don't know. When there is a constatation, a fact, for example an armed robbery in the middle of the Swiss mountains and that they call us to identify people or cars and that after we discover, looking in the French files, that these individuals might have committed an armed robbery in Switzerland but they are well known in Marseille and Corsica for organized crime. (Interview with the French coordinator of the PCCC of Geneva, April 2016, translated from French by the author)

In the case of serious criminality, as in the example given in the statement above, the cooperation should be done strictly through the SCOPOL and not through the PCCC. But as the French coordinator of the PCCC of Geneva noted, a custom official, it is sometimes impossible to identify beforehand the ramification of a certain information demand. Adding to this idea that sometimes it is impossible to know from the start that the information demanded is linked to serious crimes, the Swiss coordinator of the PCCC of Geneva points to the fact that when information needs to circulate quickly, even in the case of serious crime, it is the PCCC that will be used. He used the example of the Annecy shooting that happened in a border region of France and Switzerland. A family of British citizens from Iraqi origin was found dead in their car.

The PCCC was immediately requisitioned, we made kilometers of log in COPDAS, we identified phone numbers and he [the French National Coordinator] knows it, if the investigators chose the PCCC it is not for nothing. Because the reality, the reactivity, knowing how it works and being

certain that they get the right info rather than going through the SCOPOL and Bern. [...] We were even requisitioned during the Paris attacks, I know that France and he [The French National Coordinator] will tell you that the PCCC is only for the small criminality. However, when we need to search for terrorists and that the information needs to circulate, who do we use? The PCCCs. (Interview with the Swiss coordinator of the PCCC of Geneva, April 2016, translated from French by the author)

We can see that this second discourse is based on the assumption that the reality of the field differs from the discourse held by the “centralist”. The Swiss PCCC coordinator argues that when the information needs to circulate quickly or that a serious crime happened in a transboundary region the PCCC is one of the tools the investigators will tend to use given their reactivity and reliability. The tenant of the first discourse implies that anything related to a serious crime has to go through the central organ to insure that the information will not be lost and that the PCCC are bound to be seen as provider for information strictly concerning small/medium criminality. We can see clearly the predominance of the sharing of field knowledge, of trying to adapt to the realities of working in the field in the discourse of the Swiss official. This is also obvious in discourse of the French PCCC official based in Geneva who also argues that the reality of the field makes it somewhat hard for them to follow the strict guidelines imposed on the PCCC by the central organs.

It is important to remember that the Swiss PCCC official was working in the Judicial Cantonal Police of Geneva, an institution that is, from what he said in the interview, focused on giving a lot of liberties to its investigators when they are working on a case. A strict code de conduit might interfere with the success of certain investigations. The Swiss official also drew a parallel with the investigators of the Police Nationale, who needed to constantly report to the center during an investigation (Interview with the Swiss Coordinator of the PCCC of Geneva, April 2016). We can then see the effect that evolving in a rather loose environment might come to shape his judgement toward the greater liberty police officers should have to use the PCCC. While having different professional backgrounds and coming from two different countries, both the French and Swiss coordinator of the PCCC of Geneva seem to share similar views on

this point. This comes to show that actors, from different background, but situated in a similar position in the field, in the periphery, tends to have a similar view of what police and border cooperation should look like, and this view differs from the one adopted by actors positioned in the center of this field.

The discourse the actor chooses to advocate seems to be linked to their position in the field. In this section it is apparent that the French Nationale coordination of the PCCC are advocating the first discourse, which seems to be logical since they are part of the Police Nationale and detain, at the moment, the monopoly on the activity of police cooperation. Their central position, being threatened by the possibility of a networking of the PCCC, seems to push them to downplay the role of these centers and potentially block any kind of networking. In the case of the Swiss coordinator, the prospect of a networking of the PCCC would represent the chance to increase his position in the field through an enlarged mandate for the PCCC and, consequently, more resources - law and money - to achieve this enlarged mandate.

Opposing Strategies

Consequentially, seeing that actors interviewed are positioned differently in the field of police and border cooperation, and that their positions influence the type of discourse they will choose to advocate, how does the interaction between both influence the structure of forces present in the field and impact the shape police and border cooperation will have?

The balance of power present in the field is a direct consequence of the interactions between the actors and the discourses present in this field (Bourdieu, 1992: 74). Their adoption of a given discourse in relation to their position is likely to shape their strategy in order to ameliorate their standing in the field. In this research, two main strategies seem to arose. The first one is to perpetuate the balance of power by opposing an increase in the competencies of the PCCC. The other strategy is to push forward for a networking of the PCCC which would improve the position of the peripheral actors by increasing their competencies in the field of transboundary police and border cooperation.

The success or failure actors face trying to impose their strategy shapes the form police and border cooperation takes.

We can have an idea of the struggle of these two discourses by looking at a document called the “*European Best Practice Guidelines for Police and Customs Cooperation Centres*”. This document was written during a working group on the level of the Council of the European Union in 2011. The group was presided by France, by a Police Nationale officer. The Swiss official of the PCCC of Geneva evocated this document during the interview, he himself participated in the working group and stated that the French presidency was strongly opposed to the implementation of a paragraph allowing the competent authorities to use the PCCC as an operational coordination center in case of major incident or major schedule event (Council of the EU, 2008b; 9). This is seen by many as being an opening that could potentially be used to put in place a network of the different centers (Gruszczak, 2016). The Swiss official stated “it was almost under constraint that they [The French presidency] accepted that we put this article even if it is obvious that the PCCC will take expansion and that we should not put up fences. People need information, we need to let those things develop” (Interview with the Swiss coordinator of the PCCC of Geneva, April 2016, translated from French by the author). Taking into account the statement of the Swiss official, and even if the document was produced under French presidency it is obvious, at least according to the Swiss official, that it was not something in line with the policies defended by the Police Nationale.

This example of the struggle between the different actors supporting a different discourse seems to show that peripheral actors have found, in the European Area, an interesting platform to push together their vision of police and border cooperation and influence their central agencies. The European Arena offers the peripheral actors a place that was not available before, to meet with one another and convince each other to advocate a certain discourse, in this case the networking of the PCCC. While on the national scene, those peripheral actors do not hold enough assets to challenge the central actors, however, when pooling their resources together and adopting a consistent discourse, the example above seems to show that then they are able to push their ideas and convince central agencies. This new tool the peripheral agents use to modify the

balance of power has a direct effect on the outcome of the struggle between both discourses, whereas the central actors used to be able to impose their view, the peripheral actors can now weigh-in, and as a result the struggle is not win unilaterally by the central actors, modifying the end result –the form of police and border cooperation will take - as the document of the EU working group shows.

To continue on the European Arena, peripheral actors also have found supporters amongst the European institutions to support the networking discourse. This arena seems to act as an enabler for the sharing of ideas between those intermediary agencies and actors who can spread this second discourse and convince other colleagues from other countries to join and push for this second discourse. Moreover, some European agencies like the International Center for Migration Policy Development, in their study on the status of information exchange amongst law enforcement authorities in the context of existing EU instruments, push in the direction of a networking of the PCCCs, offering support to the second discourse.

A greater connectivity of P(C)CCs across the EU would enhance and facilitate the existing exchange of information at local and regional level. Many P(C)CCs have been striving for the establishment of contacts with other P(C)CCs across the EU in order to exchange experience and working methods and lastly to assist each other where appropriate. This should not be understood as encroaching on national units' responsibilities but as complementary measures for the purpose of improved cross-border information exchange. (ICMPD, 2010; 3.5.4)

This citation from a report produced by an agency working on the European level shows clearly a support for the second discourse, calling for a networking of the PCCC. It does also mention that the measure should be seen as complementary to the first centralist discourse and should not be seen as being a threat to the control on international cooperation of national units in charge. It is to note that France is not represented in the ICMPD and therefore had no influence in the writing of this report (ICMPD, Member States). This citation comes to highlights that the second discourse is not only shared among practitioner of police cooperation but also seen as being relevant by institutions that are not directly involved in the domain of police cooperation. This support from outside institutions could potentially strengthen the discourse of peripheral actors who

would then be able to increase their pressure on the central actors and further influence the shape police and border cooperation will take.

Conclusion

This analysis of transboundary police and border cooperation in the Schengen area aimed at showing that the field of police and border cooperation is populated by a variety of actors having each having different interests and convictions. While trying to answer to the same problem, the abolition of the internal borders and the need for an increase cooperation that it entails, actors have different perceptions on the solution to apply. While the beginning of the millennium saw a certain consensus around the first centralist discourse, on the field reality has brought certain actors to come up with a second discourse based on the sharing of field knowledge. The intermediary agents relaying this discourse or aspect of this discourse seems to cut through national boundaries, bringing together police agencies or border agencies from both sides of the border. The approach of political sociology helps in understanding the underlying dynamics behind these two discourses. In the same state, between agencies that are working for the same government, the views about police and border cooperation can vary. There is a vertical competition but also a horizontal one that needs not to be ignored in research on this subject.

We can see that the choice of a bilateral cooperation in the field of border and cooperation is a consequence of the strong position central actors hold in the field and their adoption of a discourse favoring this bilateral cooperation in order to keep their central position. The presence of a second discourse seems to point to a new source of Europeanization of police cooperation built around an alternative view of security cooperation to the “centralists” actors (Maguer, 2007; 112). As the bilateral approach was favoured in the eve of the Schengen agreement it seems that the pressure of the peripheral actors, with the help of the European Arena, are pushing towards the application of multilateral aspects to police and border cooperation. Therefore, we see that the shape police and border cooperation takes is closely linked to the strategies different actors choose and the success of these strategies in the struggle that opposes these different actors.

It would be essential to conduct a more in depth research and interview more actors on the field. The limited number of subjects studied in this research does give us a glimpse to a dynamic that is worth investigating since it might influence and change the way transboundary cooperation is done in the Schengen Area raising an array of interesting questions that were not addressed in this research, for example the issue of accountability that would be raised in the event of the networking of the PCCCs.

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