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**‘When something doesn’t fit the story’: human suspicion and discretion
in frontline border checks in times of datafication and technologisation**

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‘When something doesn’t fit the story’: Human suspicion and discretion in frontline border checks in times of datafication and technologisation

In this article, I ask how Finnish border guards negotiate their role as human decision-makers in frontline border checks in the current era of datafication and technologisation. I address this question by delving into the key decision made in frontline border checks: namely, whether to let travellers pass or to send them for further inspection. This decision is pivotal in the sorting of people crossing borders, that is, who is admitted, who is held up, and who is turned away. Through an analysis that borrows from Institutional Ethnography and argumentation analysis, based on interviews with border guards and observation at the Border and Coast Guard Academy, I show that even as security authorities are seeking to increase the use of technologies and automation, Finnish frontline border guards present their own discretionary powers as unchallenged by technology and automation and argue that human feelings, senses, and experience are key to the formation of suspicion at the border. Storytelling is placed at the centre of the decision-making process, in which suspicion is directed at those whose stories do not ‘fit’ or ‘feel right’. Border guards locate their professional skill and worth in their discretionary powers, manifested in their human ability to evaluate the entity of the ‘story-human’: the body, the story, the documents, and the setting. Data systems and technology only offer pieces. These insights exemplify how law translates into the sorting of humans at borders and can also guide future studies of street-level bureaucrats re-orienting in an increasingly automated world.

Keywords: border policing; discretion; technologisation; storytelling

Introduction

For the past few decades, border control and surveillance of the European Union and the Schengen Area have been characterised by increasing dispersion, diversification and intensification, both in geographical terms and in terms of the range of measures and

The Version of Record of this manuscript has been published and is available in *Policing and Society*, Published online: 27 Jun 2024, <http://www.tandfonline.com/10.1080/10439463.2024.2367141> actors involved (Loftus 2015). Since the abolition of border checks at internal Schengen borders, the EU has militarised and strengthened its external borders, intensified the internal supervision of (suspected) foreign nationals (Weber & Pickering 2011, Casella Colombeau 2017, Van der Woude & Van der Leun 2017, Brouwer *et al.* 2018a, 2018b) and externalised border policing to territories and agents beyond its borders (Menjívar 2014). In addition, border control is going through fundamental changes due to technologisation and datafication with an increased reliance on information systems, pre-screening, automated risk-profiling, biometric travel documents, detection technology, and automated checks (Dijstelbloem & Broeders 2014, Pötzsch 2015, Dijstelbloem 2021, Bigo 2022). These developments have prompted scholars to ask what this all means for the discretionary powers of border guards working in frontline border checks and how border guards understand their role in the diversifying constellation of surveillance (see Côté-Boucher 2016, Bigo 2014). In this article, I ask how Finnish border guards negotiate and argue for their role as human decision-makers in frontline checks at the external Schengen border, a context from which detailed empirical examples are still sparse (Schclarek Mulinari & Keskinen 2022).

I seek to answer the question by delving into how border guards present their role as decision-makers and rationalize the key decision they make in thorough frontline checks, namely, whether to let travellers pass or to direct them for further inspection. Through an analysis borrowing from Institutional Ethnography and argumentation analysis, based on interviews with border guards and ethnographic observation at the Finnish Border and Coast Guard Academy between 2021 and 2023, I argue that border guards still present discretionary decision-making as an exclusively human ability –

The Version of Record of this manuscript has been published and is available in Policing and Society, Published online: 27 Jun 2024, <http://www.tandfonline.com/10.1080/10439463.2024.2367141> despite, and perhaps even because of, the current levels of technologisation and datafication. Border guards argue this by centring human feelings, intuition, and *storytelling* as key to just and efficient border work, something that machines and computers are not considered to have mastery of. The analysis sheds light on how discretion is conceptualised and what role this definition plays in how the decision-making process is rationalised. These aspects have direct consequences for humans crossing borders, making the insights important both for the just and efficient prevention of cross-border crime and for combatting discriminatory policing. The results are also valuable for future research into other fields of governance in which officers and street-level bureaucrats are re-navigating in an increasingly automated world.

I begin the article by presenting previous research on decision-making and the formation of suspicion in frontline checks and on the changing social dispositions of border guards. I then go on to present the methodology, the three sections of analysis and my conclusions.

Discretion, suspicion and ‘the fleeting moment of decision’

The ‘street-level bureaucrats’ (Lipsky 1980) of border and migration control have traditionally been considered to enjoy exceptionally wide discretionary powers (Weber 2003, Côté-Boucher 2016, Könönen 2022). Due to the mentioned dispersion, datafication and technologisation of border control, however, it is no longer as clear as before that the ‘fleeting moment[s] of decision to allow or refuse access’ (Côté-Boucher 2016, p. 50) to state territories are taking place as bodies pass through border checks (Amoore and Hall 2009, Pöttsch 2015, Côté-Boucher 2016). Scholars have consequently come to ask how

The Version of Record of this manuscript has been published and is available in Policing and Society, Published online: 27 Jun 2024, <http://www.tandfonline.com/10.1080/10439463.2024.2367141> the border guards of today understand their discretionary powers (Côté-Boucher 2016, van der Woude & van der Leun 2017), what types of knowledge they use to form suspicion in their decision-making (Gilboy 1991, Weber & Gelsthorpe 2000, Weber 2003, Casella Colombeau 2017) and what role, for example, racialised or gendered forms of knowledge play (Pratt & Thompson 2008, Pratt 2010, Pickering & Ham 2014).

In legal terms, discretion can be seen as a linguistic feature, marked by the conditional form. The Schengen borders code (SBC, Article 2 §13) states that a “second line check” means a further check which *may* be carried out in a special location away from the location at which all persons are checked (first line)’ [emphasis added]. Sending a traveller for a further check is thus at the discretion of border guards working on Schengen borders, being something they can choose to do or *not* do. In a wider sense, discretion has been conceptualised as including all instances when officers choose a course of action, whether it be for an administrative decision or for a less specific measure (Côte-Boucher 2016). As Karine Côté-Boucher (2016, p. 50) points out, one should not ‘individualize discretion’ but rather approach it as courses of actions produced by the contemporary global legal order and by socially constructed logics and patterns that result in the ‘social sorting’ (Lyon 2003) of humans crossing borders.

But what kinds of knowledges do border officers present as central for their discretionary decisions? Based on an ethnography from the Canadian border, Anna Pratt (2010) concludes:

On the frontline... [s]uspicion is made reasonable through a cocktail of different low-level administrative knowledges that derive from quasi-scientific frameworks, for example risk analysis and prediction techniques based on rates of compliance,

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expert intelligence and second-hand social psychology on deception detection, but also through on the job knowledge such as that gained individually through experience, informants, gossip and quasi-magical intuition. All of these are intertwined with moralistic and racialized knowledges.

(Pratt 2010, p. 462)

Studies of the police from the Finnish and the Nordic contexts (Gundhus 2005, 2013, Sollund 2006, Philipson 2016, Keskinen *et al.* 2018) also underline a reliance upon and appreciation of ‘gut feelings’, intuition, and hunches within the police profession. However, there is still a lack of scholarly insight into how different forms of knowledge are valued in decision-making in border policing in the Nordics in particular; this is something the current article aims to address.

Studies on discretionary decision-making in policing have also shown how central *stories* and *storytelling* are within the control of mobility. Studies within a novel field called narrative criminology, coined by Lois Presser in 2019 (see Presser & Sandberg 2019, Fleetwood & Sandberg 2022), have come to ask ‘what stories do for their tellers and their listeners, why some stories are told and others untold, and how this telling impacts patterns of crime and justice’ (Maruna & Liem 2021, p. 128). Based on a study of asylum processes in Italy, Tommaso Sbriccoli and Stefano Jacoviello (2011) show that the applicants that convince the authorities are those that present stories that officers find consistent, logical, and supported by ‘external’ proof (i.e. documents and register data) and which correspond to *normative versions* of how the world works. These versions have been called, for example, ‘stock stories’ (Delgado 1989, p. 2418) or ‘narrative models’ (Rideout 2008, p. 55). Ana Aliverti (2023, p. 26) argues that stories in policing serve as ‘hegemonic devices’ which ‘invite the construction of a particular world view where the

story fits'. A reliance upon normative story models bear the risk of directing the policing gaze onto groups or individuals who deviate from stories fostered and governed by those in power (Delgado 1989). Studies show, for example, that people racialised as non-white are more easily located in stories of suspects (see, e.g., Alpert *et al.* 2005, Pratt & Thompson 2008, Keskinen *et al.* 2018 on the Finnish context).

A few scholars have also noted the role of stories in the field of border control. Sara Casella Colombeau (2017) analyses the use of 'plausible stories' (building on Heyman's concept from 2001) in her study of French border police. She shows that border police build their story models based on intel and 'experience' and couple them with a categorical and intersectional gaze of the bodies of travellers. A report by Leanne Weber and Loraine Gelsthorpe (2000, p. 23) also shows how immigration officers stationed at US ports of entry partly base their decisions on the detention of asylum seekers on the 'credibility' of their stories. Based on ethnography on the Canadian border, Anna Pratt (2010, p. 469) also remarks that officers are 'alerted by stories that they think don't make sense, add up, or seem right'.

References to 'the story' was also one of the first things that caught my interest during my fieldwork among the Finnish Border Guard. In this paper I will show how Finnish border guards describe their discretionary powers by centring 'story-knowledge' and by framing it as a indispensable form of human knowledge that technology is unable to grasp. Before moving on to the analysis, I present some context for the changing social dispositions of border guards working on the external Schengen border of Finland.

Changing social dispositions of border officers in times of technologisation

By providing an empirical example from the Finnish border, my aim is to answer the call by Karine Côté-Boucher *et al.* (2014, p. 198) for research ‘providing nuanced local details and contexts’ that can ‘provide glimpses into the logics and justifications they espouse in concrete border security situations’ (see also Loftus 2015). When reviewing previous research on policing, it is important to acknowledge that border authorities are partially embedded in different social orders and logics than the police or customs officials, for example. Border surveillance is inherently classificatory in nature, and this has only been strengthened by the increased use of dataveillance, pre-screening, and risk profiling (Amoore & Hall 2003, Lyon 2003, Dijstelbloem & Broeders 2015). This logic, which Lyon (2003) calls ‘social sorting’, is based on socially constructed narratives of ‘us’ and ‘others’, ‘threats’ and ‘victims’, and ‘bona fide travellers’ and ‘crimmigrant others’ (Aas 2011, p. 331, see also Alpes & Spire 2014, Pickering & Ham 2014). Following the ongoing securitisation and criminalisation of mobility, these ideas have also been inscribed in black-letter law (Aas 2011).

While the Finnish case is certainly embedded in the current global trends, I show that some local particularities are also echoed in how Finnish border guards present their roles and their decision-making. In contrast to the border-policing authorities of many other EU countries, the Finnish Border Guard (FBG) is a semi-military organisation separate from the Police of Finland, Customs and the Finnish Defence Forces. The FBG has administrative duties in times of peace but takes on military duties in times of conflict or war. Following the general trend of criminalisation of mobility, border guards in Finland have had jurisdiction over crime prevention and criminal investigations since

The Version of Record of this manuscript has been published and is available in Policing and Society, Published online: 27 Jun 2024, <http://www.tandfonline.com/10.1080/10439463.2024.2367141> 2005 (see Heiskanen 2013 and Välimäki 2024 on the history of securitisation of mobility in Finland). Apart from simultaneously being bureaucrats with administrative duties and officers of criminal justice, this organisational model invites Finnish officers to also adopt the role as soldiers defending the nation (see Heiskanen 2013, pp. 694–697, Prokkola & Ridanpää 2015). In a parallel sense, Leanne Weber (2003) has analysed how the intersecting roles of being administrative bureaucrats and officers of criminal justice influence the use of discretion by migration officers in the UK. For Finnish border guards, belonging to a semi-military organisation adds another layer to these intersecting roles.

Action-related military tasks and guarding the 1340 km-long land border running through vast and sparsely inhabited areas between Finland and Russia – either on foot, by skiing or with all-terrain vehicles – has long been central to the public image of the FBG (Prokkola & Ridanpää 2015). Part of the entries into the Schengen area via Finland happen along this border, while the main bulk happen via the international Helsinki Airport. Since Russia’s attack on Ukraine and Finland’s accession to NATO in 2023, even more public focus has been put on militarising and defending the eastern border, which represents a considerable part of the physical stretch of the joint external boundary of the EU and the Schengen Area.

Back in 2015, based on text analysis of the FBG’s professional journal, Eeva-Kaisa Prokkola and Juha Ridanpää (2015, p. 1384) showed, however, that perceptions of what constitutes a ‘real’ guard were no longer limited to a masculine image of an officer carrying out physical surveillance and defence of vast, snowy frontlines. The scholars argue that there appears to have been a shift in the ideal from a ‘doing man’ to a ‘knowing

The Version of Record of this manuscript has been published and is available in Policing and Society, Published online: 27 Jun 2024, <http://www.tandfonline.com/10.1080/10439463.2024.2367141> man'. Today, intel from data systems is held in high regard – and the guards are those who *know*.

Karine Côté-Boucher (2018) observed that in Canadian customs, the fluent use of data systems has become an aspect of professional pride among younger generations of officers. Didier Bigo (2014), who interviewed border guards from several EU countries, also noted this shift but found a simultaneous rejection of computed and deductive knowledge. Based on intuition derived from human experience, those 'who know' '*just know*'. These notions are mirrored also in studies of policing in the Nordics. Helene Gundhus (2013) has investigated how Norwegian police value different forms of knowledge and found that 'gut feelings', intuition and practical experience were more highly valued than 'standardised' knowledge, such as statistics and the use of technology (*ibid.*, p. 183). Gundhus (2005) also showed that these distinctions are gendered. The officers devalued 'computer work' and risk analysis as passive and feminine, while criminal law powers, street policing, fire arms, batons and vehicles were framed as active and masculine. The officers also found the increased use of information technology and computational risk-profiling to be 'threats to professional judgement' (*ibid.*, p. 134) and a 'hindrance for their freedom and discretion as police officers' (*ibid.*, p. 137).

This article adds to this scholarly discussion on changes regarding discretion and social dispositions in times of technologisation and datafication, by examining how Finnish border guards present their role as decision-makers, their room for discretion and the types of knowledges they present as central for their work.

Material and methods

The dataset on which this study is based includes semi-structured interviews and ethnographic observation. Of the fourteen interviewees, ten were interviews with border guards and officers working at Helsinki Airport or the Port of Helsinki and four were teachers from the Border and Coast Guard Academy. All teachers had previously worked on border crossing points along the eastern land border. Twelve of the interviewees were working or had worked as inspectors in first-line checks and two were Finnish Border and Coast Guard officers trained at the National Defence University, who had worked in supervisory and management positions. Two were women, and twelve were men. Six of these interviews were carried out online during the COVID-19 pandemic, while the rest were conducted in person at Helsinki Airport or at the Academy. The interviews were between 45 and 90 minutes each.

I also observed training at the basic course for border guards at the Border and Coast Guard Academy in Imatra for approximately 70 h. The 12-month-long course qualifies participants to work as a border guard in Finland. The training I observed included both lectures and practical training in carrying out first-line border checks. I also had informal discussions with representatives at the Border and Coast Guard Academy and the FBG Headquarters. These served as contextual material and helped me grasp the practical organisation of border checks in Finland. I conducted the interviews during spring 2021 and spring 2023, and the ethnographic observation during spring 2023.

The data was produced within a highly securitised and legalised environment, surveilled through regulations and procedures connected to ethics, security, and

The Version of Record of this manuscript has been published and is available in Policing and Society, Published online: 27 Jun 2024, <http://www.tandfonline.com/10.1080/10439463.2024.2367141> confidentiality.¹ The legalised and bureaucratic processes of entering the field came to solidify the research participants' – and my own – positionality as representatives of our institutions during our encounters. I met the participants at their places of work within the highly surveilled spaces of the FBG. They wore their uniforms and work gear, and I wore my university identity card and a visitors permit.

My research permit only granted access to information considered public under Finnish law; thus, I only observed public teaching and only discussed non-classified information in the interviews. The research permit requires that my publications are checked by the FBG to ensure that they do not contain classified data. Even though I emphasised to the participants that my aim was to increase knowledge on decision-making, which could benefit both the FBG, the academic field and society in general, some (often jokingly) expressed a concern that I was there to 'inspect' them or to expose misconduct. For these reasons, I approach my data primarily as forms of public engagement, that is, as public accounts shared between the representatives of the FBG and me, as a representative of the gaze of academia and, in a broader sense, the public. I also applied for a permit from the FBG to observe actual border checks, but it was denied due to travellers' data privacy and potential access to classified material. I did observe

¹ The research plan has been reviewed and accepted by the Research Ethics Committee in the Humanities and Social and Behavioural Sciences at the University of Helsinki (Statement 3/2023).

‘everyday’ teaching and practices at the Academy, but I suggest that also this data should primarily be read as *ideals* (i.e. the principles that the institution aims for future border guards to follow). While the data does not offer insight into the detailed day-to-day practices of frontline checks, this study does also emphasise certain practices, logistics and laws surrounding frontline checks in general, as these form the premises of the rhetoric under scrutiny. I also argue that the way that frontline checks are practically and logistically organised does play a central role in how decision-making is framed and the room for (human) discretion is understood. These aspects can be empirically accessed through the interviews and my visits to the stations and the Academy. This situates the study in the practice turn in sociology and the fields of criminology and sociology of policing, as called for by Bethan Loftus (2015) and Karine Côté-Boucher *et al.* (2014).

I entered as a novice to the field of border control, which allowed me not to impose too many presuppositions but instead let the border guards ‘research their own work’ and present their knowledge thereof. On my part, I explore ‘work’ in a broad sense – that is, the things people *do* in order to *achieve* things, both practically and discursively. I borrow this approach from Institutional Ethnography (IE), a methodology developed by Dorothy Smith (Smith & Griffith 2022, ch. 5). I do, however, also adhere to Kevin Walby’s (2007) critique of the lack of focus on positionalities within IE, in which Smith (Smith & Griffith 2022, ch. 2) seems to argue that reflexivity is the opposite of objectification and participants are approached as pure subjects and as the primary researchers of their own lives. As Walby (2007) argues, researchers and participants always enter interview situations with their own objectives. Thus, one cannot completely bypass the objectifying gaze without losing sight of contextual positionalities. To answer

this, I include in this article an analytical focus on the discursive work that the participants and I engage in during our encounters – reflecting the *choices* that I as a researcher and the participants as representatives of the FBG make when deciding what to tell, how to tell it and what practices to embed therein. I do this by using tools from argumentation theory (AT). By analysing the materials with a few key concepts from AT – argument, standpoint and presupposition (van Eemeren *et al.* 2014) – I locate how guards rationalise their decisions and frame their roles. AT is useful for locating societal norms, as aspects that are not considered shared truths between speaker and audience carry a *burden of proof* and are followed by another round of argumentation (Hahn & Oaksford 2007).

As a final note on the analytical choices: even though I include a focus on stories and narratives, I do not use narrative analysis. I analyse how border guards argue for their role as decision-makers by referring to stories as a valuable form of human knowledge, using the concept as an argument. I do not, however, go into detail about the contents of these story models, which would be done with analytical tools from narrative analysis.

Finally, regarding the validity and anonymity of the data, the material consists of several sources and includes encounters with border guards of different age, rank and gender. During my observation at the Border and Coast Guard Academy, I recorded accounts that were similar to those I recorded in the interviews at the Helsinki Airport and the Port of Helsinki, which I argue indicates that the recorded accounts are broadly shared within the overall institution. As in IE in general, I do not attempt to generalise these ideals presented to me as inherent to all practices inside the institution; instead I locate how they come into play in this particular setting (Smith & Griffith 2022, p. 76). The participants in this study volunteered, and participation was based on informed

written consent.² Their colleagues were aware of who participated, since the interviews were set up with the help of FBG personnel, as required by the research permit. While the interviews themselves were confidential, the fact that there was a limited number of interviewees probably meant that participants were quite careful about what to tell me at times. I argue that this should not be seen as an issue for the validity of the analysis per se, since I focus on how things were presented to me, as a representative of the public, rather than as proof of day-to-day practices or discourses.

During the process of analysis, I transcribed the interviews and digitalised my notes from the field. I coded them in a circular explorative process using Atlas.ti, until certain concepts and reoccurring claims arose. I did this to index the material, as Smith & Griffith (2022, p. 28) suggest, rather than as quantitative proof of rate of occurrence.

Lines and ‘stamp machines’: agency in the ‘passport shed’

In this section of analysis, I present how the participants conceptualise and frame day-to-day work in frontline border checks and the nature of the decision(s) they take there. I argue that these conceptualisations enable a central role for human senses, feelings, and storytelling.

² In order not to reveal the identity of the interviewees, I am sparse with details about them. The interview codes are completely randomised.

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At the external Schengen border in Finland, third-country nationals who do not enjoy the right of free movement under Union law are (still at this time) directed to thorough checks conducted in person. During these, border guards examine travel documents, carry out the required data system searches, and ask the traveller questions in order to determine whether the entry conditions of the Schengen borders code (SBC) are fulfilled. If the border guards suspect that the traveller does not meet the conditions of entry, has committed or is about to commit a (relevant) crime, or otherwise believe that the traveller should be checked more thoroughly, it is in their discretion to direct the person to a more detailed ‘second-line’ check. This is also done if the border guards and the traveller do not share a common language. Actual administrative decisions, such as refusing entry, or the decision to commence a criminal investigation or issue a fine, are taken in the second line and finalised by the shift leader. Usually border guards work either as first-line or second-line inspectors. This means that those who work in the first line do not usually prepare the administrative decisions taken in the second line; they only decide who to send there. This choice is thus at the centre of their work.

The SBC (see Article 2 §13) and the Practical Handbook for Border Guards (Schengen Handbook) say very little on the practical arrangements or prerequisites of sending someone to the second line. Border checks are legally considered an integrated whole, including both first-line and possible second-line checks. Logistically placing the second-line check away from the first line does, however, allow for more privacy. It also gives border guards time to investigate without holding up the line, providing a practical solution to allow swift mobility for travellers not placed under suspicion. Border checks are by law allowed to take up to 12 hours (Border Guard Act, chapter 4, 27 §), something

that was often emphasised by the teachers during basic training. The teachers emphasised to the students that they could always send someone to the second line if they were in doubt, as ‘there is no harm in that’ (field notes). The measure of sending someone for further investigation does not come with the precondition of being suspected on probable grounds, as is the case in arrests, or an ‘identifiable source of suspicion’, as is the case with initiation of a criminal investigation.

All this gives border guards wide discretionary powers in the decision on whether or not to send someone for a further inspection. Even so, the decision made in the first-line checks was presented to me many times as a straightforward, routine business, directly derived from black-letter law and without much room for deliberation: ‘they just check if the entry conditions are fulfilled or not’ (field notes). When I asked about making ‘decisions’ or using ‘discretion’, several of the participants initially referred solely to actual administrative decisions, such as refusing entry, or to issuing a fine or initiating a criminal investigation, that is, decisions prepared by guards working in the second line. However, the logistical solution of separating the first- and second-line checks makes this decision key in the ‘social sorting’ of people crossing the border. It also becomes highly apparent to the traveller, who is often directed to wait for processing under rather detention-like conditions. The experience can be stressful and frightening, and especially for travellers racialised as non-white, the experience often raises questions about racial or ethnic profiling (see Keskinen *et al.* 2018, ch. 5).

Border guards working in the first-line, especially those working at airports, daily encounter huge numbers of travellers, making the work repetitive and sometimes boring and strenuous. A term often used for first-line checks in everyday work is *passikopissa*

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istuminen, which directly translates to ‘sitting in the passport booth’ (fieldnotes). First-line work was often presented in contrast to border-guarding duties in more extreme environments involving physical military tasks. In Finland, the FBG performs a wide range of action-related tasks in the ‘wilderness’ or at sea, such as helicopter surveillance, surveillance by skiing or hiking, sea rescue, defence and special forces operations. As mentioned, these kinds of tasks are often considered as masculine and often emphasised in the public image of the semi-military organisation (see Prokkola & Ridanpää 2015). This also echoes the aforementioned study by Gundhus (2005) on how work in the field and action-related tasks gendered as masculine are highly valued within the police force as well. This, I argue, leads to the often derogatory idea of ‘sitting’ in the booth. The word for ‘booth’ in Finnish is *koppi*, which is also used for ‘dog shed’. I argue that the use of this term carries connotations of being restrained outside, away from the house and the centre of action. The reference to dogs reflects the work of someone who is *non-human* and also law-abiding, and it thus serves as a derogatory connotation for work that involves carrying out orders without much agency. Work in first-line checks is also sometimes called ‘line work’ (*linjatyöskentely*) and the workers referred to as ‘line inspectors’ (*linjatarkastaja*), underlining the repetitiveness and the predetermined nature of the work – like working on an assembly line in a factory. One of the interviewees working in the first-line jokingly referred to themselves as a ‘stamp machine’ (Interview D167), underlining their lack of agency while performing predetermined and repetitive tasks.

At the same time, these depictions of first-line work as devoid of agency were also challenged several times. In these counterarguments, first-line work was presented

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as work that truly matters and requires true discretionary powers – namely, *human discretion*. When I asked about the role of the first-line inspector, one of the teachers answered as follows:

Excerpt (1)

Teacher: These days, the first-line inspector has a great deal of discretionary power in border checks [...] If I am a border check inspector, I decide whether someone enters the country or goes to the second line for further investigation and is perhaps caught there. So the role of the first-line inspector is really very important. They do not necessarily detect the crime, they get some ‘could there be something going on here?’ Like when we talk about profiling, the role of the first-line inspector is really important. He is only with the customer for a moment [...] it comes from there if it comes, most of the crime cases in our work. Also through intel and other things, of course, but still.

Me: Mm. Like, for many it is the first and/or only point of contact to like –

Teacher: Yes, if you pass the external border then the doors are open to anywhere.

(Interview E162)

In this excerpt, first-line work is presented as the frontier of protecting the nation, key to border security and crime prevention. Profiling done by the human border guard – the guard who realises that ‘wait, is there something going on here?’ – is presented as vital for this task. Intel does not catch travellers at the borders, the human border guards utilising the information do. This echoes how different forms of knowledge were valued within the police force in the mentioned study by Helene Gundhus (2005, 2013), where in-the-field work and experience were given higher value than pre-screening and standardised knowledge.

I argue that the respondents adhered to two opposing depictions of work and decision-making in frontline checks, which are juxtaposed based on their level of human

input. Repetitive work on ‘the assembly line’ and straightforward decision-making based on black-letter law was framed as akin to ‘machine’ work – being devoid of agency – but when arguing for the importance of frontline work, human discretion and deliberation were emphasised. In the next two sections of analysis, I show in more detail how border guards conceptualise this human discretion, what skills they emphasise as key and how they do so by contrasting these to the increased reliance on technology.

Human senses in the formation of suspicion in frontline checks

When examining my material as a whole, a lack of institutionalised terms for the formation of suspicion in frontline checks was evident. This was instead described through a wide range of words that referred to human senses of some kind: ‘an itch’, ‘some kind of feeling’, ‘gut feeling’, ‘to catch a whiff’, having a ‘good nose’, or a ‘sixth sense’. These kinds of abilities or senses are generally not perceived to be attributes of computers (Guzman 2020). Relying on gut feelings and intuition has been evident in previous studies on formation of suspicion by policing authorities (Gundhus 2013, Keskinen *et al.* 2018, p. 111), but the analysis here shows that they are also accorded high value in the context of border policing by Finnish authorities. One interviewee expands upon how this ‘whiff’ of suspicion comes about in border checks:

Excerpt (2)

Me: But then in some situations you might also send [travellers] there if something triggers, like, how would you say, an itch?

BG: A gut feeling [*perstuntuma*].

Me: Yeah.

BG: Yes, well, of course, I have so much experience myself that naturally I don’t look much at the passport. I look more at the human, what they’re up to. But

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sometimes I get the feeling that, wait a moment, something is off here. It can be a small gesture, a small facial expression. They might look in a direction oddly or something and suspicion arises that now, something is out of place.

(Interview A121)

The interviewee takes the standpoint that human experience and the human gaze are more important than merely checking travel documents and data systems: ‘I look more at the human.’ The border guard jokingly uses the term *perstuntuma*, a racy Finnish expression which directly translates to ‘arse feeling’, similar in meaning to gut feeling. I interpret the term as representing a conclusion formed not rationally by the head but unconsciously by the body with intuition, as far away from the head and its deductive and computational logic as possible. When we continue our discussion, I mention the idea that some scholars in social sciences have presented, namely, that increased use of data systems in border surveillance would lessen the decision-making powers of border guards stationed at the physical border. I go on to ask:

Excerpt (3)

Me: What difference does it make when border surveillance becomes digitalised? Is part of the decision regarding who crosses the border from one country to another, like, moved from the physical border somewhere to cyber space or...?

BG: Hopefully not, hopefully not. Sadly there are already signs that this is the case.

Me: But then these data systems, they are made somewhere, then based on them...?

BG: Yes, and then what I think, in fact— this is of course in my own view worrying— that they for example try to automatise the residence permit processes and part of them are automatised. So, like a machine makes the decision of whether this profile is suiting or not. That is in my opinion not good.

Me: How come?

BG: Because the risk of deceit is so obvious. Like...

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Me: Yes, is it like possible to answer the computer in a ‘correct’ way? It does not use gut feeling [*perstuntuma*]?

BG: No, it does not use ‘thumb feeling’ [*peukalontuntuma*], so to say.

(Interview A121)

In this quote it is argued that computers are easier to fool, since they do not use ‘thumb feeling’, and thus human interaction at the border is still needed. The word used in Finnish, *peukalontuntuma*, is a word whose meaning is similar to gut feeling and emphasises acting based on practical experience, with knowledge stored in the tips of the fingers. Acting based on a ‘thumb feeling’ means acting without discernible proof or facts. This once again underlines the high regard for human experience and senses, knowledge stored in the human body and acquired by practical experience, as something that technology or data systems cannot acquire.

This emphasis on the key role of human abilities for policing the border works as a counterargument to depictions of frontline work as boring, repetitive, or devoid of discretion. The ‘moment of decision’ (Côté-Boucher 2016, p. 50) in frontline checks is emphasised as key to the system that guards the border of the nation. I present a final example of this. When discussing profiling in frontline checks, one interviewee told me that he had developed a skill of working with ‘the screensaver’ on when carrying out repetitive and fast-paced work in the passport booth:

Excerpt (4)

BG: Everyone has their own way to do the job, but I have developed a habit to do the ‘basic work’ with the screensaver on. I ask certain questions and then move on – like this was already after years [of work] – then like immediately if there was something that touched the computer mouse, made the screen turn on, then I asked

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why? [...] every time something alerted me, like something didn't fit – when something deviated from the normal. Then I woke up and tried to find out why.

(Interview code M162)

Once again, the distinction between human work and 'computer work' becomes central. The border guard argues that he works like a machine or a computer until the moment when something arouses his suspicion. In that instance, his senses switch on and he 'wakes up' as a human.

'And when does suspicion arise?' is the logical next question to ask. The answer is, when 'something doesn't fit', or, as mentioned in Excerpt 2, when 'something is off'. In the final section of analysis, I go on to ask – off from *what*? In this way, we arrive at the role of *stories*.

'When something doesn't fit the story': discretion and the 'story-human'

When discussing day-to-day work in frontline checks during the fieldwork, I was alerted by a continuous reference to suspicion arising when 'something in the story didn't fit' (fieldnotes). In this section of analysis, I go on to show how border guards centre 'story-knowledge' in their decision-making, and argue that this becomes a way for Finnish border guards to demonstrate that they implement the law sufficiently and furthermore stress that only they, as humans, are able to obtain this 'story-knowledge' that is the foundation of meeting the legal requirements.

Authorities exercising public power in Finland are by the Administrative Procedure Act (434/2003) required to follow certain 'principles of good governance' (see Suomen Juristit Oy 2015). These include limitations on automated decision-making and

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requirements of case-specific consideration and discretion. The Aliens Act includes an explicit requirement for ‘overall consideration’ (see Liikavainio 2010), while the Border Guard Act includes the principle of proportionality:

Actions taken shall be justifiable in proportion to the importance, danger and urgency of the task, the objective sought, the behaviour, age, health and other specifics of the person at whom the action is directed and in view of other factors affecting the overall assessment of the situation. (15.7.2005/578, Section 7)

Thus, border guards are required by law to use discretion and overall consideration in each case. The national self-image of Finland has historically been characterised by a general belief in the rule of law and legalism (Husa *et al.* 2008). I saw this reflected in how the border guards framed their use of story-knowledge as proof of legal conduct and strict implementation of the law. One interviewee explained his decision-making process like this:

Excerpt (5)

BG: [...] you get information when the use of automation [and data systems] increases, it offers you more information to see, that you can look at and evaluate at the same time as you chat with the customer, then you form a puzzle in your head, like does everything fit in this case, what I’m observing before me, the customer is there, and then all the information from the technology, do they match up? It’s this kind of comparison. There, above all, it’s solely up to the first-line inspector, through their overall consideration and so on, to send the customer to the second line or to find that the requirements of entry are fulfilled and let them continue on their journey’ [...] ‘it can’t be anyone else making the decision except the one who is investigating. There is no sense in me being there in the booth, using the information systems, but them deciding for me. Rather than me, who is there. I am basically the one with the best... the one who sees the situational picture, what I see there and then, what the person’s story is.

(Interview F132)

In this quote, the interviewee explicitly argues that only the human border guard is able to use overall consideration. Data systems ‘offer you information to see’ but cannot put together the puzzle pieces and grasp the ‘person’s story’. This reference to story-knowledge as juxtaposed to the pieces of information that data systems offer was echoed several times in different interviews. In all the encounters, both during interviews and during training at the Academy, data systems were almost exclusively presented as mere instrumental tools, providing neutral and factual information. I asked another interviewee what he thought about the claim that the discretionary powers of frontline guards would decrease as technologisation increased. He answered that he uses the data systems to do the register searches required by law to see if there is ‘any obstacle to entering’. Here he goes on to explain:

Excerpt (6)

BG: Like making use of technology, in certain aspects, yes, but I at least give a lot of value to generally getting people to talk and when we ask the customer, how to say, like are the entry requirements fulfilled or not and does the story make sense, so to say [...] From the authorities’ registers and possibly from other public sources we can clarify things, but then of course like an overall picture takes form and then you add the talking, then you have the things that affect the final outcome.

(Interview H127)

In this similar logic, it is also emphasised how important it is to ‘get people to talk’. I asked yet another interviewee how he thought datafication and technologisation had altered his work and he answered:

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Excerpt (7)

BG: Yes, it has changed, like these databases are pretty important in my work. We use a lot of [registers], we need to search all of these for the pieces of the puzzle and put it all together [...], then we use discretion and look closely at whether they have an address in Finland, do they live in Finland, is this a true story that they are telling.

(Interview A121)

In all three quotes above, relying upon stories in decision-making is paralleled with the use of overall consideration, and it is argued that only humans are regarded as able to put the required ‘pieces of the puzzle’ together to judge whether the ‘story is true’.

What then, do the pieces that are put together comprise of? The entry conditions for entering the Schengen territory require travellers to prove the following:

(c) they justify the purpose and conditions of the intended stay, and they have sufficient means of subsistence, both for the duration of the intended stay and for the return to their country of origin or transit to a third country into which they are certain to be admitted, or are in a position to acquire such means lawfully...

(SBC, Article 6, §1)

One can ask, what are these entry conditions if not a requirement for the traveller to present a consistent story? The law requires a story with a scene (where they are travelling to), a purpose (why they are travelling and with what intent, good or evil), actors (who is travelling and with whom) and the premises making it possible and plausible (sufficient means of subsistence). When I asked one of the interviewees how they usually end up sending someone to the second line, he answered:

Excerpt (8)

BG: Basically it starts from the customer telling us about the reason for their journey [...] this is the starting point that we have in border checks, in practice it's the only

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thing that it is based on. Of course, we can ask about return tickets and stuff like that if it does not fit with what the person has told us, or the luggage or the monetary funds, all of these things, these matter for the whole, but talking to the customer is where it all starts, it unfolds from there. Does it [...] sound at all reasonable, whatever the case may be, are they coming as tourists or business travellers or because they have a relationship, the story needs to be sensible. That's where it starts from.

(Interview D167)

This interviewee also refers to the entry conditions as a 'story' that needs 'to be sensible'. The expert exemplifies a few of the main 'stock stories' (Delgado 1989, p. 2418) or 'narrative models' (Rideout 2008, p. 55) upheld by the authorities about so-called 'bona fide travellers' (Aas 2011, p. 331), whose stories are those that 'make sense' to guards: 'are they coming as tourists or business travellers, or because they have a relationship, the story needs to be sensible'. In their formation of suspicion, border guards are looking for *deviation* from the stock stories of 'bona fide travellers' or *matches* to stock stories of criminals or victims, the 'crimmigrant other' (ibid.). I was told stories of khat-dealing men of Somali origin who travel through the ports of Helsinki; black female human trafficking victims arriving alone by train over the eastern border at certain times of the day and week; or Baltic construction workers arriving by ferry to Helsinki without a work permit, claiming to be visiting family while carrying a toolbox in their hand. Based on this data set, I am unable to analyse to what extent these stories are derived from risk-profiling and intel. Previous research does emphasise, however, that profiling also relies on socially constructed racialised, ethnic, gendered, and age-related knowledges (Pratt & Thompson 2008, Casella Colombeau 2019, Keskinen *et al.* 2018).

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Authorities in the Nordics in general and the FBG in particular enjoy exceptionally high levels of trust (T-media 2022, OECD 2021). This is not evident among all members of society, however. People racialised as non-white have reported frequent experiences of being over-policed (Keskinen *et al.* 2018, ch. 5). Racial profiling has been under public debate and was explicitly banned in 2015 (Himanen 2022). Ethnic or racial profiling was often called a ‘hot potato’ (a Finnish idiom for a timely and sensitive topic) by the border guards when mentioned during the fieldwork; the border guards were well aware that ethnic profiling is a sensitive issue. According to Finnish law (Aliens Act 193/2015, Section 129a), ethnic profiling is banned and defined as measures based ‘solely or to a decisive extent on the person’s actual or assumed ethnic origin’ (see Keskinen *et al.* 2018 on ethnic profiling in Finland, Himanen 2022). Many times participants also seemed to argue that since stories include many different sources of information, not only ethnicity or race, they are also safe from accusations of illegal profiling, making yet another case for stories as integral to legal conduct.

Leanne Weber and Loraine Gelsthorpe presented a report in 2000 on how immigration officers at ports of entry in the UK make decisions to detain asylum seekers entering the country. What I find noteworthy in their report is how these officers many times juxtaposed ‘human’ work against ‘machine’ work in their quotes. One officer, for example, stated that officers sometimes lack objectivity in their decisions and become affected by personal feelings, since they are ‘as human as everybody else’ (Weber and Gelsthorpe, p. 18). Another officer argued in contrast that standardised decision-making could not be applied in their work, since ‘it isn’t as easy as that. If it were we’d have a machine doing it’ (Weber and Gelsthorpe., p. 65). In my data, the officers rarely referred

to relying on human senses, feelings and storytelling as bearing the risk of subjectivity or bias. On the opposite, they framed this (as demonstrated in this section) as a prerequisite for implementing the legal requirements of discretion and as key to both efficient formation of suspicion and just decision-making.

Conclusions

Didier Bigo (2014) argues that the dataveillance constitutes a new form of ‘social universe’ of border control in the EU, affecting its logics and practices. As Pöttsch (2015, p. 115) furthermore states, ‘contemporary technologies [...] entail a biometric and algorithmic identity production that actively shapes the contingent bodies, subjectivities, data-doubles, and patterns of life they purport to identify and process’. Data systems and technologies thus ‘inform [...] how societies are governed and can be imagined to be governed’ (Dijstelbloem 2021, p. 9). In this article, I have scrutinised how Finnish border guards present the ideals of decision-making and their role as human decision-makers in frontline border checks at the external Schengen border. I show how border guards centre human senses as key to the efficient formation of suspicion, and how they do so by juxtaposing human senses against reliance on data and technology. When border guards speak about their work, humans are presented as the only true masters of discretionary decision-making and overall consideration, which is presented as key to efficient and just border security. Data systems and technology are presented as valuable providers of pieces of information but only humans are considered able to judge the entity that crosses the border: the body, the documents, the data, and their story: the ‘story-human’.

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I suggest that the legal, logistic, and practical arrangements of frontline border checks at the external Schengen border enable human senses to play such a central role. Legally and administratively frontline checks are considered a single entity, but logistically the first- and second-line checks are separated. This allows for border guards to approach the decision of ‘sending someone to the second line’ as a low threshold measure, giving room for wide discretion and deliberation. The work of first-line inspectors is sometimes depicted as dull, repetitive and automated ‘machine’ labour in the ‘passport shed’. At the same time, this decision is fundamental in the ‘sorting’ of humans who cross the border. Emphasising the decision they make as key to the nation’s security and as reliant on these officers’ human discretionary powers, counters such derogative depictions.

The analysis I present in this paper underlines the fundamentally contradictory nature of human decision-making. On the one hand, deliberation based on human feelings and experience is seen as necessary to recognise the human factors of each case and important for adjusting measures to reach equal outcomes; on the other hand, it is prone to bias, subjective feelings and human quirks, putting objectivity and just decision-making at risk. This latter aspect was in most instances dismissed in how Finnish border guards presented their decision-making given the data at hand. Data systems and technologies were also framed as neutral sources of objective information. Huub Dijstelbloem (2021, p. 10) names this the ontic view on technology, as opposed to an ontological view, which emphasises ‘a more intimate and co-constitutive entanglement between humans and technology’ (ibid. p.10). Neither people nor data systems are free from human bias (Benjamin 2020, Besters & Brom 2010). However, the logics of data

systems are in many ways hidden from the public in the name of security (see Besters & Brom 2010, Dijstelbloem and Broeders 2015, Bosworth & Zedner 2022).

Equally important to the border guards' representations of their decision-making would be to understand how travellers perceive the decisions that are made. As Keskinen *et al.* (2018, pp. 111–112) show in their study of ethnic and racial profiling in the Finnish context, many Finnish residents racialised as non-white have experienced being disproportionately targeted and placed under suspicion by security authorities, an often distressing experience that endures and also negatively affects trust in authorities among other members of the same group. Symbolically, bordering practices reach far beyond the physical and logistical repercussions of border control. As a colleague of mine pointed out when reading a draft of this article,³ for someone experiencing being picked out based on racialised grounds, the 'moment' of being stopped or sent for further inspection might not be that 'fleeting' but rather an experience that lasts. The gaze of the state lingers and follows inside its physical borders those put under suspicion. In addition to instantly turning away or slowing down some, contemporary border practices also let some pass but symbolically and emotionally follow them as they enter state territory. When studying and theorising border-check logics and practices anywhere within the Schengen area, one cannot dismiss the fact that they are part of the EU's system of border control and surveillance, which is based on colonial logics and inherently violent (see Weber &

³ Credit to my colleague Dr Ali Ali

The Version of Record of this manuscript has been published and is available in Policing and Society, Published online: 27 Jun 2024, <http://www.tandfonline.com/10.1080/10439463.2024.2367141> Pickering 2011, Schclarek Mulinari & Keskinen 2022). Thus, it becomes crucial, both for fostering just and effective crime prevention, and for fostering societal equity and security, to understand how narratives, law, practices, and logistics form the contemporary constellation of decision-making in frontline border checks.

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