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The Chain of Emergencies: Routinisation of the Migration Emergency Governance in Lithuania and Poland in 2020–2023

Abstract

This paper investigates the governance of emergencies in Lithuania and Poland from 2020 to 2023, focusing on how multiple crises, namely, the COVID-19 pandemic, the humanitarian crisis on the border with Belarus, and the influx of Ukrainians fleeing a full-scale Russian invasion were handled. In response to these events, both countries introduced measures aimed at governing human mobility. In this study, drawing on security practices and discourse research, the authors analyse how the governments proceeded from one emergency to another. The analysis explores the interplay between emergency governance, populism, and technocracy, focusing on the concept of “routinisation” – i.e., how temporary emergency responses become permanent governance strategies. While both countries faced similar challenges, their responses diverged, with Poland’s populist

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government emphasising militarised border controls and a narrative of protecting sovereignty, and Lithuania adopting a more technocratic approach, striving to maintain the proper functioning of the state. However, the overall difference between these two countries was more modest than it could be presumed; both states converged in their management of the migration emergencies, increasingly normalising restrictive measures. By comparing legislative and discursive strategies, this paper highlights how emergency governance evolved from improvisation to fixed policies, raising questions about the implications for democratic governance and migration policies.

Keywords: Emergency Governance, Pandemic, Migration, Mobility, Populism, Routinisation, Technocracy

Introduction

The period between 2020 and 2023 in Poland and Lithuania were marked by multiple emergencies intertwined with each other, including the COVID-19 pandemic, the humanitarian crisis on the border with Belarus, and the influx of Ukrainians fleeing the full-scale Russian invasion. The COVID-19 pandemic crisis has greatly affected human mobility on a global scale (Kirk, McDonald, 2021; Yang, 2023), and can also be perceived as a migration crisis, especially for those whose mobility was blocked or who were forcefully repatriated (Şahin-Mencütek et al., 2022). In Central and Eastern Europe (CEE), the governments imposed lockdowns quickly but later failed to avoid the high death toll, economic perturbations, and the proliferation of conspiracy theories surrounding COVID-19 (Bohle, Eihmanis, 2022).

In addition to the global pandemic, Poland and Lithuania experienced two other migration emergencies. The crisis at the border with Belarus, triggered by the instrumentalisation of migration by the leader of the authoritarian regime in Belarus, Aleksandr Lukashenko, directly impacted Latvia, Lithuania, and Poland. The increase of irregular border crossings, either facilitated or forced by Belarusian services, was framed by the governments of both Lithuania and Poland as a form of hybrid war or aggression. It resulted in the imposition of a state of emergency and limitations on border crossings, the construction of a border wall, the deployment of troops to the border area, and multiple pushbacks of migrants attempting to cross the border irregularly (WAM n.d.; Krępa, Judzińska, 2023; Bronitskaya et al., 2024). The governance of this migration emergency was characterised by militarisation, which severely

restricted the right to asylum and echoed the militarised responses to irregular migration observed on other borders, such as those in Southern Europe or Central America (Dunn, 2021; Kinacioglu, 2023; Zorko, Mikac, Yoder, 2023; Krępa, Fernández de la Reguera, 2024).

The full-scale Russian invasion of Ukraine in February 2022 resulted in a mass influx of Ukrainian citizens to the European Union (EU), with a considerable number of them crossing the border into Poland (UNHCR n.d.). This migration was governed quite differently compared to previous “migration crises” in the EU, i.e., with a considerable degree of agency granted to the migrants themselves (Jaroszewicz, Grzymiski, Krępa, 2022). This can be explained by the generally low level of securitisation surrounding Ukrainian migration (Jaroszewicz, Grzymiski, 2021). Consequently, Ukrainian female beneficiaries of temporary protection became emblematic of “deserving” refugees in contrast to the “young men” from Middle Eastern countries crossing the border with Belarus (Bloch, 2023).

In this article, the authors offer a comparison of how Poland and Lithuania governed the abovementioned emergencies, explaining the observed differences based on populist and technocratic approaches to the governing exceptional situations. Research on various phenomena labelled as “migration crises” and concerning mobility shows that two contradictory processes may occur in terms of emergency governance. On one side, some countries replace regular and permanent solutions with frequently varied temporal ones, while on the other, temporary *ad hoc* measures tend to congeal into permanent situations (Şahin-Mencütek et al., 2022). This leads to the routinisation of emergencies, which means that contemporary emergencies in democratic states tend to be not about theoretical models of the state of exception as described by Carl Schmitt or Agamben, but rather about legal regimes “that are defined, applied, reviewed by legal rules and actors” (Hennette Vauchez, 2021, p. 10; also see 2022). Also in this paper, the authors want to build on that idea by analysing the introduction of the chain of emergency regimes during a short period in the two states and demonstrating how it became possible for their governments to introduce measures in response to several emergencies at once and routinise them. The authors pose the above question in a comparative manner between the two CEE countries, both of which are post-socialist states that joined the EU in 2004. Lithuania and Poland are the most similar case study comparisons as both became members of the EU at the same time and share many cultural, historical, and socio-economical similarities in their styles of state governance and emergency responses (including migration policies). However, they differ

in size, in their attitudes towards international cooperation, economic and welfare models as well as (at least until 2023) their governmental ideology. During the period under study, Poland was governed by the nationalist-conservative Law and Justice party (PiS), which aimed to build a system of “illiberal democracy” (Piotrowski, 2020; Paczeński, 2022). The tool enabling this project was the populist narrative of breaking liberal “impossibilism” which involves overturning legal constraints hampering a democratically-elected government to govern (Stanley, Cześniak, 2016; see also Lewandowski, Polakowski, 2023). At the same time, in Lithuania, similar tendencies against liberal democracy did not succeed (Bieliauskaitė, Šlapkauskas, 2022); the state was strongly pro-European, and, during the analysed period, it expressed a generally favourable stance toward the idea of liberal democracy. To compare these two countries is to provide a deeper understanding of the divergent approaches to emergency governance in the context of a populist turn against liberal democracy. Thus, this paper endeavours to explore how, between 2020–2023, the governments of Lithuania and Poland dealt with three emergencies they both endured, which modes of emergency governance linked to mobility and migration they chose, and how they were linked to their respective overall governance styles. Therefore, by analysing and comparing the two cases, this study seeks to contribute to the broader theoretical literature on the routinisation of emergency governance.

The authors argue that the governance of migration emergencies by both central governments of Poland and Lithuania in 2020–2023 initially involved improvisation, and when the economic burden came to the fore, both authorities decided to lift restrictions imposed on mobility. However, in the case of the crisis on the border with Belarus, the governments retained a militarised border control regime and the policy of pushbacks, routinising this emergency into a permanent state. This was framed within the populist narrative of breaking “liberal impossibilism” in Poland’s case, whereas it was on a more technocratic reliance on militaristic security discourse and the need to protect public order in the case of Lithuania. However, the overall difference between these two countries was more modest than could be presumed given the governments’ respective ideologies.

The methods applied in this paper are based on an analysis of social practices within the realm of emergency governance. The article analyses two practices – legislative, encompassing strategic and policy documents, and one of a discursive nature. It is structured as follows – firstly, the theoretical framework is outlined, and an overview of the context of Polish and Lithuanian governance styles is provided. Next, the authors analyse

how the legislation concerning emergency governance in Lithuania and Poland between 2020–2023 was developed, with a particular focus on the forms of the formal states of emergency. Then, they focus on the discursive justification of the legal steps. Finally, a comparison is made between Lithuania and Poland, exploring the possible explanations for the identified discrepancies of the identified discrepancies and how the governments' ideologies influenced the strategies adopted.

Emergency Governance: Populism vs. Technocracy

The theoretical focus of the article is on emergency governance, particularly in the context of populism and technocracy, with an emphasis on emergency. An emergency is defined as an exceptional situation with a high probability of harm that calls for immediate action to prevent or minimise damage (Sorrel, 2013), usually with an unknown duration (Adey, Anderson, 2012). Contrary to other related terms, the term “emergency” is interlinked with action. As argued by Adey, Anderson, and Graham (2015, p. 54), the notion of emergency carries with it a “promise that some form of action can make a difference to the emergent event” and deciding upon the actions which make a difference to an emergency can be understood as governance. This is why the authors use the “emergency” category over “crisis” or “disaster”.

Some characteristics of emergency governance can be found in the literature, though the exact mode of governance in response to crises depends on policy and political legacies (Wright, 2015; Liu et al., 2021). Emergency governance usually entails a swift and sudden political decision that transcends “normal” politics. The main objective in an emergency is to save lives, which makes various extraordinary measures permissible or obligatory (Sorrel, 2013). Wright (2015) classifies emergency practices as follows: the suspension of particular civil liberties; special economic or administrative measures; and technical and scientific measures, which are usually applied simultaneously. This logic is often linked to securitisation, understood as “a process or act of asserting existential threats which legitimates a shift from normal to exceptional politics” (Huysmans, 2006, p. 135). Şahin-Mencütek et al. (2022) add to the framework the employment of a renationalisation narrative based on the premise that the national state is the most efficient entity to manage an emergency.

This kind of narrative is focused on regaining national sovereignty, which is an important tenet of populist discourses (Foster, Grzymiski, Brusenbauch Meislová, 2021). Populism can be understood as an ideology, albeit one less developed than traditional ideologies, based on antagonism

between the genuine “people” and the self-interested “elite”, with priority given to the will of the “people” (Stanley, Czeńnik, 2016, pp. 67–68). In Poland, a particular, post-communist form of populism emerged as a response to the transformation that involved imitating Western values. This populism is marked by a deep distrust toward the elites, feelings of deprivation, and a perceived threat to national identity (Lewandowski, Polakowski, 2023, p. 395). Consequently, populism is critical of liberal democracy (Eatwell, Goodwin, 2018) and rejects technocracy understood as imposition of decisions by unelected bodies (Lewandowski, Polakowski, 2023). In the context of emergencies (but not only), populism often securitises both migration (Eatwell, Goodwin, 2020) and the imitation of Western patterns (Lewandowski, Polakowski, 2023).

Contrary to populism, a government can rely on technocratic emergency governance. This means that rather than prioritising the voice of “the people”, it listens to un-elected, and therefore politically unaccountable, boards of experts which it considers to be the most competent to deal “rationally” with a given situation (Jaroszewicz, Grzymski, 2021). This approach, being a manifestation of the de-politicisation of the given issue, allows the government to ignore public opinion in the name of “the politics of necessity” and is “critically linked with public trust in science” (Foster, Grzymski, Brusenbauch Meislová, 2021, p. 78). Technocracy implies that the government recognises that the electorate is not aware of the situation nor reasonable in its choices, thereby expecting a certain level of disengagement or disinterest in politics from the public.

Both populist and technocratic modes of governance may share some similarities, as society’s acceptance of populist narratives related to migration has already strengthened security technocracy in many countries, making the populism/technocracy dichotomy paradoxical (Jaroszewicz, Grzymski, 2021). Aradau and van Munster (2011, p. 2) argued that catastrophic future events have formed a new mode of governing where “imagination and sensorial experience play an increasing role, alongside more traditional forms of knowledge”. This often leads to the aforementioned improvisation if there are no established security measures available because of the situation’s novelty or high level of uncertainty. The temporariness of emergencies gives authorities the opportunity to test new solutions as it “opens wide room of manoeuvre to the migration governors (...) to test novel policies and practices for controlling the entry of people on the national territory, regulating their stay and maintaining order,” (Şahin-Mencütek et al., 2022, p. 16). The possibility that an emergency will be short-lived often encourages improvisation rather than the preparation of thoughtful solutions that require significant resources.

At the same time, emergencies can be perceived as threats to a long-established collective way of life and not only as a tangible, immediate threat to life itself. This can trigger the narrative that “the cure is worse than the disease” (Kirk, 2023), often employed by populists, and can lead to the abandonment of emergency measures. Consequently, emergency governance practices have been normalised in many contexts (Adey et al., 2015), particularly because security measures undermine each government’s legitimacy. In the case of a pandemic, as Yang (2023) argues with the example of France, the economy and the rule of law were presented as being threatened by an emergency regime. Also, as the example of the US shows, the societal fear of losing freedom was a significant factor in contesting further anti-pandemic restrictions (Kirk, 2023). After some time of the emergency duration, the governments are thus expected to ensure a sense of “normality”.

However, some emergency measures become part of a new “normality” if they appear to be convenient for governments, creating a permanent emergency (Neocleous, 2006) by the routinisation of the restrictions introduced due to a given emergency. As a consequence, routinisation often means a permanent state of emergency becoming “the new normalcy” (Hennette-Vauchez, 2021, p. 4). This situation is akin to chronic inflammation in the body, which may not cause immediate and serious damage but does trigger a constant immune reaction. In this process, “temporariness becomes a “permanent’ situation” while authorities are replacing previously-permanent solutions with temporal ones (Şahin-Mencütek et al., 2022, p. 16). Through emergency-based routinisation, politicians can retain more power than they used to possess before an emergency’s outbreak (cf. Adey et al., 2015). This also can be shared by both populists willing to expand their surveillance capacities, and technocrats favouring security professionals benefiting from a given emergency situation.

Lithuania and Poland’s Post-transition Political Dynamics in a Migration Context

Poland and Lithuania are both former member states of the Eastern Bloc, which underwent a transition to capitalism and liberal democracy with membership of both countries in the EU (2004), Schengen area (2007), and NATO (Poland in 1999; Lithuania in 2004). The transition was marked by an affirmation of free-market rules, private property, and an emphasis on individualistic responsibility for people’s fate (Nowicka-Franczak, 2018). However, the distinction characteristic of Poland was the

parallel emergence of populist discourse, which materialised particularly during the second PiS government from 2015 to 2023 (Stanley, Cześniak, 2016, pp. 67–68; Lewandowski, Polakowski, 2023).

This kind of populism, which also embraces nationalist claims and a desire to reinforce national sovereignty seen as being weakened by European integration, was a cornerstone of PiS's technology of governance. In particular, the second PiS government was characterised as one of a populist-nationalist nature (Jaskulowski, Majewski, 2022) and was criticised because of rule-of-law violations. The literature points to the crisis of liberal democracy in Poland after 2015 (and earlier), and researchers sometimes even used the term “illiberal democracy” to describe the political system created and/or projected by PiS (Piotrowski, 2020; Pacześniak, 2022). These transformations were based on a narrative condemning liberal “impossibilism”, understood as “a set of institutional arrangements which make it impossible for elected governments to govern freely” (Stanley, Cześniak, 2016, p. 79). At the same time, in Lithuania, similar tendencies against liberal democracy did not succeed (Bieliauskaitė, Šlapkauskas, 2022); anti-systemic, populist parties tend not to get a stronghold in elections and the Lithuanian people's general mistrust in politicians and political institutions provides more fertile ground for technocratic governance.

Regarding migration, despite the populist use of this topic by PiS, overall, Poland's policy towards economic migration was liberal. The second decade of the 21st century has significantly affected the socio-economic situation in Poland due to demographic changes leading to a strong dependency on the supply of migrant labour. This was accompanied by a liberalisation of migration policy, and Poland gradually evolved from a typical emigration country to one of emigration-immigration, experiencing a change in its migration status (Strzelecki, Pachocka, 2020; Sobczak-Szelc et al., 2022). In contrast, Lithuania, until 2021, had not experienced significant economic migration due to the country's small size and relatively stable labour force. The first major challenge for the state was connected with events in Belarus after the August 2020 elections and the subsequent protests. When Belarusian authorities increased its repression and persecution of political opponents, Lithuania experienced an influx of political migrants, followed by several businesses that moved their activities to the country. Thus, the experience of the 2021 migration was a shock to society, and the Lithuanian government was not prepared for such a challenge.

The COVID-19 pandemic, despite numerous and frequently changing mobility restrictions (including the possibility to enter a country and undergo quarantine on arrival), did not lead to a sudden outflow of

economic migrants from Poland. Due persistent labour market shortages, the central government's immigration policy at that time was shaped rather by economic logic, despite the highly frequent occurrence of securitisation discourse surrounding border and asylum regimes (Jaroszewicz, Krępa, Pachocka, 2024). PiS's anti-migrant attitudes materialised in a militarised response to the instrumentalisation of migration by Belarus (Krępa, Fernández de la Reguera, 2024), which was, however, similar to the measures applied by Latvia and Lithuania (Bronitskaya et al., 2024). In turn, both Poland and Lithuania responded with an open-door policy to Ukrainians fleeing the Russian invasion and Ukrainian migration was not securitised, and was never portrayed by Poland's government as a threat (Jaroszewicz, Grzymiski, 2021).

Emergency Governance From Improvisation to Routinisation

In this section, in order to demonstrate how the Polish and Lithuanian governments responded to three emergencies and why certain options were chosen in each case, the authors explain the legislative background of both states as regards their emergency regulations and analyse the legal measures and restrictions taken.

Lithuania

The Lithuanian legal system has three legal regimes for managing emergencies in peacetime: an emergency (extraordinary) situation,¹ which is defined in the Crisis Management and Civil Protection Law of the Republic of Lithuania; a state of emergency, foreseen in the Constitution of the Republic of Lithuania and defined in the Law on the State of Emergency of the Republic of Lithuania; and “quarantine” as defined in the Law on the Prevention and Control of Infectious Diseases.

From February 2020 to May 2023, Lithuania lived through a series of emergencies that were regulated under different legal regimes (see Table 1) at the same time. The COVID-19 emergency was regulated by introducing quarantines (two to be precise, the first of which lasted for three months, the second for eight months) and an emergency situation.

¹ Translated directly, it would be “extreme situation”, however, the direct translation does not reflect the meaning of this regime. Sometimes this regime is called “extraordinary situation” (Amnesty International, 2022; Vilpišauskas, 2021). The official translation of the original law on civil protection used the term “emergency”, therefore, following this decision, the authors use “emergency situation” to define this regime.

This pandemic emergency situation was imposed on 26th February 2020, even before the first confirmed cases of COVID-19 became known. This emergency situation was lifted only on 1st May 2022, after the full-scale Russian aggression.

The situation on the border with Belarus was managed via the emergency situation regime (which is still in action as at July 2024) and shortly, for three months, through a state of emergency at the border area. Russian aggression in Ukraine was met with the declaration of a nationwide state of emergency for the first time in the history of newly re-established Lithuania, and it lasted almost seven months. It was substituted with a state of emergency at the border for an additional nine months.

Table 1. The Application of Legal Emergency Regimes in Lithuania Between 2020 and 2023

	COVID-19	Border with Belarus	Russian aggression in Ukraine
Quarantine	March–June 2020 November 2020– July 2021		
Emergency situation	February 2020– May 2022	July 2021–ongoing	
State of Emergency		November 2021–January 2022 (at the border area)	February–September 2022 (whole country) September 2022–May 2023 (at the border area)

Source: the authors' own elaboration.

The pandemic emergency began in February 2020, and Lithuania was the only country in the EU to declare an emergency and undertake emergency measures when it had not yet registered even a single case of COVID-19 (Bortkevičiūtė et al., 2021). This period was characterised by the most stringent restrictions, including the complete closure of most businesses, strict movement restrictions for residents, and the regulation of travellers. The rationale for these most stringent measures was based on the need to preserve lives, especially those of older adults, and to manage uncertainty. The significant involvement of non-governmental groups and the general support of the solidarity discourse enabled the government to make decisions that became more difficult later and led to more intense resistance.

The quarantine imposed in March was lifted only in June. From June until autumn 2020, a relaxation period occurred, and Lithuania was ranked in second to third place in terms of how relaxed the restrictions

were in the EU (Bortkevičiūtė et al., 2021). The next emergency governance phase (November 2020–April/June 2021) was characterised by no-less-radical restrictions than in the beginning, including the most dreaded “cancellation of Christmas”, when the harsh limitations on the movement of people were introduced at the end of December 2020. An extremely strict quarantine lasted until April, and the end of the phase was marked by the start of mass vaccination and the introduction of the Opportunity Passport (OP, an electronic document with a QR code) in May 2021 (ending the quarantine on 1st July). Another wave of tightening did not reach the first period in quantitative terms (based on the COVID-19 Stringency Index, Hale et al., 2023). Still, the restrictions on inter-municipal mobility were among the most radical in the world (based on country size).

The final phase of the COVID-19-related emergency governance (July 2021–May 2022) coincided with the outbreak of the instrumentalisation of migration by Belarus, the entry into force of the EU vaccine certification, and continuing mobility restrictions for those without an OP/EU certificate. COVID-19 governance during this period was overshadowed by migration problems at the Belarusian border (together with a state of emergency at the border area from November to January 2021), but the government was reminded about the smouldering discontent on the restrictions among some parts of the population with a substantial protest turning into a riot in front of the Parliament of the Republic of Lithuania in September 2021.

Pandemic governance was further overshadowed (but not completely abolished) by the Russian aggression against Ukraine, and led to the declaration of a state of emergency across the entire territory of Lithuania. In April 2022, the government lifted the so-called “mask regime” and, on 1st May 2022, declared the end of the pandemic emergency situation. This period was characterised by the beginning of a distinction between two groups with skewed restriction modalities, i.e., the vaccinated and unvaccinated. Different emergencies (the pandemic, border issues, and the war) were also beginning to superimpose themselves, which changed and oscillated the focus and approach towards pandemic management.

Emergencies arising from the crisis on the border with Belarus and following the Russian invasion of Ukraine were also accompanied by certain restrictions and regulations. In one sense, they were reminiscent of the emergency management of the pandemic as they mostly were focused on population movement, but in another sense, they were different as they were directed mainly at migrating people moving into the territory of Lithuania. After the Lithuanian government declared an emergency

situation on 2nd July 2021 because of irregular migration from Belarus, the Lithuanian parliament made a swift decision to make changes to the Law on the Legal Status of Foreigners, allowing the automatic detention of people who were considered irregular migrants even if they applied for asylum which imposed significant restrictions on access to asylum procedures (ECRE, 2021; Amnesty International, 2022).

Poland

In Poland, four legal frameworks were employed in the three emergencies under analysis. First, the state of epidemic emergency was declared on 20th March 2020, and represented the most prolonged legal solution, which lasted until 16th March 2022, when it was replaced with the state of epidemic threat, which remained in effect until it was lifted on 1st July 2023. Both these states of emergency are outlined in the Act on Preventing and Combating Infections and Infectious Diseases in Humans (Act of 2008, art. 46). A state of epidemic emergency may be declared when an epidemic occurs, while the state of epidemic threat is intended for the situation in which there is an increased risk of an epidemic (Act of 2008, art. 2). However, they are not the solution with the highest gravity, which is the constitutional state of exception. Legally, therefore, the COVID-19 pandemic was not classified as a state of exception, even though the constitutional criteria of a state of natural disaster in Poland were met, and many groups opted for this solution (Kolaszyński, 2020).

A constitutional state of exception was invoked during the crisis on the Polish-Belarusian border, albeit with its application to a very limited part of the territory in the direct vicinity of the border. This zone was established on 2nd September 2021 and after the maximum possible period of two months (as stipulated by the Constitution) it was re-designated to a zone “subject to a stay ban” based on the improvised amended Act on the Protection of the State Border (Act of 1990, art. 12a). This zone was abolished upon the completion of the physical barrier, although the wall’s construction did not terminate the crisis.

After Russia’s full-scale invasion of Ukraine on 24th February 2022, none of the states of exception were applied in Poland. Instead, the Polish parliament passed a special bill to establish legal grounds for the stay and assistance for Ukrainian citizens, while the standard temporary protection set by the existing law (Act of 2003) was used only to non-Ukrainian citizens fleeing Ukraine. No restrictions were introduced on the mobility of Polish citizens. Even in November 2022, when a missile strike accidentally killed two people in eastern Poland, no specific

measures restricting mobility in the borderland were applied. The legal states are summarised below in Table 2 below.

Table 2. The Application of Legal Emergency Regimes in Poland in 2020–2023

	COVID-19	Belarus border crisis	Russian aggression in Ukraine
State of Epidemic	March 2020–March 2022		None
State of Epidemic threat	March 2022–July 2023		
State of Emergency		September 2021–March 2022 (at the border area)	
Zone subject to stay ban		March 2022–June 2022 (at the border area)	

Source: the author’s own elaboration.

A more detailed study of the introduction and removal of COVID-19-related restrictions sheds more light on Poland’s government’s emergency governance. The first mobility restrictions were introduced six days after the first case of infection was detected. On 15th March 2020, the most severe measures were applied, such as border closures, entry bans into Poland for foreigners, the suspension of international passenger air and rail connections, and a mandatory 14-day home quarantine for those crossing the border. Only after five days was a state of epidemic officially announced, meaning that the security measures put in place preceded the formal declaration of the state of emergency. Furthermore, the state of epidemic was still in force when the restrictions were lifted. This highlights that the formal states of emergency were not consistent with the actual level of restrictions.

Beginning in late April, a gradual withdrawal from lockdowns was launched. The restrictions were altered several times with no direct correlation to the number of infections, mortality figures, nor vaccination toll. The regulation on the temporary suspension or restriction of border traffic at certain border crossing points (Regulation of 2020) was subject to 29 amendments and although the state of epidemic threat officially ended in Poland on 30th June 2023, the ordinance remained in effect. During the next waves of the pandemic – notwithstanding the number of infections and deaths – the government of Poland refrained from introducing strict security measures restricting human mobility. The approach of managing the pandemic was thus characterised by a high level

of improvisation, which gradually led to a normalisation of the threat, which in turn led the medical advisory board to resign due to the “lack of impact of the recommendations on the actual actions” of the authorities (Puls Medycyny, 2022). Moreover, the legal statuses of foreigners were prolonged, and, in the aftermath, starting from 14th March 2020, all visas and residence permits were extended until 30th June 2023, plus 30 days. Eventually, this governance led to chaos and hampered the possibility of introducing coherent measures.

In the case of the humanitarian crisis on the Polish-Belarusian border, migration law was amended to provide legal grounds for pushbacks. Interestingly, these changes were implemented using the previous law introduced during the COVID-19 pandemic. This approach allowed emergency measures initially designed for one crisis to be transposed into another and then routinised as a permanent solution. Some security measures were undertaken, such as deploying 15,000 soldiers to the border area and the construction of a border fence. However, the construction of the barrier did not fully prevent crossings. The crisis itself was not resolved after the state of emergency was suspended. Instead, the government routinised the measures applied in the borderland, leading to the permanent militarisation of the border regime (Krępa, Fernández de la Reguera, 2024).

Finally, after the Russian invasion of Ukraine, no mobility restrictions were introduced, except for those imposed on the mobility of Russian citizens (and their access to the Polish labour market). On 26th September 2022, a regulation of the Council of Ministers entered into force, which introduced entry restrictions for Russian citizens at all Polish land border crossings, as well as at airports and seaports (Regulation of 2022).

Emergency Discourses

In this section, the authors deepen their analysis by adding a discursive substantiation of the applied legal measures. This approach will enable them to explain how populist and technocratic ideologies have impacted upon both countries’ emergency governance modes.

Lithuania

Analysing official political discourse at both the state and municipal levels clearly shows that the pandemic discourse in Lithuania widely used a paternalistic management style. In that sense, the policy choice was not original; it was similar to what had been observed in other countries, characterised by a lack of intermediation and limited open communication with society (Bortkeviciute et al., 2021).

An analysis of the pandemic discourse reveals that, at the beginning of the pandemic in 2020, the government emphasised the need for unity and responsibility among the population, appealing to citizens' rationality and their moral obligation to adhere to the restrictions. The newly-elected government, which had assumed power in December 2000, continued to emphasise awareness and understanding while frequently mentioning empathy and compassion for vulnerable groups. However, by 2021, the discourse that focused heavily on movement control shifted towards a more pragmatic approach, stressing the economic, social, and psychological benefits of compliance and an appeal to common sense and the common good. It is also noteworthy that the rhetoric of both governments throughout the pandemic often implied a form of coercive solidarity, where citizens were expected to support the government's emergency measures as an expression of loyalty and responsibility, enabling the government to do their job of "protecting the people" (based on Arlauskaitė, Bortkeviciute, Mataityte, forthcoming).

In the context of the pandemic, as the 2021 Belarus border crisis began to develop, it produced a strong desire within the Lithuanian government to demonstrate the will to solve the problem quickly and decisively. Therefore, the emergency discourse created urgency and seriousness, not only as regards the problem itself but also in terms of how it was defined and solved. Migration from Belarus was securitised almost immediately as news of migrants coming to Lithuania spread. The initial political response was to intensify and securitise the problem to the highest level by framing it as a "hybrid war" (ELTA, 2021). Later, a decision was made to adopt the term "hybrid aggression" (LRT, 2021; Seimas of the Republic of Lithuania, 2021). This change signalled a strategic decision to maintain control over the narrative by framing the situation as a modern threat, while also acknowledging that, although the war discourse was effective in creating a sense of urgency, it was overly dramatic and politically unsustainable.

The dominant justification for the border emergency was a typical and widely used approach by governments to justify their decisions; emphasise threats to the country, specifically to the state's security and public order. For example, the Resolution by the Parliament on countering hybrid aggression stated: "the irregular international migration organised by regimes hostile towards Lithuania and the resulting emergency in our country poses a threat to the constitutional (...) and public order" (Seimas Resolution XIV-505). Politicians responsible for dealing with the problem repeated many times the need to maintain public order as a reason for the many restrictions imposed on migrants and asylum seekers, as presented in the previous section of the article.

However, at the same time, it was acutely understood that society was tense and cautious about any additional restrictions that might be imposed. The pandemic emergency was still ongoing in 2021, and tense debates took place in Lithuania at that time regarding vaccination policy and which restrictions should be imposed on people unwilling to receive their vaccines. As a result, the government was cautious about any new regulation being perceived as yet another restriction or obligatory requirement for the population. Thus, efforts were made to demonstrate and highlight that the new legal emergency regime would have a minimal impact upon Lithuanian citizens and residents. There would be a state of emergency, but, as Prime Minister Ingrida Šimonytė explained, “we should not be dramatic in declaring it, because a state of emergency is necessary for certain logistical reasons” (Andrukaitytė, 2021). Similarly, as the Minister of the Interior explained, “we now see the need for additional capacity” (to have a state of emergency) (Gaučaitė-Znutienė, 2021). By “additional capacity,” the minister referred to the deployment of extra forces to control the border, simplifying public procurement procedures and certain obligations to municipalities “to speed up procedure, coordinate actions, and mobilise capacities” (Andrukaitytė, 2021).

Thus, the migration emergency was portrayed as a procedural, technical tool to more effectively manage the situation, and the population was constantly reassured by the Ministry of the Interior that a state of emergency “should not and would not create any inconveniences”. For example, this decision was said to “certainly not cause any inconvenience to the population, to our partners, to Poland itself or to the internal border regime of the European Union” (Bakaitė, 2022). The Prime Minister further elaborated; “there are certain restrictions on movement (...). Obviously, it is a certain inconvenience. For that reason, both a short period of time and a limited application are being proposed to minimise the inconvenience to our citizens from this legal regime as much as possible” (Gaučaitė-Znutienė, Platūkytė, 2021).

President Gitanas Nausėda similarly explained that the state of emergency was needed “to protect our border and our people”, but that “it will only minimally affect the rights and freedoms of our people” (Gaučaitė-Znutienė, 2021).

It should be stressed that while “inconveniences” were created, as explained in the previous sections, most regulations and restrictions were directed at migrants. The explanation and justification for all those restrictions was that the borders were closed, but not to “ordinary” people; the regulations would only “limit the entry of foreigners into these areas,” and that permits would be needed, but supposedly it would

not be a significant hindrance [“the civilian population of Lithuania will not be affected by these restrictions any more than some limitations in the border area” (Gaučaitė-Znutienė, 2021)]. An emergency zone status was also established for migrant accommodation sites, and the people in those sites could not communicate without restrictions. However, and despite criticism from various human rights groups, there was little debate on these restrictions. As Prime Minister Šimonytė explained, the introduction of a state of emergency would allow officials to do their job more smoothly and limit the risks associated with disturbances or tensions (Gaučaitė-Znutienė, 2021).

Even more peculiar justifications were provided for the need to declare a state of emergency across the whole territory of Lithuania after the Russian invasion of Ukraine, which lasted from 24th February 2022 until September 2022. The measures and restrictions mostly focused on limiting certain protests and promising aid to Ukrainian refugees. As stated, “Possible hybrid attacks and provocations of all kinds pose a threat to public order, which cannot be addressed without the proportionate restriction on the exercise of the rights and freedoms set out in the Constitution and the Law on Emergency, and without the application of specific emergency measures” (Gaučaitė-Znutienė, Platūkytė, 2021).

Contextual circumstances were often cited, such as the growing humanitarian and refugee crisis in Ukraine, the aggressiveness of Russian and Belarusian regimes towards their populations, and the increased likelihood of migration from these countries. Therefore, the justification for the latest state of emergency was not based on an immediate, direct threat, but rather on the potentiality of such a threat; the unknown situation demanded an extraordinary approach. This time, there was little emphasis on the “inconveniences”; the focus turned back to the usual emergency rhetoric – emphasising the strengthening of national security in the face of huge uncertainty and keeping public order in place.

Poland

The COVID-19 pandemic in Poland was successfully framed as an existential threat (Polko, 2022). However, from the beginning, the government presented a trade-off between public health and the economy (Jaroszewicz et al., 2024). As early as April 2020, the Minister of Health said that the threats emerging from COVID-19 should be taken into account together with “the collapse of the economy and, to put it bluntly, the deaths of people – due to a lack of sufficient funds” (Gazeta Prawna, 2020). Moreover, as the government planned the presidential elections

in the summertime of 2020, the need arose to encourage the voters to participate. On 1st July, the Prime Minister announced: “I am glad that we are less and less afraid of this virus, this epidemic. And that’s a good approach because the virus is in retreat. You don’t need to be afraid of it now” (TVN24.pl, 2020). On 14th November 2021, the Prime Minister argued that “lockdown was the solution when we had no other virus-fighting tools. But today we have vaccines, and our fate is in our hands” (Onet.pl, 2021a). This approach was supported by the Minister of Health, who, four days later, added: “the lack of new restrictions is a tribute to the vaccinated people so that they do not suffer the consequences of irresponsible decisions on the part of unvaccinated people” (Onet.pl, 2021b). In this way, the government leveraged vaccines to normalise the pandemic to maintain electoral support, which constituted a challenge because a part of the ruling party’s electorate opposed restrictions, while another part was still scared of the virus (Babińska, Matera, Bilewicz, 2020). In this matter, the decision-makers, following their populist logic, chose not to prioritise the experts’ recommendations for more restrictive policies, instead aligning with the popular sentiment that leaned toward easing restrictions.

In the case of the crisis on the Polish-Belarusian border, the government heavily securitised the situation as a “hybrid attack” launched by Belarus (and backed by Russia) to take revenge for Western support for the Belarusian democratic opposition. It exploited populist narrative securitising migration as a threat to national identity. At the same time, the measures undertaken by Poland were being presented as not disrupting “normal” life. Mariusz Kamiński, the Minister of the Interior and Administration, reassured the public that introducing a state of emergency would not affect the daily life of the borderland’s residents. In turn, it would provide the services with “instruments for effective action” (PolskieRadio24.pl, 2021). However, the state of emergency did, in fact, disrupt the lives of many local residents, particularly those involved in tourism, as it rendered tourist businesses unviable due to a lack of visitors.

Hence, similar to the lockdowns implemented due to the COVID-19 pandemic, emergency measures were introduced to resolve the crisis on the border with Belarus that hit the Polish economy. Contrary to pandemic-related lockdowns, the state of emergency near the Belarusian border did not meet more considerable societal opposition. However, prolonged maintenance of this legal solution would mean that the government was not able to resolve the crisis and that the barrier had not fulfilled its purpose. Considering how much money was allocated to build the barrier,

the government risked significant criticism unless it could demonstrate that it had dealt with the crisis. Therefore, abolishing the “stay ban” zone seemed to be the only solution to manifest the government’s capability in the face of Belarus’s actions. At the same time, however, the practice of the government targeting migrants, i.e., the pushbacks, did not cease. Hence, the situation was routinised and turned into a permanent emergency with a slowly increasing number of deaths in the border area (Krępa, Judzińska, 2023; WAM, n.d.), yet the activists providing help to migrants did not stop their activities. Importantly, in this case, the government disregarded numerous expert voices calling for more humanitarian solutions to the situation on the border, focusing instead on the maintenance of public support in line with populist logic.

Conclusions

In this paper, the authors took a comparative look at how Poland and Lithuania governed three migration emergencies in the years 2021–2023. Through an analysis of legal measures and political discourse, they identified prevailing similarities between the two countries. After initial improvisation in response to each emergency, both states tended to routinise the emergencies in question. While most of the COVID-19-related mobility restrictions were lifted after the launch of vaccination schemes, the crisis triggered by the instrumentalisation of migration by Belarus evolved into a permanent emergency marked by pushbacks and border militarisation. After the Russian aggression against Ukraine, both countries applied an open-door policy towards Ukrainians fleeing the war. Moreover, in both countries, the formal states of emergency (with different names) were inconsistent with the actual restrictions implemented.

Some differences between Poland and Lithuania can be identified. In Poland, emergency governance through the official states of emergency was characterised by its relatively limited use of the pre-existing solutions, with a reliance on improvisation to address a crisis. Lithuania, in contrast, relied more on the “regular” states of emergency. In Poland, emergency governance measures were introduced as temporary responses due to the pandemic, but they were later used to deal with the crisis on the border with Belarus and became permanent solutions. The legacy of “breaking liberal impossibilism” – in the Polish case – made it necessary for the government to manifest its agency, even in the absence of proper information about the situation. Thus, given the high level of uncertainty, improvisation seemed to be unavoidable, and this suited the “renationalisation” narrative of

proving the efficacy of the nation-state as the central actor in emergency governance in the name of existential security.

In the case of Lithuania, improvisation was likewise unavoidable. However, it was more closely tied to the technocratic trend to maintain the proper functioning of the state with constant adaptation and testing of how the restrictions and regulations became unviable or unsustainable. As the emergency literature notes, the preservation of lives becomes the essential argument for exceptional measures. However, the migration emergency marked a shift in justification, moving from concerns about “inconveniences” for the local population to a focus on “keeping public order.” This allowed the government to transition from addressing disruptions caused by the crisis to framing the situation as a matter of technocratic management. The relative ease with which the government declared the second and, subsequently, the third states of emergency indicated how quickly emergency thinking became routine, thereby signalling the normalisation of extraordinary measures.

Thus, Poland followed a more populist path, while Lithuania instead adhered to a technocracy-based approach. However, this difference was not as stark as initially presumed, particularly with their shared response to the emergency on the border with Belarus. Moreover, both countries were manoeuvring between both approaches, and their emergency governance lacked clear consistency. Therefore, it seems that this governance was a dynamic process, which, despite being solidly based on the legacies of a given country and the ideology of the ruling political force, remains a contingent process with uncertain outcomes. This should be considered by public opinion and experts because – as Jef Huysmans cautioned in 2006, excessive security measures may erode the underpinnings of liberal democracy and open the door for authoritarian politics. The future will reveal whether routinised mobility restrictions will have the potential to transform the migration system in Poland or Lithuania in the long term and spill over to other domains of social life.

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