

**TRANS-TASMAN BORDER STORIES:
ACTOR-NETWORK THEORY AND
POLICY NARRATIVE IN ACTION**

by

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Abstract

This thesis explores the relationship between narrative and action in the policy practice of border management in trans-Tasman regional economic integration. Using the European Union, the most developed form of regional integration, as a point of reference, it examines five stories of policy practice relating to the joint Prime Ministerial announcement on 2 March 2009 that committed Australia and New Zealand to ‘reduce remaining barriers at the borders to ensure that people and goods can move more easily between the two countries’ (Key & Rudd, 2009a).

Actor-network theory (ANT) is the theoretical frame, drawing particularly on the works of Bruno Latour, John Law and Vicky Singleton, Michel Callon, and Barbara Czarniawska, enhanced with aspects of the narrative theory of Hannah Arendt and Paul Ricoeur. This frame aligns with and builds on the policy narrative work of Rod Rhodes and Maarten Hajer and is applied to both regional integration and policy practice.

New knowledge comes from identifying border management as a domain of policy practice, and extending Callon’s concept of marketization to border management, which is shown to be part of the global trading narrative that underpins regional integration. In trans-Tasman regional economic integration, narratives are revealed as a mix of economic, political and cultural matters of concern that are enacted with different types of separation and integration effects. The trans-Tasman relationship features as a macro-actor from which a mix of narrative effects emerges.

The combination of economic, political and cultural narratives revealed in trans-Tasman regional economic integration can be seen in the EU, but with different emphases and effects arising from the interaction between them. This finding suggests a potential anatomy of border management policy in regional integration.

Through tracing the actions of officials, this thesis reveals Trans-Tasman policy narratives to be performative, made up of the many little translations that occur in day-to-day policy practice, into which are woven the above broader connections. It also reveals that narrative is not only a way to tell the stories of what is being done, but that the narratives of matters of concern drive the action, and the action itself tells its own story. Narratives thus cannot be separated from action. These policy narratives are multiple and affect action in different ways, both positively and

negatively, depending on the matters of concern, the relational power (who's speaking on behalf of whom or what) and how they interact with one another.

A point of departure for this thesis is the use of ANT to explore policy narrative, and the potential for applying the concept of performativity to other approaches of policy narrative. The narrative aspect of ANT is underemphasised yet it is a powerful analytical tool that has the potential to add to the effectiveness of the practice of policy. Incorporating aspects of narrative theory together with ANT is shown to enhance the insights.

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This thesis could not have been written without the support of many individuals and organisations and while it is my own intellectual work, it is in a sense a collective endeavour – a record of an actor-network in which this thesis has been the obligatory point of passage.

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Key Technical Terms

AANZFTA	ASEAN-Australia-New Zealand Free Trade Agreement. ¹
ACBPS	Australian Customs and Border Protection Service. This organisation ceases to exist from 1 July 2015, with the functions moving to a new organisation Department of Australian Immigration and Border Protection.
AFTA-CER	The formal linkage between the ASEAN Free Trade Area and CER (see below) that preceded AANZFTA. ²
ANZCERTA	Australia-New Zealand Closer Economic Relationship Trade Agreement.
APEC	Asia-Pacific Economic Cooperation.
ASEAN	Association of South East Asian Nations.
CER	Short-hand for ANZCERTA.
Customs	Lower case 'customs' refers to the functions of customs administrations – administering tariffs and other border revenues, rules of origin and customs procedures, and managing border flows, which includes related law enforcement. Upper case 'Customs' refers to the organisations that administer 'customs'.
Customs Union	'Customs unions are arrangements among countries in which the parties do two things: (1) agree to allow free trade on products within the customs union, and (2) agree to a common external tariff (CET) with respect to imports from the rest of the world'. ³ Lower case indicates the generic term. Upper case indicates a specific agreement.
DAFF	Department of Agriculture, Fisheries and Forestry (Australia) – former name of what is now the Department of Agriculture. Responsible for administering biosecurity and quarantine functions. Refer also to MAF.
DFAT	Department of Foreign Affairs and Trade (Australia).
DIBP	Department of Immigration and Border Protection (Australia), responsible for immigration functions. Refer also to DoL.
DoL	Department of Labour (New Zealand) responsible for immigration functions

¹ Information about the Agreement available from <http://www.asean.fta.govt.nz/>

² Discussion on this linkage available from <http://www.asean.org/communities/asean-economic-community/item/the-afta-cer-linkage>

³ Retrieved from the OECD website: <http://stats.oecd.org/glossary/detail.asp?ID=3130>

	(now included in MBIE). When upper case, Immigration refers to the organisational units within DoL responsible for administering immigration functions, and to DIBP in Australia.
DPMC	Department of Prime Minister and Cabinet (New Zealand).
EC	European Commission: 'The European Commission is the EU's executive body. It represents the interests of the European Union as a whole (not the interests of individual countries). The term "Commission" refers to both the College of Commissioners and to the institution itself.' ⁴
FTA	Free Trade Agreement.
MAF	Ministry of Agriculture and Forestry (New Zealand), now MPI, responsible for administering biosecurity and quarantine functions. When upper case, Biosecurity or Quarantine refers to the relevant New Zealand or Australian agency; when lower case, they refer to biosecurity and quarantine functions.
MFAT	Ministry of Foreign Affairs and Trade (New Zealand).
MPI	Ministry of Primary Industries. See MAF above.
OECD	Organisation for Economic Cooperation and Development.
PM&C	Department of Prime Minister and Cabinet (Australia).
Regional Economic Integration	'the opening and development of trade between heretofore autonomous markets and their integration into a single operative entity' (Jacks 2000, p. 2).
Rules Of Origin	'Rules of origin are the criteria needed to determine the national source of a product. Their importance is derived from the fact that duties and restrictions in several cases depend upon the source of imports'. ⁵
TPP	Trans-Pacific Partnership. This is an iterative negotiation that 'aims to create a regional free trade agreement involving 12 Asia Pacific countries' that 'would deepen economic ties between its diverse members'. ⁶
Trans-Tasman	A term used to represent the relationship between Australia and New Zealand.
WCO	World Customs Organization. International organisation that provides

⁴ Retrieved from EU website: http://ec.europa.eu/about/index_en.htm

⁵ Retrieved from WTO website: http://www.wto.org/english/tratop_e/roi_e/roi_info_e.htm

⁶ Retrieved from MFAT website: <http://mfat.govt.nz/Trade-and-Economic-Relations/2-Trade-Relationships-and-Agreements/Trans-Pacific/index.php>

	global technical standards and guidelines on customs practices, as well as an international network.
WTO	World Trade Organization. Responsible for international trade rules.

Chapter 1

Introducing the research

1.1 Setting the scene – trans-Tasman borders, and stories and action in policy practice

This thesis explores policy practice within the world of border management in the regional economic integration⁷ environment of Australia and New Zealand. Borders are everywhere in our lives – the edges of a page, the boundaries of acceptable social behaviour, the fences that separate suburban plots of land. The matter of concern of this thesis is in borders as state boundaries, in particular, the dynamics of the management of state boundaries between and within states in trans-Tasman regional economic integration. Involving the interaction of two governments with both shared and differing agendas and two sets of officials, this environment adds a dimension of complexity to policy practice.

The theoretical area of policy practice explored in this thesis is the relationship between narrative and action. Why is this important? In Western democracies, governments (politicians) and officials have a symbiotic relationship. Politicians are elected to serve and deliver results to their constituents based on their political party's policy agenda. While they might have their own sources of policy advice, in the main they still rely on public servants to provide advice and to act on the decisions they make. Public servants, on the other hand, rely on politicians to make decisions and create an environment that enables them to act. Both sides rely on 'things being done'. The interplay between these interests creates a dynamic and challenging authorising environment (Moore, 1995).

A lot of the 'things being done' occurs at the computers and within the meeting rooms of policy officials. They are every-day, and often unremarkable, activities. But these are the activities that lead to the policy advice and the tangible results that follow (or not, as the case may be). Much of this every-day action involves telling stories, as explained by Jay White: 'policy analysts must be able to tell a story that mixes statements about present facts, future predictions, and valued possibilities in a way that provides a basis for action' (White, 1999, p. 22).

⁷ Discussed in Chapter 2.

The relationship between stories and action in public policy-making has not been widely researched. Understanding the effect of everyday actions is necessary to understanding how results are delivered; understanding the role of the stories officials tell one another and their politicians, and the underpinning narratives that shape their intentions and drive their actions, is an essential aspect of this.

1.2 Origins of this thesis and research question

This research arose out of my personal experience and frustrations, as a senior policy advisor, with policy practice in the trans-Tasman border environment. In 2002, I had led the development of an international strategy for the New Zealand Customs Service (New Zealand Customs), out of which an Australia Strategy was subsequently developed. From interviews with staff at that time, and from my own involvement with Australian bilateral relations, it was clear that while close, the relationship of the two Customs administrations did not evidence much joint action. A story that typifies this situation is about Australia's introduction of an 'Australians and New Zealanders' passport clearance line in 2005. New Zealand had included Australians into the New Zealand passport clearance line a decade earlier, in the mid-1990s⁸ – a decade during which New Zealand officials had been trying, unsuccessfully, to get Australia to reciprocate.⁹ What were Australian officials' narratives that prevented the change happening earlier? What were New Zealand officials' narratives that made them make the change back in c.1995 and want the Australians to reciprocate?

Why should this matter? There is no customs union between the two countries, despite a world-leading trade agreement that has evolved into 'beyond the borders' integration and has been reinvented as an objective to create a Single Economic Market; the two countries are separated by a stretch of water that takes at least three hours to cross by air; and they are greatly different in geographical and economic size. What leads me to think that there is anything puzzling about the absence of joined up action between border agencies?

⁸ New Zealand Customs staff.

⁹ Their arguments for not doing so were technical, relating to processing time.

Figure 1. Map of Australia and New Zealand¹⁰



The two countries are separated by the Tasman Sea. Hence 'trans-Tasman'.

Various authors have painted a picture of the many interwoven strands that connect Australia and New Zealand and their peoples, as well as those that separate (McLean, 2003; Mein Smith, Hempenstall, & Goldfinch, 2008; Sinclair, 1987). A tension between connection and separation is well told in their stories, such as the Australian government's challenge in the late 1990s to the freedom of trans-Tasman travel, arising from the high numbers of New Zealanders moving to Australia; and the failure of the merger of the two stock markets to eventuate despite some support for it (Mein Smith et al., 2008, p. 137). I wanted to explore this tension between connection and separation in the world of border policy officials – an area of research notable by its absence, aside from some investigation into immigration issues.¹¹ Related to this tension was how Australian and New Zealand officials translated their respective governments' policy goals into action – actions that from my experience did not always equate with politicians' stated intentions, both domestically and for the trans-Tasman.

¹⁰ Retrieved 27 March 2015 from http://jb-hdnp.org/Sarver/Maps/WC/wc23_ausnzpophyt.jpg

¹¹ E.g. Dr Kate McMillan, Senior Lecturer at Victoria University of Wellington has focused on Australasian people movements. See <http://www.victoria.ac.nz/hppi/about/staff/kate-mcmillan>

To satisfy my curiosity about these tensions and mismatches, I have chosen to examine a period in recent trans-Tasman history that saw a burgeoning of activity between the border agencies in each country over several years – activity that I was involved in for some of the time. The activity was prompted by one of nine objectives in one of the ‘joint statements’ that Australian and New Zealand Prime Ministers customarily issue after their biannual meetings. The relevant parts of the joint statement released on 2 March, 2009 read:

In the face of the global economic downturn they [the Prime Ministers] pledged renewed ambition to achieve new levels of trans-Tasman economic integration. These efforts will be built on:

- the strong trade results delivered by 26 years of Closer Economic Relations, which have set a global benchmark for free trade
- the vital role of the Single Economic Market initiative in aligning and strengthening the two economies, stimulating business activity, competitiveness and job creation
- high quality, responsive domestic financial regulatory systems and institutions
- a determination to foster open markets, flows of capital and credit and to resist protectionism in order to uphold confidence in the international economy; And
- the dynamism and strength of Australian and New Zealand companies, and the ideas and energy of bodies such as the Australia New Zealand Leadership Forum.

The two Prime Ministers committed to:

. . . reduce remaining barriers at the borders to ensure that people and goods can move more easily between the two countries (Key & Rudd, 2009a).

The above statement associates the ‘reduce remaining barriers at the borders’ objective with the ‘Single Economic Market initiative’. In this thesis I am therefore equating delivering on the former with contributing to the latter. The Single Economic Market (SEM) focus of border-related activities I was involved in over the period 2004-5 supports this interpretation. With that in mind, this thesis aims to answer the following research question:

What role did narrative play in the way border policy officials translated the political goal of a single trans-Tasman economic market into action after the Joint Prime Ministerial meeting of 1-2 March 2009?

Within this question is a mix of future focus, in terms of the political goals, and the ‘here and now’ in terms of the action officials took at the time.

1.3 Personal statement

This thesis has been a deeply personal quest, in that I have been working in and influencing this particular environment on and off throughout the last 15 years. The communiqué of 2 March 2009 was to re-involve me in the trans-Tasman developments I will trace in this thesis – developments that continued to follow an uneven path of ‘joint-ness’. This thesis also has, of necessity, a focus on the two Customs administrations, given my long employment in New Zealand Customs and the specialised knowledge and cultural mind-set that brings.

This thesis is also grounded in practice – my own and others’ – and in this respect I am indebted to the many officials in Australia, New Zealand and Europe who generously gave me their time, and to New Zealand Customs for access to the records of that practice.

1.4 The research arena

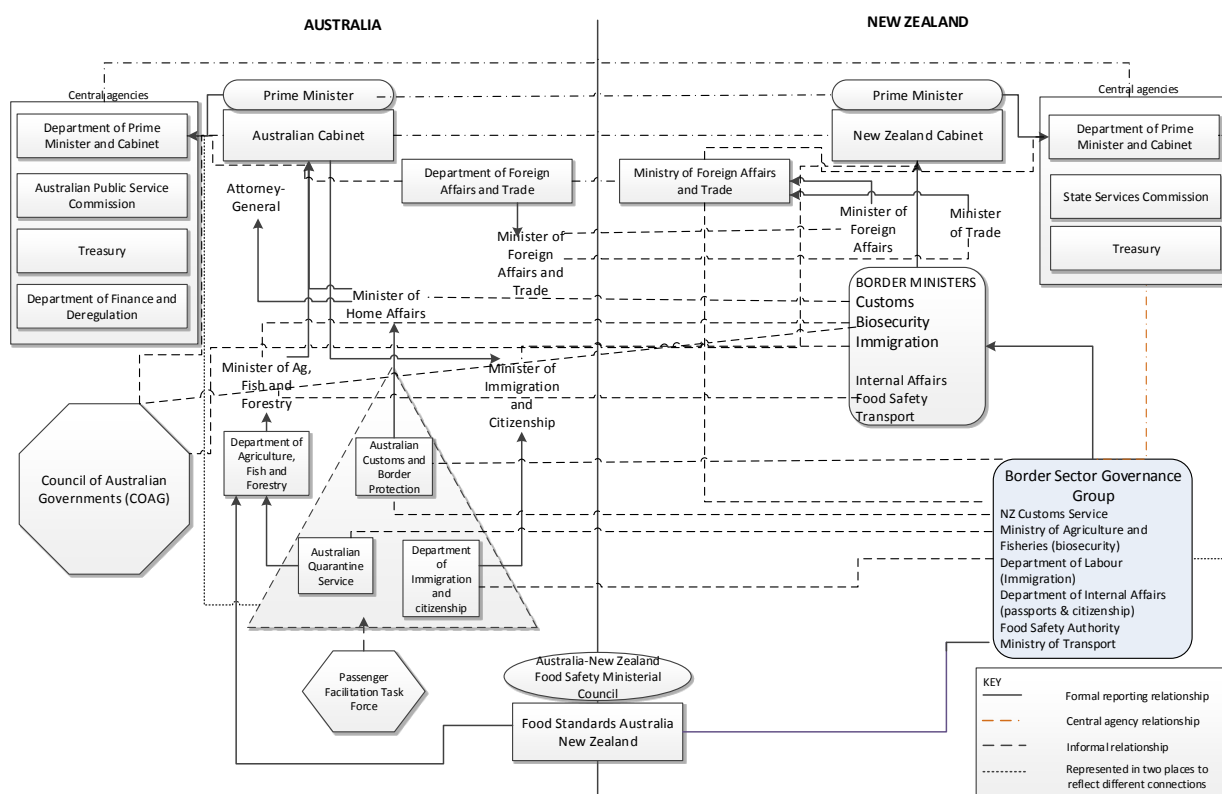
1.4.1 The arena of trans-Tasman policy practice

Australia has a federal parliamentary system, with a commonwealth of states and territories, while New Zealand has a much simpler unitary parliamentary system which is also unicameral. While each country is sovereign in its own right, both are still members of the British Commonwealth, and while playing out differently in structure and practice, both political systems derive from the British Westminster model (Rhodes, Wanna, & Weller, 2009).

Even though trans-Tasman border connections are primarily at the federal level, with no involvement of the states and territories except for some food safety and biosecurity matters, policy activity in the trans-Tasman border context still involves a ‘spaghetti bowl’¹² of political, official and industry players and relationships, both between Australia and New Zealand and within each country, as depicted in Figure 2 below.

¹² A term used to describe the effect of multiple trade agreements. See (Majluf, 2004, p. 9). My use is not the usual use of the term but the effect is the same – many intersecting and crossing connections at the organisational level. Not visible in this diagram are the many informal connections between different agencies and ministerial offices.

Figure 2. The 2009 spaghetti bowl of trans-Tasman border-related government connections¹³



What we see in this diagram is the messy, dispersed landscape depicted by political scientists of the British ‘interpretive turn’. That work is built on the understanding of government systems as socially constructed, from the macro to the micro level (Bevir & Rhodes, 2006a, 2006b, 2010; Bevir & Richards, 2009). The ‘spaghetti bowl’ reflects different policy networks in the border management domain, operating at different levels of governance (Bevir & Rhodes, 2010; Colebatch, 2005; Rhodes, 2007):

Policy networks are sets of formal institutional and informal linkages between government and other actors structured around shared if endlessly negotiated beliefs and interests in public policy making and implementation (Rhodes in Moran et al. 2006, p. 426).

Policy practice in the trans-Tasman context forms some of those networks, involving a range of institutional arrangements in different policy areas, ranging from joint agencies to non-binding

¹³ My own depiction of connections drawn from official documents, interviews and my own knowledge and experience.

cooperation (Australian Government Department of Finance and Administration & New Zealand Ministry of Economic Development, 2007).

1.4.2 The arena of trans-Tasman border policy practice

Policy practice in Trans-Tasman border management¹⁴ is framed by the Australia-New Zealand Closer Economic Relationship Trade Agreement (CER). This free trade agreement, signed in 1983, 'has been recognised by the World Trade Organization as a model'.¹⁵ It not only opened up the two economies but also created a continuing environment of ongoing government cooperation as the agreement progressively developed and deepened.¹⁶

Trans-Tasman border arrangements involve non-binding cooperation across the three key areas of customs, biosecurity and immigration. In the area of customs, the policy issues yielding the big gains have been dealt with, and what is left are more operational policy matters; biosecurity cooperation likewise; immigration policy such as visa conditions and quotas and refugee settlement affects border arrangements but is generally handled separately. Together, trans-Tasman border matters are classed as 'trans-Tasman border management', which is the arena of policy practice addressed in this thesis.

1.4.3 The shape of this thesis

As foreshadowed by the discussion above, this thesis comprises two interwoven strands. The first is the search for the relationship between policy narrative and action; the second is the setting within which that search occurs – that of border management within the frame of trans-Tasman regional economic integration. The spaghetti bowl of border-related interactions represents where that interweaving takes place but it doesn't tell us much about how policy is practised in the domain of border management. For example, the diagram does not depict the many informal contacts and interactions of officials and politicians; it does not give a sense of what happens in the formal contacts or what prompts changes in policies or processes; and it doesn't tell us what

¹⁴ Border management involves managing the flows of people, goods and craft across borders. Discussed in detail in Chapter 3.

¹⁵ See Austrade's website for an overview: <http://www.austrade.gov.au/Export/About-Exporting/Trade-Agreements/ANZCERTA>

¹⁶ Discussed further in 5.4.2.

stories accompany the activities of officials and politicians or what influence those stories have on those activities.

In the next Chapter, I establish the gaps of knowledge that are addressed in this thesis in both these areas – border management in trans-Tasman regional economic integration and the relationship of narrative to action in policy practice – and introduce Actor-Network Theory as a way of addressing those gaps. I then describe in Chapter 3 how Actor-Network Theory provides a powerful theoretical frame for exploring both regional economic integration and policy narrative, and how aspects of narrative theory could add additional insights to this frame.

In Chapter 4, I describe the ontology, epistemology and method for conducting this research, followed by the argument that border management is an integral part of global marketization as established by Çalışkan and Callon (2010), and thus of regional integration. Also in Chapter 5 is an exploration of regional economic integration in the European Union (EU) as a point of reference for trans-Tasman economic integration, with a particular focus on border management. This material provides the necessary background for the narrative analysis in Chapters 7 and 8.

Chapter 6 delves more deeply into trans-Tasman border management through five trans-Tasman border stories centred on the joint Prime Ministerial statement of 2 March 2009, and provides an analysis of each one along with overall reflections, using the Actor-Network Theory frame. This is followed by the research findings in Chapter 7, wherein I answer the research question. This Chapter identifies the relationship between narrative and action in the five trans-Tasman stories and connects them back to two deeper narrative strands – trans-Tasman historical and cultural connections and connections to the global trading system that has spawned the regional integration framework. The final Chapter develops the argument for broader connections, providing a more in-depth discussion of the implications of the findings in Chapter 7. This discussion makes explicit the contribution to knowledge provided by this thesis in the areas of border management in regional economic integration, policy practice, narrative, and Actor-Network Theory and also identifies areas for further research.

Chapter 2

Border Management in Regional Economic Integration and Narrative in Public Policy – The Current State of Knowledge

2.1 Introduction

This Chapter sets out the current state of knowledge about border management policy in regional economic integration and about narrative in public policy, and identifies gaps in knowledge in both areas. It situates border management policy in regional economic integration, which is revealed to be a contested concept, and identifies a gap in the consideration of border management in a deeply integrated region other than the EU. It also situates policy narrative in the Westminster system, traverses the main themes of existing work on policy narrative and establishes a gap in the relationship between narrative and action, specifically how officials translate narrative into action.

2.2 The current state of knowledge about the contribution of border management to regional economic integration

Regional economic integration, also known as economic integration or market integration, involves a particular economic relationship between two or more markets. Jacks provides a relatively simple definition: ‘. . . market integration may simply be viewed as the opening and development of trade between heretofore autonomous markets and their integration into a single operative entity’ (Jacks, 2000).

Both understanding and applying theories of regional economic integration appear to be somewhat problematic for the global trading system. First, regional economic integration could be seen as either in competition with or part of global economic integration. A regionally integrated market increases economic performance between participating countries to the exclusion of third countries, which has been argued as being against the spirit of the General Agreement on Tariffs and Trade (GATT), the first multilateral trading agreement, and thus against the global trading system (Rom, 1964). On the other hand, with the slowing of progress on further multilateral agreements via the World Trade Organization, economic integration could be seen to be a substitute for the global trading system, for example, the aspirations of the Association of Southeast Asian Nations (ASEAN) to deepen its free trade area.

Pelkmans, in his 1980 article revisiting theories of economic integration, assesses integration theory as lacking practicality. ‘A short and general verdict is that integration theory has too often traded practical relevance for theoretical elegance’ (Pelkmans, 1980, p. 333). He critiques Balassa’s ‘classic’ work (Balassa, 1961) in which Balassa sets out the stages of integration, and in particular argues that customs union theory is alienated from reality (except for ‘at the border’ for tariffs) by its assumptions that remove change, uncertainty, complexity and government interference in the economy from the model.

Table 1 sets out a version of Balassa’s stages of integration used by De Lombaerde, Dorrucci, Genna, & Mongelli (2008) that shows five stages of integration and their particular characteristics. This version also provides examples of each level of integration. Note that CER does not feature.

Table 1. Stages of Economic Integration

Stages of integration	Description	Characteristics	Examples
1	Free trade area (FTA)	Tariffs and quotas abolished between area members Tariffs and quotas retained against 3 rd countries	NAFTA
2	Customs union (CU)	Common tariffs and quotas for trade with non-members	European Economic Community before 1968
3	Common market (CM)	A CU promoting -integration of product and service markets (through abolition of non-tariff barriers to trade), and -integration of capital and labour markets (through abolition of restrictions on factor movement)	European Single Market (from 1993)
4	Economic union (EUN)	A CM with a significant degree of coordination of national economic policies and/or harmonisation of relevant domestic laws	European Union
5	Total economic integration (TEI)	An EUN with all relevant economic policies conducted at the supranational level Supranational authorities and laws needed	The Eurozone is partway between an EUN and a TEI

Taken from UNU-CRIS working paper W-2008/9, in which the information is presented as ‘a conceptual framework inspired by Balassa (1961) and the European experience’ (De Lombaerde, Dorrucci, Genna & Mongelli, 2008, pp. 3-4)

Some terms used in Table 1 (tariff, market, customs union, non-tariff barriers to trade) affect or link to border management. Some of the economic language of those terms is opaque (e.g. what

are ‘non-tariff barriers’?¹⁷) and some looks clear but in practice is interpreted and played out in different ways in different countries or groups of countries (e.g. customs union¹⁸). Crowley suggests that the customs union step can be omitted altogether (Crowley, 2002), which is certainly the case in trans-Tasman economic integration.

Government’s role is overtly present in regional economic integration theory. According to Mattli (2005), integration is not integration until promises made in integration treaties have been implemented. He describes what is involved in implementation:

. . . a lengthy process of establishing common rules, regulations, and policies. It is these rules, regulations, and policies, based either on specific treaty provisions or derived over time from the general principles and objectives written into integration treaties, which translate the aspiration for regional prosperity into reality. Treaty implementation, however, is a slow and arduous process laden with conflict (Mattli, 2005, pp. 328–9).

These treaties and ‘rules, regulations and policies’ are made between governments.¹⁹ Governments thus set the conditions to facilitate trading across borders in regional economic integration in a similar way to global forums like the World Trade Organization (WTO). And according to Pelkmans, these conditions are very political (Pelkmans, 1980, p. 350).

The EU is the most developed and most researched example of a single market (Leslie & Elijah, 2012). It also resulted in the most extensive example of and model for regional economic integration in the world, even though no other regional grouping has achieved the same level of integration (Cameron, 2010).

One example that is not usually thought of as a comparator is trans-Tasman economic integration. The stance taken in this thesis is that of Leslie & Elijah, who provide a defensible argument for

¹⁷ The OECD’s definition indicates the way this term is applied in reality is not clear-cut: <http://stats.oecd.org/glossary/detail.asp?ID=1837>

¹⁸ Pelkmans (1980) points to many problems with customs union theory, which is essentially about changes in efficiency, and therefore ignores movements within the market such as growth, labour and investment movements and new products.

¹⁹ Grenville argues that these rules provide the framework for countries to go beyond economic interests and to introduce new ideas and insights (Chapter 2 in OECD & The Bob Hawke Prime Ministerial Centre at the University of South Australia, 2005). He also briefly mentions CER as an example of successful integration.

treating Australia and New Zealand as a 'region', and therefore as an example of regional economic integration (Leslie & Elijah, 2012).

It is the 'across borders' aspect that I now turn to. Regional economic integration is a sort of cross-border narrative – a narrative about the interplay between national and international borders. A very useful concept for considering this narrative is that of 'power containers' (Giddens, 1985). Peter Taylor (1994) developed this idea into four containers (power, wealth, cultural and social) that represent the state's basic tasks – of staging war, managing the economy, and providing national identity and social services.

Paasi developed this further by articulating the tensions contained within these tasks in terms of the state's desire to extend and at the same time contain its territoriality. For example, to maintain and develop economic wealth and cultural identity, a state will seek to extend its territoriality; to control populations and to maintain culture and society, a state will seek territoriality it can control (Paasi, 1998, p. 73). Paasi does not address Taylor's 'social container' (the state's moral obligation to look after its people) but his work does set the scene for understanding borders as places of power:

Since boundaries are an expression of the power structures that exist between societies, a major challenge for boundary research is to deconstruct such power relations in the form of boundary narratives. Boundaries may therefore be comprehended as flows of power in which memories are transformed into things of the present and future (Paasi, 1998, p. 83).

If we accept his premise that the economic impetus is to expand a nation's territory, and the political impetus is to preserve existing boundaries,²⁰ borders are at the centre of the connection between these two drivers, where the integrating forces of the international trading system meet, or pull against, the separating force of territorially-bounded nation states (Walker, 2010).²¹

These forces can also be seen as a distinction between political and economic communities. The former is bound by state borders (democracy – voting for politicians, and what is publicly owned); the latter is not so bound and can cross state boundaries with impunity: 'what happens at borders

²⁰ This thesis shows that his premise applies to Australia and New Zealand, at least.

²¹ Ironically, nation states are required for the international system to work.

can shed light on the wider implications of their separate integration. . . Rather, it is formal state sovereignty and representative democracy which “stop” at borders’ (Anderson & O’Dowd, 1999, pp. 8–9). The implication we can take from Anderson and O’Dowd is that studying what happens at borders can help us understand an aspect of regional economic integration that has been little studied – that of the way these forces play out at the borders of a single economic market.

The nature of policy in border management is two-fold. The first area relates to particular policy domains such as immigration, quarantine and customs; the second relates to the policy about the mechanisms for managing flows across borders. Hills defines border management as ‘usually concern[ing] the rules, techniques and procedures regulating activities and traffic across defined border areas or zones’ (Hills, 2006). This thesis focuses on this latter type of policy, which I have called ‘border management policy’. Border management policy provides governments with the ability to enact their sovereign interests at the border. In other words, border management is an instrument of sovereignty and border management policy defines and delineates this instrument.²² While there is extensive literature on borders and territorialisation,²³ there is not much on this particular aspect of border management policy.²⁴

2.2.1 The gaps in knowledge

This review has shown that the literature in standard economic theory is under-developed on the border aspects of the ‘common market’ stage of integration, given that ‘. . . there is no such thing as a “theory of the common market” ’ (Pelkmans, 1980, p. 341). The implication from Pelkmans’ comment is that there is not a single type of ‘single market’, and therefore, not a single type of border management arrangement. While the concept and role of borders has been researched extensively, including policy practices of border management beyond ‘customs union’ in the European Union, border management has not been examined in the deeply integrated trans-

²² Explained in Nicklin, 2002.

²³ For example, the work of Anderson & O’Dowd, 1999; Newman, 2006; Paasi, 1998; Walters, 2002.

²⁴ An exception is Ladley and White, 2006, commissioned by New Zealand Customs. There is also significant material on border management in international organisations such as the WCO and the World Bank that includes policy-related matters developed for practitioners but does not focus on the policy implications of practice in a theoretical way. Recognising the general lack of research on customs matters, the WCO has developed a partnership with academia (the PICARD programme – Partnerships in Customs Academic Research and Development). See http://www.wcoomd.org/en/topics/capacity-building/activities-and-programmes/cb_picard_overview.aspx

Tasman regional economic market. Neither has there been academic attention paid to border management as a particular field of policy.

2.2.2 The contribution to knowledge

This thesis provides a contribution to the knowledge on regional economic integration in several areas. First, it explicitly situates border management beyond customs union in regional economic integration and creates new insights by extending Michel Callon's approach to marketization to border management (Çalışkan & Callon, 2010; Callon, 2007; Callon & Muniesa, 2005). Second, it explores the effects of the narratives of border management in trans-Tasman economic integration arrangements. There has been no attention given to narrative in this domain. Third, it creates new knowledge about the particular dynamics of trans-Tasman regional integration and the implications for other regions. Fourth, there is only a small amount of research using Actor-Network Theory (ANT) to examine aspects of border management, primarily focused on technology and security at the border (e.g. Naber, Hofman, Enserink, & Kotterink, 2013; Tolerton, 2009). This thesis therefore adds to the body of knowledge applying ANT to the management of borders, through an examination of border management policy practice in the formation and operation of the trans-Tasman SEM.

2.3 *The current state of knowledge about policy narrative*

In this thesis, the elements of policy, narrative²⁵, border management and regional integration are brought together through the field of policy narrative. According to Jones and McBeth, 'narrative remains a mysterious and elusive concept in policy theory' (Jones & McBeth, 2010, p. 330). I therefore review key literature on policy narrative and what the current state of knowledge tells us policy narratives might be, and the extent to which that literature addresses the relationship with action.

Given the trans-Tasman-British Commonwealth connection referred to in Chapter 1, the work of the British 'interpretive turn' of political science provides a logical starting point. One of the key proponents of the British interpretive turn is Rod Rhodes. Rhodes' long and varied career has taken him on a progressive journey of exploration that has led him from public administration to

²⁵ Although some narrative theorists distinguish between the two, 'narrative' and 'stories' are commonly used interchangeably, covered later in this Chapter.

governance to policy networks and more recently to the role of narratives in policy practice, particularly in policy implementation. The relationship of narrative and action has been a strand throughout his work. For example, in their 2003 article on tradition in the public sector, Rhodes, Bevir and Weller describe narrative as a form of explanation ‘. . . that works by relating actions to the beliefs and desires that produce them’ (Bevir, Rhodes, & Weller, 2003, p. 13).

More recently, drawing on the rich and considerable literature on narrative in the human sciences, Rhodes selects the metaphor as a central element to policy narratives, ‘. . . making the unfamiliar analogous to familiar situations’ (Rhodes, 2011, p. 204). His focus is on recovering from every-day policy makers ‘their beliefs and practices about “how things work around here”’, as the main vehicle for policy analysis (Ibid.). He is particularly interested in whether policy narratives can help explain the failures of policy implementation. There is therefore a link in his work between narrative and action in policy practice, and the struggles that entails, which is very relevant to the enquiry in this thesis. Rhodes’ frequent collaborator, Mark Bevir, provides a related link between meaning and action: ‘An interpretive approach suggests that the state, like all political life, consists of meaning in action’ (Bevir, 2011, p. 192).

Similar to Rhodes and Bevir, Hajer,²⁶ including with his colleague David Laws, connects policy practice with constructing narrative, including metaphors, as a means of generating action. For them, policy practice, as the site at which interpretive schemata are produced and reproduced, ‘builds on the linguistic account of policy making that employs narratives – stories, metaphors, myths – to create an image of the world that is acted upon and that constitutes the world at the same time’ (Hajer & Laws, 2006, p. 264).

The contributions of Rhodes, and Hajer and Laws, are part of the growing body of academic literature on policy narrative that has emerged since the 1990s.²⁷ Rhodes asserts that ‘narratives

²⁶ Hajer is an interpretive political scientist who argues that dispersed governance requires deliberative analysis, which in turn requires many different inputs and analytical methods, of which discourse analysis is one (Hajer, 2003). His work most relevant to this thesis is in two chapters co-authored with David Laws in the Oxford Handbook of Public Policy (Moran, Rein, & Goodin, 2006).

²⁷ A related contribution that emerged in the 1990s is ‘the argumentative turn’ in policy and planning (Fischer & Forester, 1993).

are the form theories take in the social sciences'²⁸ (Rhodes, 2011, p. 204) and cites Ricoeur and Czarniawska as examples of 'the extensive literature on narratives in the human sciences' (Ibid.).

While story-telling has a long genealogy, including grand narratives passed down from generation to generation as part of tribal culture and history (White, 1999), the development of narrative theory in the 1980s and 1990s came about from the interpretivist and post-modernist thinkers of the 1970s-1990s, who gave weight to human meaning-making (Czarniawska, 2004a). It was a natural progression, then, for academics to start to study narrative and stories as key vehicles for meaning-making (Hyvärinen, 2010). This awakening of interest encompassed a movement that has a polyphony of approaches and interpretations that continue to grow and develop. 'The study of narrative does not fit neatly within the boundaries of any single scholarly field' (Reissman, 1993, p. 1). This movement is commonly called the 'narrative turn'.

According to Czarniawska (2004a), who has written extensively on narrative in social science research, Polkinghorne attributes the contemporary literary study of narrative to the five schools of thought – comparative linguistics, Russian formalism, United States new criticism, German hermeneutics and French structuralism, with the 1980s and 1990s, in particular, spawning a range of different narrative approaches. The table below illustrates the developments of narrative thought.

²⁸ This is a very broad statement that is not altogether clear. Does he mean social science theories are told by way of narrative or does he also mean that social science theories themselves are made up of narrative?

Table 2. Brief Genealogy of Narrative Methods

					France <i>Post-structuralism</i> Derrida Foucault Barthes Lyotard Genette	Russia <i>Heteroglossia</i> Bakhtin (1928/1985)	World Citizen <i>Quantum Storytelling</i> Boje
<i>Comparative Linguistics</i> de Courtenay de Saussure			United States <i>New Criticism</i> Frye Scholes	French <i>Structuralism</i> Levi-Strauss Greimas			
			1930s-1940s	1950s-1960s	1970s-1980s	1980s-1990s	2000s-2010s
350 BC	1818-83	1910-1930s	1940s-1950s	1960s-1970s	1980s-1990s	1990s-2010s	
Greece <i>Narrative politics</i> Aristotle	Germany <i>Grand Theory of History</i> Hegel	Russian Formalism Shklovsky Propp Eikhenbaum	German Hermeneutics Gadamer Heidegger	<i>Narratology & Literary Theory</i> Todorov (1978/1990)	<i>Narrative Historiography</i> Louis Mink Hayden White David Carr James Clifford	<i>History as Narrative</i> Munslow Bernstein	
			<i>Narrative of political life</i> Hannah Arendt	<i>Narrative of Life</i> Bruss	<i>Social Sciences</i> WJT Mitchell Bertaux Fisher (politics) Diedre McCloskey (economics)	<i>Policy Narrative Methods</i> Reissman (Narrative Inquiry) Yanow Roe Jay White Shanahan, Jones, McBeth & Lane	
				<i>Socio-linguistics</i> Labov (1967/1997) Waletzky	<i>Life as Narrative</i> Bruner (psychology) Polkinghorne (psychology) Ricoeur McIntyre	<i>Conceptual History of Narrative</i> Hyvärinen	
					<i>Enacted Narrative</i> Tarde (1880s/1990s) (sociology/criminology) Latour (sociology) Law (material semiotics) Czarniawska (org studies) Rhodes (policy) Haier (policy)		

Adapted from Rosile, Boje, Carlon, Downs, & Saylor, (2013, p. 577), drawing on Czarniawska (2004a) and (Hyvärinen, 2006)²⁹

Even given these developments, Hyvärinen's study of the history of narrative has led him to conclude that the concept of narrative 'has remained un-theorized and under-theorized for a long time', in that the narrative turn has focused on the content of the narrative at the expense of the concept (Hyvärinen, 2006, p. 32). This thesis seeks to partly address this gap in the area of policy narrative.

Because policy narrative theory has not yet been recognised as a subset of the narrative turn by Hyvärinen or Czarniawska,³⁰ I have created a category 'Policy Narrative Methods'.³¹ A characteristic of the approaches in this new category is the focus on the actors in the policy

²⁹ I have significantly expanded on the original table, and added in new categories, which I explain in this Chapter and in Chapter 3.5.

³⁰ For example, Hyvärinen covers the development of all the main strands of narrative but does not mention policy narrative at all.

³¹ Hyvärinen notes an absence of fields of 'narrative sociology' and 'narrative philosophy, but does not mention political science or policy.

process, with authors contributing a different structural aspect to assist policy practitioners, in particular, to understand and carry out their work. Implicit in most is a relationship with action. Hyvärinen notes the ‘explosion of narrative inquiry’ (Hyvärinen, 2004, p. 4), into which category Catherine Reissman falls. Other policy narrative theorists included in this new category are Dvora Yanow, Emery Roe, Jay White and Shanahan, Jones, McBeth and Lane, all of whose work originated in or is currently based in the United States (US) public administration research tradition.³²

Reissman’s fields of research are social work and qualitative research methods. While not strictly ‘policy’, her approach has been used in research areas relevant to public policy such as education, social wellbeing and illness.³³ Her approach builds on the ‘Life as Narrative’ category in Table 2 above, whose proponents argue that people’s lives are experienced as narratives.³⁴ Of interest to this thesis is her method of narrative analysis, which she describes as having to do with how people interpret things for themselves and how others interpret those interpretations. The individual’s story is her particular area of interest. For her, the value of narrative analysis over other social science methods is the insights it gives to social life ‘through an individual’s story’ (Reissman, 1993, p. 5). She relates action to narrative, rather than the other way around. To her, narrative gives meaning to actions. ‘Events become meaningful because of their placement in narrative’ (Reissman, 1993, p. 18). She also notes the lack of agreement about the definition of narrative by narrative theorists. To summarise, while Reissman’s work provides guidance for narrative analysis, it doesn’t help reveal the dynamics of policy narrative.

Another academic whose work on narrative falls within the realm of policy narrative but without the ‘policy narrative’ label is Dvora Yanow. Her focus is on interpretive policy analysis and meaning-making in which ‘the interpretive policy analyst can be seen as a translator, bringing other interpretive communities’ stories to her employing policymaker, agency, or community group, helping each to understand the stories of the others’ (Yanow, 2000, p. 90). For Yanow, stories are therefore part of the policy analyst’s activity of interpreting and translating. Yanow’s

³² As opposed to the more performative UK/European work of Rhodes and Hajer.

³³ For example, ‘Involving the public through participatory visual research methods’. *Health Expectations*, 12(3), 262-274; Phoenix, C., Smith, B., & Sparkes, A. C. (2010); Narrative analysis in aging studies: A typology for consideration. *Journal of Aging Studies*, 24(1), 1-11; Green, J., & Thorogood, N. (2013). *Qualitative methods for health research*. Sage.

³⁴ See Hyvärinen’s discussion in “‘Life as Narrative’ Revisited” (Hyvärinen, 2008).

work provides only part of the picture I aim to build in this thesis. Her focus is on guiding policy practice rather than revealing it. An interesting aspect of her work is her recognition of the power of 'things' to tell policy stories by way of metaphor (Yanow, 1995). A feature of ANT is its inclusion of non-humans as actors.³⁵ The role of 'things' in narrative will be explored in Chapters 6 to 8.

Arguably the most influential writer on the policy and practice of policy narrative is Emery Roe, a practising policy analyst and academic researcher. He created a narrative model for policy reconciliation that involves identifying the dominant and counter-narratives underpinning a policy controversy and finding the metanarrative to frame policy discussion that can break through entrenched positions (Roe, 1994). His book on policy narrative analysis provides a procedure for carrying this out, in which he states: 'Since stories are a fact of life for practicing policy analysts, some form of rigorous narrative analysis should be available for them' (Roe, 1994, p. 55). His work is insightful and implicitly contains an element of action (via breakthrough metanarrative) but does not help us understand the relationship between narrative and action.

Jay White, and Shanahan, Jones and McBeth aim to bring a more scientific approach to policy narrative analysis. Professor White's extensive examination of the theory of knowledge as storytelling in public administration makes an important contribution in this domain. In making the argument for the importance of narrative in policy, he refers to action research, in which the actors participate in their own understanding. He builds the case out of the scientific method, arguing that even 'basic science' involves making value judgments, and is therefore interpretive (White, 1999). White also asserts that public administration, as a minor discipline, needs more local narratives. This thesis provides some of those.

More recently, Jones, McBeth and colleagues (Jones & McBeth, 2010; Shanahan, Jones, McBeth, & Lane, 2013) have developed and applied their 'Narrative Policy Framework' (NPF) that straddles the divide between 'scientific and repeatable' and post-positive theoretical approaches to policy narrative to enable testable hypotheses. Their work is important in that it addresses the relationship between narrative and outcomes. The NPF operates at three levels – micro, meso and macro. The micro level involves the interaction with and shaping of public opinion through policy narrative; the meso level is strategic, where narratives are about winning and losing and are built

³⁵ Explained in Chapter 3.

out of coalitions. Narrative analysis at the meso level involves ‘specifying causal links between policy narratives and policy outcomes’ (Shanahan et al., 2013, p. 461); policy narratives at the macro level are those of institutions and cultures. The authors claim their work provides greater understanding about the properties of narratives and how they are used, although they consider the importance of narrative in policy processes is still to be proven (Ibid.). Similarly to Roe, Shanahan, Jones, McBeth and Lane examine narratives in public-facing policy (Shanahan et al., 2013). Their approach assumes a problem and the presence of certain types of tropes such as villains and heroes. It currently does not address future-focused ideas but could perhaps be adapted by defining the future as the problem of what *could* happen.

For all their value in other respects, none of these approaches help us understand the ways in which officials translate politicians’ policy directives into action, especially when they are strategic in nature and the form of the expected outcome is uncertain, as in the trans-Tasman border situation.

Despite different approaches being used, the field of policy narrative does not appear to have generated the many theoretical debates of other social sciences. Those debates cover such topics as the relationship between narrative in literature and other fields, whether narrative is representational or ‘lived’,³⁶ whether a narrative is only a narrative if it has the form ‘beginning-middle-end’³⁷ or whether narrative can be narrative without a sequence or where the sequence is mixed up; whether a narrative has to be complete and finished or whether it can be partial and lived; and whether the concept of ‘grand narrative’ is still useful or not (Czarniawska, 2004a; Hyvärinen, 2006, 2010; Klein, 1995). There is also a separation between ‘narrative turn’ and ‘narratology’ literature, with the ‘narrative turn’ exploring stories as meaning-making, often focusing on the ‘lived experience’ of personal and collective narratives, and narratology having a more technical focus on the construction of the form of narrative:

Even the distinction between narrative and story is an issue that divides the two main stories. While narratologists usually insist on its relevance, narrative turn scholars often understand the terms simply as synonyms, and then prefer the shorter and more colloquial

³⁶ Refer to discussion in Hyvärinen, 2006, pp. 25–28.

³⁷ As promoted by Louis Mink, Hayden White and David Carr (Hyvärinen, 2006).

term of story (Hyvärinen, 2004, p. 2).

Hyvärinen offers an additional challenge to the field by calling for more theorising about the term 'narrativity'.³⁸

When we consider the debates in the field of policy narrative, academic writing tends to be exploratory, and discussions more about how to apply policy narrative analysis to help policy analysts to make sense of complex and unstable situations than about narrative theory (Moran, Rein, & Goodin, 2006, Chapters 12 and 19). Jones and McBeth are an exception, arguing against the tenet that scientific standards cannot be applied to policy narrative simply because it is socially constructed (Jones & McBeth, 2010).

This review of approaches has shown that the concept of policy narrative is applied differently by different academics, where there appear to be two different streams – the performative³⁹ stream coming out of the United Kingdom (UK) and Europe, and the analytical methods of the US. Policy narrative can be seen to involve stories, interpretation and meaning-making, and the form and shape of content, such as metaphors, controversies and plots. There is also a recognition of some sort of relationship between narrative and action, though this has not been a focus of policy narrative academic work to date.

2.3.1 The gaps in knowledge

As outlined above, the use of narrative in policy practice is primarily focused on understanding the form and content of the meaning-making for use in policy analysis. Even when it does relate to action, such as the focus of Rod Rhodes on implementation failures, the study of policy narrative does not appear to lead us any closer to understanding how policy narrative, and future-focused policy narrative in particular, is translated into action by officials.

Hajer and Laws call for the use of narrative and discourse tools to help policy analysts deal with controversies, and to help them innovate, and signal the need for research, stating: 'to understand

³⁸ Oxford dictionaries define as 'The quality or condition of presenting a narrative'. Retrieved from <http://www.oxforddictionaries.com/definition/english/narrativity>

³⁹ This term is described in Chapter 3. It represents a dynamic and adaptive rather than a static state.

how policy makers make sense of a complex world and design actions, we need to look more carefully at concrete interaction' (Hajer & Laws, 2006, p. 264).

This thesis looks specifically at the concrete interactions of officials in the policy practice of trans-Tasman border management.

2.3.2 The contribution to knowledge

This thesis fills gaps in policy narrative theory through using ANT as a theoretical base and as a tool for analysis, supported by links with related aspects of narrative theory. Rather than just describing the narratives within a policy situation, ANT provides a way to trace the action and link it to the narratives in play. Combining ANT with narrative theory enables narrative meanings to be drawn out from what is revealed. Hajer and Laws provide a doorway into the use of ANT in narrative policy by specifically mentioning the insights that Latour's practice-based approach provides to policy practice (Moran et al., 2006, Chapters 12 and 19). They also describe narrative in an ANT-like way.⁴⁰ For them, narrative is relational and active – 'stories emerge in an interaction', which they expand on further by saying '[n]arratives are like a ball that bounces backwards and forwards and constantly adapts to new challenges that are raised' (Hajer & Laws, 2006, p. 260). The next Chapter demonstrates that what they are referring to is the process of translation.

Rhodes' work also provides a doorway into ANT through his linking of narrative and networks:

. . . by following a policy process through the "webs and relations between actors, institutions and discourses across time and space" (Shore and Wright 1997, p. 14) – it is possible to identify the several ways in which policies are framed in networks (Rhodes, 2011, p. 206).

Nevertheless, ANT has neither been extensively connected with narrative in policy practice, nor with narrative theory in general.⁴¹ ANT has also been used to analyse different fields of public policy and public administration, including border controls, but not in relation to narrative.⁴²

⁴⁰ ANT is described in Chapter 3.

⁴¹ Czarniawska has linked ANT with narrative and applied ANT to her work on organisations. This will be discussed in Chapter 3. ANT and narrative have been linked in some theses on sociology and organisations (Peters, 2004; Wagner, 2003), but not policy practice, and not in the way I am approaching ANT and narrative in this thesis.

Using ANT and narrative theory together adds to the knowledge of the theory of policy narrative. This knowledge is a new understanding of the relationship between narrative and action, particularly in the area of 'fact-making', and what is happening when actions fail or succeed within their environment through tracing connections, associations and translations. These terms and my approach to these matters is described in the next Chapter.

⁴² E.g. using ANT to analyse policy innovation (Young, Borland, & Coghill, 2010); examining customs controls in the EU (Naber, Hofman, Enserink, & Kotterink, 2013); planning and policy-making at Schipol Airport (Jong, n.d.).

Chapter 3

The Theoretical Framework

3.1 Introduction

In this Chapter, I introduce ANT and use it to frame border management as a function and as a part of global markets, and to frame narrative. I reveal connections between ANT and narrative theory, including policy narrative, and draw out key areas that establish the theoretical focus of this thesis.

3.2 An introduction to ANT

3.2.1 ANT's credentials and some key concepts

ANT emerged between 1978 and 1982, and by 1982 it was identified as a new way of studying the social impact of science and technology (Law, 2009). Michel Callon, who coined the term 'Actor-Network Theory', developed the approach with Bruno Latour and others when teaching sociology to engineers at the School of Mines in Paris. It has evolved steadily since 1982, with Law and Hassard's 1999 book *Actor-Network Theory and After* being seen as a transition to a broader application known as 'after ANT' (Czarniawska-Joerges & Hernes, 2005; Vikkelsø, 2007).

ANT, which is sometimes called the sociology of translation,⁴³ and which Law argues is better termed 'material semiotics' (Law, 2009), studies the ways in which social groupings are formed out of connections between actors, human and non-human. Rather than the usual sociological approach of starting with the entity called 'society' out of which the sociologist identifies social groupings, ANT starts by revealing the connections from which social groupings are formed, and it is these revealed groupings, not the sociologist's classifications, that in turn define what is social (Latour, 2007). Through including non-humans and non-individuals⁴⁴ as actors, ANT reveals insights about change and the role of the interplay of humans and non-humans in change.

ANT draws on a mix of academic traditions, the key influences being the sociology of science of Thomas Kuhn, the semiotics⁴⁵ of A.J. Greimas, the philosophies of Michel Foucault, Gilles Deleuze

⁴³ Brown and Capdevila say this is the 'proper' name for ANT (In Law & Hassard, 1999).

⁴⁴ Technology has been a dominant non-human actor in ANT research.

⁴⁵ Semiotics is the study of the production of meaning in communication and language through signs and symbols. Narratology draws on the work of Greimas.

and Michel Serres, and the sociology of Gabriel Tarde (Latour, 1996; Law, 2009). In addition to Callon and Latour, key contributors to the development of ANT as an academic discipline are sociologists John Law and Vicky Singleton, anthropologist Annemarie Mol, the cross-disciplinary Donna Haraway whose field spans science and technology studies, anthropology and animal studies and Barbara Czarniawska in the field of organisational studies. ANT is an evolving field that 'is a diaspora that overlaps with other intellectual traditions' (Law, 2009, p. 142).

The core concept of ANT is the actor-network which has three inextricably linked key elements – actors, action and networks:

. . . actors associate with other actors, thus forming a network in which they are all made into "actors" as the associations allow each of them to act. Actors are enacted, enabled, and adapted by their associates while in their turn enacting, enabling, and adapting these (Mol, 2010, p. 260).

Thus actors act upon the network and the network acts upon the actors; hence the hyphen in the term 'actor-network' that couples the actor and the network together.

Actor-networks are different from other sorts of networks (including policy networks⁴⁶) in a number of respects. The first difference is that by including non-humans and non-individuals as actors, ANT gives them equal status with humans. This adds a dimension to the connections within the network and thus on the way networks are studied. ANT reveals that non-human actors can speak, through humans, and can have a direct effect on humans' behaviour.

The second is that power in ANT is relational – it comes from the associations rather than being inherent in a position or a person, and is not centred on particular people but in the effects of the associations and interactions between them: 'It is the relations that matter, not the actors in themselves' (Barry, 2013, p. 414). The more associations an actor-network has, the more powerful its effect on other actor-networks.

⁴⁶ The topic of policy networks is widely contested, but a defining difference from ANT is that policy networks are about human actors only. Nevertheless, there are links with ANT in some areas. Rhodes' extensive work on governance places him as part of the group of academics who support ethnographic methods to reveal the role of individuals' meaning-making in policy practice. This decentred approach creates links between 'changing policy networks, new ideas and setting policy agendas' (Rhodes in Moran et al., 2006, Chapter 20, p. 438).

The third is that the terms macro-, meso- and micro- as representations of gradations in size have no meaning in ANT. The term 'macro-actor' used in ANT is short-hand for many assemblages associating together and using the same voice, such as in an organisation. The word 'macro' refers not to size but to 'voice'. Actor-networks operate in a conceptually flat landscape that is determined by the strength of the associations. In this flat landscape, time and distance become irrelevant, except insofar as they are effects on the actor-network. The focus is on the associations; time and distance are 'folded' into the local, where they are experienced as local effects (Latour, 1996).

The fourth is that the acting and enabling that Annemarie Mol talks about above are traced through the translations that occur between actors. Translations are both making one thing equivalent to another (in the sense we understand translating one language into another) and about shifting and changing. This latter meaning of translation in ANT has a sense of picking something up from someone or something else and making it one's own so that it is not the same as it was at the beginning. Translation is a term that is often used in narrative, and there is a similarity in use. However, in ANT, translation has to occur for an action to be traced. Without translation, there is no action.

Fifth, ANT does not involve any investigation by the researcher of intentionality in the performance of the actor-network; instead, it provides a way of describing what has occurred leaving the actors to attribute meaning such as intentionality.

Sixth, ANT recognises the inherent instability in the associations of groups that are forming and the need for constant effort to maintain and strengthen them: 'Relating to one group or another is an ongoing process made up of uncertain, fragile, controversial , and ever-shifting ties' (Latour, 2007, p. 28). Law refers to this as the 'performative' nature of actor-networks (Law & Hassard, 1999). The concept of performativity features in Chapters 6, 7 and 8.

John Law summarises the uniqueness of the ANT approach as:


. . . a theory of agency, a theory of knowledge, *and* a theory of machines. And more importantly, it says that we should be exploring social effects, whatever their material form, if we want to answer the "how" questions about structure (Law, 1992, p. 389).

For Law, narrative and discourse are two ways in which the theory of knowledge is framed (Law & Williams, 2014).

While Latour's criticism of the words 'actor', 'network', 'theory' and the hyphen in Law and Hassard's *Actor-Network Theory and After* is tongue-in-cheek, his discussion highlights the problems that have arisen from the meaning of the term 'Actor-Network Theory'. The meaning of other terms used within ANT have also been contested, as discussed by Annemarie Mol in her article 'Actor-Network Theory: Sensitive Terms and Enduring Tensions' (Mol, 2010). Some explanation of the ANT terms as used in this thesis is therefore required. Table 3 below briefly describes each one. Their meaning will become clearer as the reader encounters them in my narrative.

Table 3. Description of ANT terms used in this thesis

Term	Meaning
Actor/actant	'something that acts or to which activity is granted by others' (Latour, 1996, p. 373). An actor is not a <u>source</u> of an action however – 'an actor is <u>made</u> to act by many others.' (Latour, 2007, p. 46). An actant is a non-human actor.
Macro-actor	'[M]acro-actors are micro-actors seated on top of many (leaky) black boxes. They are neither larger nor more complex than micro-actors; on the contrary, they are of the same size and . . . they are in fact simpler than micro-actors' (Callon & Latour, 1981, p. 286). '[A] super-actor that seems to be much larger than any individuals that constitute it, and yet it is but an association – a network – of these individuals, equipped with a "voice" ' (Czarniawska, 2004a, p. 7).
Network	The network is the action, and integrates signs and symbols in language and communication (semiotics) and material connections.
Action	Action is what is done. Action is only traceable through the process of translation. Tracing does not involve intentionality.
Assemblage	Social groupings are assembled through the connections, actors and actions that are an actor-network. An assemblage is an actor-network. The word brings to mind how the grouping is created and the diverse nature of the actors (i.e. both human and non-human).
Translation/transformation	'To translate is to make two things equivalent . . . and about shifting. It is about moving terms around, about linking and changing them' (Law, 2009, p. 144). Latour's description of the 'shifting' aspect is 'moving from one place to another' (Latour, 1987, p. 117).

Term	Meaning
Connections and associations	<p>The traces actors/actants leave reveal connections (or associations – the terms are used interchangeably). Connections form rhizomic-like shapes.⁴⁷</p> <p>Drawing on Deleuze, Latour described the ‘fibrous, thread-like, wiry, stringy, ropy, capillary character’ of modern societies (Latour, 1996, p. 370)</p> 
Performing/perform-activity	Continuous processes of translation that have effects on the matter/s of concern. ‘Performances are material processes, practices, which take place day by day and minute by minute’ (Law & Singleton, 2000, p. 775).
Matters of concern vs matters of fact	Matters of concern are different for different actors, are disputable and are ‘a way of insisting that facts and values cannot be disentangled: that each implies the other’ (Law & Williams, 2014, p. 22); matters of fact have been created out of a collective process of agreement (involving translation). All matters of fact ‘depend on holding the practice together’ and contain matters of concern ‘that are embedded in or motivate the practice question’ (Ibid.).
Stability and instability	Actor-networks are in a continual state of becoming, and as such, the connections are unstable. Connections can be stabilised but are contingent and inherently uncertain. Even seemingly stable connections will eventually break down and have to be re-established.
Power	Neither positive nor negative, power is relational – it results from the density of associations, and arises from translation, and others speaking on one’s behalf. “Power to” do things grows out of lots and lots of interwoven practices . . . so the power to do things is always a bit uncertain’ (Law & Singleton, 2013, p. 494).
Black box	The term is used where something is complex but stabilised, and you don’t need to know the ‘programme’ – only the input and the output. It is, however, not inert – it has to be maintained, or else it will become unstable.
Inscriptions	Visual representations that translate concepts or activity into an accessible and understandable form e.g. in science, the printouts that show the results of a chemical analysis make accessible the computations of the machine that did the analysis.
Fluidity and flows	Actor-networks that operate in an adaptable context can behave in a fluid way. Latour describes actors as flows: ‘actors are not conceived as fixed entities but as flows, as circulating objects’ (Latour, 1996, p. 374).

⁴⁷ Image from <http://www.iaacblog.com/maa2013-2014-advanced-architecture-concepts/2013/11/rhizome-deleuze-guattari/> accessed on 12 January 2015.

Term	Meaning
Multiplicity	‘Different realities are enacted in different practices’ (Law, 2011, p. 5) and ‘. . . the ways in which coexisting and partly connected versions of reality are enacted’ (Vikkelsø, 2007, p. 301). In other words, different realities can occur alongside one another, or intersect with one another, or be included in one another.
Obligatory points of passage (OPP)	A ‘single locus that could shape and mobilize the local network’ and ‘have control over all transactions between the local and the global networks’ (Bijker & Law, 1992, p. 31). An OPP is a point of power but it only exists as long as actors and network remain stable (Michael, 1996).

3.3 The performativity of border management

In Chapter 2, I described how borders are at the centre of the tension between international and sovereign interests. As the first part of establishing the overall theoretical frame of this thesis, this section frames border management using ANT concepts, establishing the suitability of ANT as a theoretical frame for this field.

The border of a nation state is a socially constructed concept. There might be a physical manifestation through a natural feature, such as a mountain range, a river or an ocean or there might be a line on a map that represents the border. The mechanisms governments establish to control their borders include policies and practices that affect the behaviours of people wanting to cross those borders for both legal and illegal purposes (Marenin, 2010). This of course also applies to illegal movement of goods, and avoidance of customs duties.

One area in which borders are visibly constructed is that of airports. With the advent of air travel, leaving and arriving occurs within two different territories, rendering airports as quasi-borders, even though they might be situated in the middle of their respective territories and nowhere near a physical border. This introduces the idea of the non-spatiality of borders. A networked (non)border is a geostrategy identified by William Walters – an analytic inspired by Foucher, a French theorist of geopolitics: ‘One last point about the networked (non)border is that it points away from the idea of the border as a contiguous space, a skin or enclosure of the state. But it does not dispense with material sites of control or gateways’ (Walters, 2004, p. 683).

There is no doubt that the border, whatever its form, involves an agglomeration of interactions and translations, both human and non-human. Therefore, from an ANT perspective, managing the

border is performative. It involves a web of information being translated from one place to another – information that is associated with a mass of goods and people moving from one country to another in ships and aircraft (in various configurations, for example, goods in containers on container ships, oil tankers, small pleasure craft, passenger liners carrying cargo as well as passengers and their baggage, cargo aircraft for fast freight services). These movements involve combinations of computer systems, surveillance technology, border signage, and legislation (e.g. the requirement to submit information electronically; the requirement to send information of imported or exported goods in advance of them leaving the country of departure). At physical control points, there are government agencies (uniformed officers), airport staff, seaport workers, airline and ship crews, shopkeepers, maintenance crew. Behind the scenes there is a vast array of officials dealing with intelligence and surveillance, policy, finance, planning, management and other support activities. While this assemblage of human and non-human actors is replicated all over the world, it is particularised in each country, and at each control point.

The principle underlying control is that the government of a country has the sovereign right to know who or what is entering or exiting that country, and to set the conditions by which that happens.⁴⁸ The reality of border controls is one of regulation, where the focus is preventing unwanted, but not necessarily criminal, goods, organisms and people leaving or entering the country. This world of regulation has as many actors as there are things to be stopped. It involves preventive measures such as presence, for example through signage or uniforms, and providing information about what actions governments require.

Border management is a stabilised concept, with Customs and other border administrations having a dual role of facilitating and controlling the flows of people and goods across a nation's border.⁴⁹ However, practices are always changing.⁵⁰ Facilitation means 'making it easy' for traders and travellers to comply with the border controls.⁵¹ The aim of facilitation is to keep the border flows moving fast to reduce the economic impact of border controls. The underlying assumption

⁴⁸ Retrieved from <http://www.historytoday.com/matt-carr/beyond-border>

⁴⁹ For example, see Ladley & Simmonds, 2007.

⁵⁰ Interviewees commented on this.

⁵¹ It also has a technical meaning in the context of the WTO Trade Facilitation Agreement signed in 2013. This meaning is similar to the informal meaning but contains specific provisions for the movement of goods only. See http://www.wto.org/english/tratop_e/tradfa_e/tradfa_e.htm

of facilitation is that most traders and travellers want to, and do, comply with government requirements, such as honestly declaring what goods are being sent to or from a country, or having a genuine passport in order to enter a foreign country. Compliance, as shown by Karen Boll (Boll, 2011), is a performance with many components. Moving through border requirements involves knowledge of them and interaction with government either electronically or physically to fulfil them.

Because the performativity of 'bordering' needs the cooperation of all the elements of the network but doesn't always get it (Murdoch, 1998), border controls also need to address criminal activities. Those not cooperating in the network operate in a parallel world of illicit supply chains, as well as opportunistic offending. One way Customs administrations characterise 'the border' is as the mouth of a funnel – a choke point, or, in ANT terms, an obligatory point of passage. This is where border controls have been traditionally carried out. Today, though, the locations of the *practices* of managing the border are fuzzier,⁵² even though they are defined by the legislation which creates border agencies and gives them their powers. Surveillance, information gathering and exchange, risk assessment are all done visibly and invisibly: 'networks of control come to substitute for the functions that were previously physically concentrated at the border' (Walters, 2004, p. 680). Marenin assesses these network controls to be more important than the physical border: 'The border is encountered in two forms, as a virtual and a physical self. The virtual self is more important, in the end, for legal border control and management than the real, the physical self' (Marenin, 2010, p. 51). From an ANT worldview, one is not more important than the other – both virtual and physical forms of control are needed. It is the connections and the translations that matter.

ANT concepts of 'connections', 'flows' and 'flatness' of landscape resonate strongly with the border context. In Latour's social world, there are only the rhizomic shapes of actor-networks and the spaces in between (Latour, 1996). Space-time becomes a flat but folded landscape, as what may be geographically far or from the distant past is folded into the here and now of 'local', such that 'contexts. . . flow locally through networks, be these geography, medicine, statistics, economics or even sociology' (Latour, 1999, p. 18).

⁵² Because of controls that are conducted 'behind the scenes' through mechanisms such as electronic screening of data.

‘Flows’ are part of the everyday language of managing the border; distance is collapsed through ‘virtual borders’, where border processes are conducted before goods and people have even reached their destination. Information flows circulate through the border system, sometimes undergoing transformation into intelligence reports or border ‘alerts’. This is an example of what Latour calls ‘chains of reference’ in which ‘the network . . . never stops erecting bridges between one inscription and the next’ (Latour, 2013, p. 80). He is referring to the leaps of understanding that occur when actors translate and transform real situations into representations of those situations, such as translating a physical environment into signs on a map or, in the border context, translating information about border movements into risk items located in containers or risk persons crossing the border.

There is also a range of inherent instabilities in the border environment. Official documents from both Australian and New Zealand Customs administrations have talked about ‘a dynamic environment’ for over a decade.⁵³ There is a constant renewal, or cat and mouse game, where criminals adapt their smuggling methods as fast as border officials uncover them. The unpredictable effects of rapidly changing technologies, for example, the way mobile communication technology converged with computing, has resulted in different social networking and consumer behaviours that have affected revenue collection. Latour’s observation about the prevalence of uncertainty over facts in the world could usefully be applied to the border management policy environment: ‘The world is not a solid continent of facts sprinkled by a few lakes of uncertainties, but a vast ocean of uncertainties speckled by a few islands of calibrated and stabilized forms’ (Latour, 2007, p. 245). Tracing the networks provides a way to map this oft-shifting territory.

3.4 Border management in the performance of global markets

The performance of border management has long and intense connections into the global trading system, some of which were touched on in Chapter 2. This section demonstrates how that performance can be nested within Callon’s concept of ‘marketization’. Framing border management with ‘marketization’ provides access into regional economic integration via a

⁵³ New Zealand Customs Service, (1999). Submission to the Border Control Review Team, Dunedin, N.Z.

different narrative from the economic narrative outlined in Chapter 2 – one that is more akin to the way in which border officials describe their work in practice.

Standard economic views of markets compartmentalise activities, based on theoretical calculations. Social scientists, on the other hand, are more likely to treat any calculations, to the extent they are present, as part of a complex association of related activities. Economic sociology views market activity as ‘embedded in society’ and ‘as social in character’, and looks at how markets come about and how they operate: ‘[m]arkets are based on institutions, laws, rules, and the social interactions that structure the relationships between market participants’ (Fligstein in Favell & Guiraudon, 2011, p. 102). In this view, markets are quite structured, and part of that structure is social interaction – a concept that is missing from standard economic views of markets, which focus on transactions.

From an ANT approach, a market is a ‘macro-actor’ - a dense network of associations constructed by both humans and non-humans through their actions and practices, including economists, whose theories shape the behaviours of the market participants through changing relations that were ‘. . . previously organized along the lines of long-term contracts and equal partnerships . . . into market-type configurations, governed by references to the laws of the markets’ (Tikkanen & Peltonen, 2005, p. 268).

Redefining the relations in the operation of a market has the effect of prising apart one set of associations and replacing them with another, for example, a salad vegetable can have many different names and those names will mean different things, both trans-nationally and within a single country. Some names will have cultural connections and may be associated with rituals or seasonal practices; others will have regional connections with different varieties growing in different parts of a country. A market requires that this salad vegetable is defined and named in a predictable way so that it can be valued. As this is done, its other connections get replaced by the market definition. Callon and Muniesa define a market as ‘a collective device for the evaluation of goods.’ (Callon & Muniesa, 2005, p. 1245). They say that three things happen that enable this evaluation to occur: ‘Isolating objects from their context, grouping them in the same frame, establishing original relations between them, classifying them and summing them up’ (Callon & Muniesa, 2005, p. 1232). In other words, the seller is separated from their goods through a

classification mechanism that enables the value of those goods to be predictably and reliably calculated and given a price.

Çalışkan and Callon have framed this separation as the ‘pacification’ of goods, which is part of producing a market (which they call ‘marketization’), thus identifying goods as non-human actors in the network that is the market (Çalışkan & Callon, 2010, p. 5).⁵⁴ What this term ‘pacification’ touches on is that until there is an agreed classification and evaluation mechanism for goods, they are in a sense wild and unpredictable, as they are actants that can have different effects in the network, providing no dependable base for any trading activities. Çalışkan & Callon equate this view of goods with the creation of scientific facts:

Scientific investigations involve controversy because objects participate in producing conflicting data about themselves. For a scientific fact to emerge, scientists must successfully pacify natural objects, reducing them from wild unknowns to things with fixed qualities (Çalışkan & Callon, 2010, p. 6).

Çalışkan & Callon name a range of actors involved in defining and valuing goods in markets, but do not mention border agencies. However, the stabilising nature of Customs practices as defined by the World Customs Organization (WCO) and the WTO fits very well with the concept of ‘pacification’:

[I]t is the passivity of things that transforms them into goods, and that enables agencies to form expectations, make plans, stabilize their preferences and undertake calculations. By ensuring that their qualities evolve predictably, passive goods create an environment whose stability favours organized action and establishes the possibility of entering into cooperative or competitive relationships of exchange’ (Çalışkan & Callon, 2010, p. 5).

An example is the WCO coding system, which transforms goods into a set of numbers against which a tariff rate can be applied.⁵⁵ That rate can be preferential for selected countries with which agreements have been negotiated. The WTO makes publicly available the tariff rates imposed by members, thus providing global predictability.

⁵⁴ Producing a market also includes services, property rights and standardisation.

⁵⁵ Illustrated in Chapter 5.2.

Thus, from an ANT perspective, ‘goods’ are created out of the process of pacification. This process creates stability, enabling predictable, organised action. However, this stability is nevertheless somewhat fictional in that there are many failures. Callon refers to failures in the stability of pacified goods as ‘overflowings’:

Overflowings occur when goods act unpredictably, transgressing the frames set for them and the passivity imposed on them. The notion of overflowing, like that of externality, is not restricted to negative consequences; it might include positive effects (scientific research outputs are a classic illustration of the existence of positive overflowing-externalities) (Callon, 2007, p. 144).

The performance of pacification and overflowings in markets sounds very much like the ‘facilitation and control’ activities undertaken by border agencies, particularly Customs administrations. The performative role of border regimes in global markets is supported by Berndt and Boeckler:

Our argument is that the global movements of capital, goods, people, and ideas always involve an ambivalent double play of debordering (overflowing) and bordering (framing) processes. These ambivalent border regimes are a necessary condition for the construction of global markets and trade systems. Yet, in order for these markets to work, these ambivalences have to be hidden and veiled (Berndt & Boeckler, 2011, p. 1062).

This thesis uses Callon’s concepts of pacification and overflowing to help unveil the connections and narratives of border management policy practices within the global trading system, regional economic integration as a subset, and sovereign interests. The next two sub-sections explain in more detail how I have applied these concepts to flows across borders.

3.4.1 The pacification and overflowing of flows of goods across borders

The pacification of goods is as essential for a country’s ability to control flows of goods across its border as for market transactions. Customs work relies on being able to classify and identify goods so the goods can be valued and assessed for revenue, as well as well as having the necessary phytosanitary, food safety and trade security certificates, and for providing the core data for national statistics. The WCO’s Harmonized Commodity Description and Coding System (commonly known as the ‘Harmonised System’) is a key classification tool for these activities. Being able to

classify, identify, value and assess goods necessitates the gathering, storing and accessing of particular information from the people or organisations moving the goods.

As described in Chapter 3.3, border officials are also concerned with anticipating, identifying and preventing the overflow effects of the movement of goods across borders. These take the form of risks, such as smuggled illegal drugs or firearms or endangered species. For Customs officials, overflowing is almost always associated with a human agent (Customs officers say ‘goods don’t cause the risk, people do’⁵⁶) and where organised crime is concerned, the value of the goods is also associated with illegal markets, rather than legal ones.⁵⁷ Information gathered to facilitate goods flows thus becomes equally valuable for managing the overflow effects. Information also becomes the bridge, or a ‘compromise between presence and absence’ (Latour, 1987, p. 243), which returns us to William Walters’ concept of a ‘networked (non)border’: ‘This term is meant to convey the sense in which networks of control come to substitute for the functions that were previously physically concentrated at the border’ (Walters, 2004, p. 680).

There are also positive overflow effects such as the ability of Customs administrations to add to the productivity of supply chains through Single Window technology.⁵⁸

3.4.2 The commodification of flows of people across borders

While Çalışkan and Callon stop short of saying that people are commodified in markets, tourism is a market within global trade flows that contributes to the economic development of nation states (Blanke & Chiesa, 2009; Ladley & White, 2006). In the tourism market, people are turned into volumes of tourists, and are valued according to their purchasing power in the locations they are visiting. However, people are more unpredictable than goods, and their behaviour is difficult to stabilise. The rise of the national passport in the late 19th century (McKeown, 2008) gave nation states the means to control some of that unpredictability through identifying who is moving in and out of their country. Additional means such as arrival cards provide governments with information

⁵⁶ Personal knowledge. This comment is an instinctive recognition by customs officers of the connections between humans and non-humans.

⁵⁷ Interview and personal knowledge.

⁵⁸ E.g. New Zealand Customs has built an electronic Trade Single Window as part of its computer redevelopment that will enable the system to integrate processes with other administrations. This integration is potentially a positive overflowing effect. See (New Zealand Customs Service, 2014, p. 12).

on why and for how long. In addition, to facilitate the global movement of people across borders, the International Civil Aviation Organization sets standards for the inter-operability of passports.⁵⁹

We *can* therefore apply the pacification concept to people. Callon and Muniesa's description of the marketization of goods is equally applicable to people:

The good [substitute 'person'] leaves the world of supply, breaks away from it [which is possible since it has been objectified] and slots into another world, that of the buyer [substitute 'tourist destination'], which has been configured to receive it (Callon & Muniesa, 2005, p. 1234).

Salter calls the movement from one country to another a 'rite of passage' where border processes create a transition point between the old world to the new (Zureik & Salter, 2005). At this transition point, border officials do with people what they do with goods – they classify and identify them, for example into visa-required, non-visa required or refugees, so they can be valued, such as tourists who provide high economic value to the state. The assessment process involving areas such as health, education, employment and financial status occurs when or if they have to apply for a visa. Biometric technologies are used to increase assurance over individual identities. A person's passport, which is the property of the state that issued it, and information about their travel via the arrival card enables them to be identified and classified.⁶⁰ If a visa is required, they have to surrender their privacy to enable certain checks to be conducted to ensure they fit the criteria for entry, for example, a criminal check.

As for goods, border officials are also concerned with anticipating, identifying and preventing the overflow effects of the movement of people across borders. These risks often incorporate goods risks such as smuggling drugs on their person, tobacco in their luggage or smuggling people, in which illegal market people are also treated as if they were goods. The consequence is that:

[i]n many ways, the personal belongings of crossers are more important for border checks at the physical border than the persons themselves. Persons have already been checked, but their luggage has not (Marenin, 2010, p. 43).

⁵⁹ This work is carried out by the Technical Advisory Group on Machine-Readable Travel Documents. See <http://www.icao.int/Security/mrtd/Pages/TAGMRTD.aspx>

⁶⁰ A passport describes a person's physical characteristics, and shows their nationality. Apart from marital status, it doesn't contain any other connectors with the person's everyday life.

Another risk can be to the receiving state such as the likelihood of criminal activity once the person enters that state.

This discussion has identified that the concepts of marketization, pacification and overflowings can be applied usefully to both goods and people moving across borders, and that they can equally apply to legal and illegal markets. Though this aspect of illegal marketization is not a primary focus of this thesis, and has only been touched on here, it is worthy of further research.

The concepts of pacification and overflowing provide an analytical backdrop to the performativity of border management policy practices in a regional integration situation, and are used to help uncover that performativity and the narratives that emerge from and through it. As indicated in Chapter 2, the narratives of nation state borders are interconnected with the domestic and international narratives with which they interact. Changing geopolitical landscapes play out at the border through new international agreements, trading partners, source countries for tourists, and through significant events like terrorist attacks. Border narratives therefore change as geopolitics and internal conditions change. We would expect these changing narratives to emerge from the translations of performativity – translations that in the trans-national environment of borders resonate strongly with ‘the translation zone’ concept: ‘the translation zone is a space where “transmission failure is marked” (Apter, p. 5), not in a space within which all translations are either easy or possible. The translation zone is a politicized zone . . . ’ (Barry, 2013, p. 416).

3.5 ANT and narrative

In this sub-section, I explore narrative aspects of ANT. Some of the key proponents of ANT have long argued that it derives from and is grounded in language (Latour, 1996; Law, 2009; Mol, 2010). This is not surprising given its semiotic roots. Semiotics is broader than ‘semantics’ in that it involves not only the meaning of language but also signs, which may be gestures or symbols. Latour describes ANT as a semiotics of things, and in the following quotation, the implications of that description:

[W]hen semiotics is turned to nature, however, and that unhuman entities are entered into the picture, it soon appears that the word ‘discourse’, or ‘meaning’ may be dropped altogether without any danger of going back to naïve realism or naïve naturalism (Latour, 1996, p. 376).

Mol explains that the relational nature of semiotics ‘has been shifted on from language to the rest of reality’ (Mol, 2010, p. 257).

One could infer from these comments that ANT has removed itself from language. And in some ways it has. While it uses semiotic terms such as ‘actor’, ‘actant’ and ‘trace’, and while ANT examines the effects of signs and words as they are associated with other things and people, an ANT approach does not involve an analysis of the structure or form of language. It does not exclude language, however, and as the stories arising from the use of ANT are created out of language, it cannot.

John Law asserts that in the world of techno-science ‘there is no important difference between stories and materials. Or, to put it a little differently: stories, effective stories, perform themselves into the material world’ (Law, 2000, p. 2). He also argues that ANT is two stories that work together. The first is the story of its relational nature, where entities have ‘no inherent qualities’, no dualisms. Instead, distinctions emerge as the effects of the relations between entities (Law, 1999, p. 3). The second is one of making the relations ‘stick’ through performativity, in which ‘everything is uncertain and reversible’ (Ibid, p. 4) – in other words, the continuing circulation of translations that are required to maintain the connections create another story.

The implications of the working together of these two elements are worth examining. One implication is that the scope of the relational effects of ANT (applying to everything and lacking duality) is potentially huge, and that the researcher’s choice about what to include, what not to include and what distinctions or groupings they identify play a significant part in how these effects are narrated; another is that there are likely to be multiple actor-networks in play at any given time. An implication of Law’s second ‘story’ is that tracing the relations is likely to be messy, as multiple realities rub up against one another, are contained within one another, and slide past one another.

We can get some sense from this discussion of what Law means when he asserts that these two stories are ‘not simply narrations in the standard linguistic sense of the term’ (Law, 2000, p. 2). This thesis explores this assertion in the non-techno-science setting of policy practice and by tracing the connections to uncover different types of narratives contained within the trans-Tasman border stories. As we will see in Chapters 6 and 7, there are stories within stories.

3.5.1 Connections between ANT and narrative theory

In Chapter 2, I suggested that the work of Rhodes and Hajer and Laws opened the door to an ANT approach to narrative. I also included a category in Table 2 called ‘enacted narrative’, suggesting that the work of Gabriel Tarde, Bruno Latour, John Law and Barbara Czarniawska fit within it. This category came from Czarniawksa. In *‘Narratives in Social Science Research’*, Czarniawska suggests the concept of enacted narrative as a useful way to provide insights about social life. In the Chapter ‘Structural Analysis’, she explicitly locates Latour in this type of narrative, through Greimas. She implies that his use of parts of Greimas’ theory such as the role of the actant and ‘narrative trajectories’ is almost cavalier:

He does not seem interested in demonstrating his knowledge or skill in using the model: he is using it because the model permits him to say things about his chosen topic — innovation and power — that he would not have been able to say otherwise (Czarniawska, 2004a, p. 82).

I consider her analysis in this Chapter to be a limited reading of Latour and other ‘ANT academics’, such as Law and Mol who have made clear that ANT is a flexible and evolving field of knowledge that draws on many sources, as described earlier in this Chapter. Nevertheless, Czarniawska’s explicit linking of ANT and narrative through situating them as ‘enacted narrative’ is of great relevance to this thesis. Later in the same book, in the Chapter on writing social science, there is another link to ANT where she describes how separate episodes are transformed into a plot through connections between actions and events such that ‘[t]heory is the plot of a thesis’ (Czarniawska, 2004a, p. 125).

Given the broad social science roots of ANT, different aspects of ANT can be found in different approaches to narrative theory. Three strands of narrative theory resonate with ANT – aspects of policy narrative, Hannah Arendt’s concept of action in political life and its relationship to narrative and Paul Ricoeur’s analysis of temporality in narrative.

The seminal article of Bevir, Rhodes and Weller on tradition in public policy (Bevir et al., 2003) contains a number of strong ANT-like signals. Already mentioned in Chapter 2 is their focus on using actors’ own words. In addition, their description of the need for people to change their beliefs, and the subsequent dilemmas that presents when they come across something new is

similar to the ANT way of describing translation and transformation in an unstable assemblage. Their focus on connections relates to the existence of networks and could even imply that actors are not necessarily human: 'Narratives depend on conditional connections. . . conditional connections exist when the nature of one object draws on the nature of another' (Bevir et al., 2003, p. 13). Hajer talks about 'performativity' and similarly argues that settings and practices act on people:

Here one may argue that the setting in which utterances are made has a performative dimension: practices of participation construct their participants and some may construct people as protestors, whereas other practices may create collaborators (Hajer, 2005, p. 626).

And

Although the literature manifests a strong awareness that people do things with words (Austin, 1955), we sometimes forget that settings do things with people too. A discussion is not merely talk, it is an act as well (Ibid, p. 628).

Bridgman and Barry make several ANT-like references. They argue that metaphors are powerful carriers of action, which is not dissimilar to the ANT approach to power where power is an effect of the connections created by actors (and actants) 'speaking on behalf':

. . . metaphor-guided thematic analysis can also be used to trace power dynamics within a given policy discourse. As Monin and Monin (1997:p.57) state, "those who will control the metaphors will ultimately control the action: and those who change the metaphors will ultimately change the action" (Bridgman & Barry, 2002).

In their articulation of the resistance of policy narratives to change they bring to mind Latour's description of how facts are made in the scientific community (Latour, 1987):

Policy narratives often resist change or modification even in the presence of contradictory, empirical data because their tightly storied characterisations, metaphors, and emplotments continue to underwrite and stabilise assumptions for decision-making (Bridgman & Barry, 2002, p. 142).

Bridgman and Barry also suggest that metanarratives are 'foundational frameworks, archetypally inspiring or shaping those narratives which are built on their shoulders' (Ibid). In other words, they

are suggesting that policy narratives are given weight by being connected back to frameworks that have already been accepted as 'the way things are'. This is very similar to the ANT concept of how matters of fact are created, which is an idea that I will be exploring further in Chapters 6 to 8.

An ANT framing provides for all of these elements to be revealed – the human and non-human actors, the performativity, the uncertainties and instabilities, the translations and transformations, the 'speaking on behalf' and performance of power and the creation of matters of fact and the subsequent revealing of narratives.

There are also two non-policy theorists whose work connects especially well with ANT and with the role of narrative in action, and, as I will demonstrate in Chapter 8, provides additional insights to the ANT approach. The first is Hannah Arendt, a political and social theorist who predated but is one of the earlier thinkers picked up by and influencing the narrative turn (Hyvärinen, 2010); the second is Paul Ricoeur. There is a linkage between Ricoeur and Arendt, through Ricoeur's analysis of Arendt's arguments on narrative in *The Human Condition*. Arendt's contribution to narrative theory lies primarily in that book, through an in-depth examination of action in political life, and the role of storytelling in capturing and, in effect, translating action.

3.5.1.1 *Hannah Arendt and ANT*

The context of narrative in *The Human Condition* is Arendt's exploration of political and social life. Arendt has been criticised for her focus on 'great words and deeds' as the pinnacle of human endeavour (Thiele, 2009, p. 1). Thiele, in his insightful article on the role of narrative in Arendt's work, argues that rather than dismissing her work because of her idealisation of political speech and action, there is much to be gained by paying greater attention to the narrative aspects of her work. He provides a clue about the possible connection of Arendt's work with ANT when he describes her political realm as 'a place of performances' (Thiele, 2009, p. 1). For Arendt the political realm, and the action that arises from it, differs from the biological and social realms which give rise to labour and work, both of which are seen to be less important than (political) words and the actions that derive from them. According to Arendt, action is political, and only action involves the plurality of men as opposed to labour or work, which can be carried out without the presence of others. Her narrative argument relates to the relational nature of action – that action arises out of the effects of preceding events.

Drawing on the different words for 'to act' in Greek and Latin,⁶¹ Arendt depicts action as being begun by an individual and completed or brought to completion by many. Arendt's definition of action is different from ANT in that she excludes the 'intermediaries of things or matter' i.e. action is 'directly between men' (Arendt, 1998, p. 7). This is the plurality she asserts is 'the condition. . . of all political life' (Ibid.). She describes the process of beginning and ending as an unpredictable chain of action and reaction 'and where every process is the cause of new processes' (Arendt, 1998, p. 190). This concept of a chain of action and reaction is similar to Latour's articulation of the impact of users on the intended use and functioning of machines in his book *Science in Action*. He concludes: 'The fate of facts and machines is in later users' hands; their qualities are thus a consequence, not a cause, of a collective action' (Latour, 1987, p. 259).

He means that once facts and machines have been constructed, the more users of the machines there are, the more the connections multiply. These users reinforce the 'facts' about the machines' creation, and define the qualities of the machines, which may be different (translated) from what was intended by the originators. For example, the electric-powered car has not yet supplanted the petrol-powered car, even though it has been invented and has been shown to work well. The small proportion of people who use electric cars currently define what an electric car is good for. As demand changes, and the technology continues to develop, the number of users will grow and the types of users will change. So will the narrative associated with electric cars. Whereas they may be considered expensive and not powerful enough now, in a few years they may be considered economical and 'cool'. The inventors/designers of the electric car of today have no control over how their machine is marketed and used now or in ten years, nor over what values are, or will be, associated with them.

Arendt argues that a story's

full meaning can reveal itself only when it has ended . . . Action reveals itself fully only to the storyteller, that is, to the backward glance of the historian, who indeed always knows better what it was all about than the participants (Arendt, 1998, p. 192).

⁶¹ She identifies the parallel distinctions in Greek and Latin language that saw different words for 'to begin, to lead/to set in motion and 'to achieve, to finish/to bear. 'Here it seems as though each action were divided into two parts, the beginning made by a single person and the achievement in which many join by "bearing" and "finishing" the enterprise, by seeing it through' (Arendt, 1998, p. 189).

This is both different and similar from Latour – different in that Latour says to follow the actors, who will describe the meaning of what is happening;⁶² similar in that both argue that actors never act alone. Latour describes actions as the result of connections with a wide range of actors, making it impossible to determine exactly who or what is acting at any given time (Latour, 2007). Latour gives the example of an actor on a theatre stage, supported by any number of people and objects – the playwright, the director, the stage designer, the scenery to name a few. These people and objects act on the actor so that it is impossible to distinguish between their performance and the associations connected to that performance.

This discussion highlights that the effects of action come from many actors, and are multiple and unpredictable. The relationship of these multiplicities to narrative is something I will explore further in Chapters 6 to 8.

Action for Arendt also contains temporality – it both exists for a very short time and is made visible by looking backward. Arendt argues that while human affairs are transitory, the political constitution of the State is enduring (Arendt, 1998). Ricoeur picked up on this in his 1983 article on *The Human Condition*, in which he highlighted the temporal differences between action (transitory) and work (enduring); power (transitory) and strength (enduring) (Ricoeur, 1983). Time in ANT is more likely to be an actor – a part of the network – than a narrative condition. On the face of it, Arendt's supposition about action as transitory becomes irrelevant using an ANT frame. In ANT, if action is transitory and has no effect, its trace will disappear quickly; if not, its trace will last longer. However, Ricoeur was right to point out the temporal differences in Arendt's work, which go beyond the simple temporary-enduring distinction, for Arendt's temporality also contains an interesting and ANT-like development that suggests a progression from the transitory to the permanent through the web of relations. Arendt's worldview of the web of relations, which, although human-centred, references the tangible recording of stories as a production of that web:

It is because of this already existing web of human relationships, with its innumerable, conflicting wills and intentions, that action almost never achieves its purpose; but it is also because of this medium, in which action alone is real, that it "produces" stories with or without intention as naturally as fabrication produces tangible things. These stories may then

⁶² Realistically, even an ANT researcher is telling their own story. They interpret the data they collect, and choose particular aspects of the actors' descriptions to include in the telling of the actor-networks they have uncovered.

be recorded in documents and monuments, they may be visible in use objects or art works, they may be told and retold and worked into all kinds of material. They themselves, in their living reality, are of an altogether different nature than these reifications . . . nobody is the author or producer of his own life story (Arendt, 1998, p. 184).

Arendt goes further by asserting that action can be captured, or in ANT terms, 'stabilised', through the medium of these recorded documents, but with provisos: 'action can result in an end product only on condition that its own authentic, non-tangible, and always utterly fragile meaning is destroyed' (Ibid., p.196).

The destruction of the original meaning of action through capturing is reminiscent of but slightly different from translation in ANT. The question it raises about translation in ANT is 'does the original action disappear through translation, or is it incorporated within it?' A possible answer to this question is given in Chapter 8.

A relational approach to power appears in Hannah Arendt's work. Arendt's description of action and power is about political power, and is therefore relevant to public policy. To Arendt, action is a social activity, involving as it does 'the intercourse of men' through which their 'specific, objective, worldly interests' bind them (Arendt, 1998, p. 182). Like Latour, Arendt sees power as active, emerging out of the connections between men and their interests: ' . . . power springs up between men when they act together' (Ibid., p. 200). But a key difference is that Arendt sees power as fleeting, whereas ANT shows power can be made enduring when translations reach the point where a single voice or story emerges as the 'winner', and becomes stabilised into a matter of fact (Latour, 2007).

In the political realm, Arendt sees isolation as leading to impotence: '[W]hoever, for whatever reasons, isolates himself and does not partake in such being together, forfeits power and becomes impotent, no matter how great his strength and how valid his reasons' (Arendt, 1998, p. 201). This is remarkably similar to Latour's description of the effects of a scientist who was the only one in their field in *Science in Action* (1987). By being isolated, he had no one to bounce ideas off or to challenge him, and he started to disappear, even to himself:

. . . an *isolated* specialist is a contradiction in terms. Either you are isolated and very quickly stop being a specialist, or you remain a specialist but this means you are not isolated. Others,

who are *as specialised as you*, are trying out your material so fiercely that they may push the proof race to a point where all your resources are barely enough to win the encounter (Latour, 1987, p. 152).

Because of its importance to action, how relational power manifests through narrative is an important research strand that is revealed in Chapters 6 and 7 and explored further in Chapter 8.

3.5.1.2 Paul Ricoeur and ANT

Ricoeur comes from the 'narrative of life' group of theorists, and is renowned for his deep enquiry into narrative and time.⁶³ Time is a common element in definitions of narrative, particularly those in the 'beginning, middle and end' school.⁶⁴ Ricoeur's work explores not only sequential time but other sorts of time in narrative, such as 'social time' which for him is a social phenomenon (Ricoeur, 1973). As with Arendt, Ricoeur could almost have anticipated ANT when he asserted that documents give us archives, which enable us to trace history through the interplay of action between players.⁶⁵ This tracing of history is an example of his 'social time':

. . . not only because it is done by several agents in such a way that the role of each of them cannot be distinguished from the role of the others, but also because our deeds escape us and have effects which we did not intend (Ricoeur, 1973, p. 101).

Ricoeur calls social time the place of durable effects, of persisting patterns. An action leaves a 'trace', it makes its 'mark' when it contributes to the emergence of such patterns which become the *documents* of human action (Ibid.).

Another aspect of time in narrative that Ricoeur explores involves the way in which repeated narratives can shift the future to the present. This is relevant because of the future focus of the trans-Tasman policy stories in Chapter 6. Ricoeur concludes that an effect of hearing repeated retellings of stories such as folk-tales is the anticipation of the ending before the story starts. For example, imagine people sitting around a campfire listening to a retelling of their tribe's creation myth story. Everyone knows how it ends, right from the start, and when the storyteller reaches

⁶³ His seminal work on narrative is *Time and Narrative* (1990), and he has also written numerous articles on the topic.

⁶⁴ As in the work of Louis Mink, Hayden White and David Carr (Hyvärinen, 2006).

⁶⁵ Of course, all text contains active verbs and so is never without action.

the end of the story, they hear what they have been waiting for since the beginning, thus getting resolution and satisfaction. In this sense they have shifted the future back to the present and are carrying it with them until the end appears in the story (Ricoeur, 1980).

Given that much application of ANT has to date been in the form of case studies, the narration of those case studies has inevitably involved some element of temporality. However, as indicated in relation to Arendt, the effects of temporality in ANT are likely to emerge from time as an actor rather than as an element of narrative such as 'beginning, middle, end'. In Chapter 8, I discuss my findings on Ricoeur's concepts of social time and temporal shifting when brought together with ANT, and the implications for policy practice.

By suggesting that recorded actions such as those contained in archives are able to be 'explained in different ways' depending on the way they are interpreted, Ricoeur recognises that reality is subjective (Ricoeur, 1973, p. 109). An ANT interpretation is that Ricoeur is talking about the existence of multiple realities where each different interpretation is associated with different actors and networks that frame reality differently: 'Every network surround [sic] itself with its own frame of reference, its own definition of growth, of refering [sic], of framing, of explaining' (Latour, 1996, p. 377).

Vikkelsø argues that knowledge of multiple realities provides value to policy practice not just by surfacing the trade-offs and political choices, but also 'the concrete ways in which different practices can be enacted simultaneously' (Vikkelsø, 2007, pp. 302–3). This simultaneous enactment implies multiple practices – an idea Law explores explicitly in his article 'What's Wrong with a One-World World' (Law, 2011). If multiple actor-networks intersect in the process of performing their different practices, we can expect interesting things to happen, as Annemarie Mol describes: 'What "multiplicity" entails instead is that, while realities may clash at some points, elsewhere the various performances of an object may *collaborate* and even *depend* on one another' (Mol, 1999, p. 83).

Mol differentiates multiplicity from plurality, the difference being that unlike plurality, multiplicity allows for interconnections between the different realities. Ricoeur's ideas don't catch at the interconnectedness of different realities that is revealed by Mol. However, by applying Mol and Law's insights into multiplicity to narrative, we could expect to get a clear picture of the

relationships between narratives and the effect they have on one another, depending on whether they are collaborative, cooperative, co-dependent or opposing. This element, missing from current approaches to policy narrative, is explored in Chapters 7 and 8.

One of the benefits of an ANT approach to narrative is that it does not attempt to analyse people's motivations or beliefs. If they come out in the course of tracing the actor-networks, we can expect them to add to the narrative, but the narrative does not depend on them as it does in other approaches such as those of Rhodes and Shanahan, Jones, McBeth and Lane. We would expect not having to address beliefs to enable a focus on the different matters of concern being presented in any given situation, and who or what those matters of concern are connected to. This would in turn enable multiplicities to be identified and worked with, as well as where and how different assemblages and connections interact – whether they overlap, intersect, are embedded in or have no connection at all.

3.6 Combining ANT and narrative theory

Using ANT as the basis for identifying policy narrative together with theoretical contributions from the work of Arendt and Ricoeur points to the possibility of new insights about the interplay of narrative and action in a policy environment.

The work of Barbara Czarniawska provides possible signposts to this interplay through her research on organisations using ANT, and her writings on narrative inquiry in organisations (Czarniawska, 2004a, 2007; Czarniawska-Joerges & Hernes, 2005). While the study of policy practice is not primarily about organisations, research on the operation of organisations can nevertheless provide insights into policy practice. Hogwood noted the connection between policy and organisational change in his article on public policy (Hogwood, 1995). In this sense, Czarniawska's work provides an important contribution to the theoretical basis of this thesis.

First, Czarniawska's exploration of the operation of non-chronological time in organisational studies echoes both Ricoeur and Arendt. In her examination of the impact of time and space in organisations, she argues that people in organisations experience 'kairotic' time, in which time speeds up, slows down and some periods can be left out altogether (Czarniawska, 2004b). Her enquiry also echoes Arendt, in claiming that the importance of an event is 'made':

Nobody is aware that an important event is happening when it takes place, although in most

cases people are aware of the time of day and the day of the month. Events must be made important or unimportant (Czarniawska, 2004b, p. 776).

Implicit in this statement is that the importance occurs through the ways in which events are told and to whom they are told.

Second, her introductory chapter with Tor Hernes in their book *Actor-Network Theory and Organizing* explores ANT and the concept of 'macro-actor' in the playing out of power. She references Greimas' use of the term 'actant' as 'highlighting the process of actants changing roles through narrative' (Czarniawska-Joerges & Hernes, 2005, p. 8). A key question posed in this chapter is: 'How is it possible for many to become one? It is possible thanks to *translation*, a phenomon which is not limited to constructions of macro-actors but necessary to their construction' (Czarniawska-Joerges & Hernes, 2005, p. 9).

In the same book, Feldman and Pentland explore organisational routines from an ANT perspective and conclude that narratives play a role in the performance of routines:

The performances exist in a reciprocal relation with the narrative. The narrative cannot exist without performances and it endows performances with particular meaning that they would not otherwise have (Chapter 6 in Czarniawska-Joerges & Hernes, 2005, p. 110).

The discussion in this Chapter has therefore shown that when we look at ANT, we see that an actor-network both *is* the action through performativity and *reveals* the action through tracing the connections. As I see it, these are John Law's two stories, from which, if he is correct, we can expect a third story – the narratives *of* the interaction. Law has also identified that narrative is itself performative. I explore these matters in Chapters 7 and 8.

In this Chapter, I have shown how ANT provides a common analytical frame for borders, markets and policy narrative, and have identified several particular areas of enquiry I will be testing throughout my thesis. In establishing the performativity of borders and the relationship with marketization, I have identified that borders are places where the effects of markets play out through nation states managing the pacification and overflowings of the movement of goods and people. Thus the narratives of national borders are connected into domestic and international narratives, and as these change, we can expect border narratives to change, making borders a politicised translation zone.

I have established ANT links with policy narrative and identified the value of using ANT to identify the effects of connections and the stickiness of translation. This then enables enquiry into the performativity of narrative and the ability of ANT to reveal the matters of concern in policy narrative. In examining the work of Hannah Arendt and Paul Ricoeur alongside ANT, I have revealed the value of enquiry into the role of time and temporality in ANT, and the interaction of temporality in narrative with the temporality of ANT,⁶⁶ the fragility of action and the role of State narratives in capturing action, the visibility of action through the performativity of ANT, and the interplay between multiple narratives.

The next Chapter explains the methodology for these enquiries.

⁶⁶ Time and space are folded in ANT so that they emerge as local effects.

Chapter 4

Methodology and Method

4.1 Introduction

As well as providing the theoretical framework for this thesis, ANT forms the foundation of my methodology, both ontologically and epistemologically.

4.2 Ontology

Where ANT sits ontologically has not been widely discussed academically but leading proponent John Law describes ANT as ‘an empirical version of poststructuralism’ (Law, 2009, p. 145). According to Law, this view owes much to Foucault, whose focus on the effects of the breaking down and reassembling of connections both human and non-human underpin his relational approach to knowledge:

Despite the cracks and the strains . . . most of the space – the space made by . . . the episteme for Foucault – most of the space we have for knowing and being, narrating and performing, living and building, most of that space is structured by a single set of ontological strategies or distributions (Law, 2000, p. 17).

While some proponents of ANT state that ANT is not a theory (Callon in Law & Hassard, 1999; Mol, 2010), Latour’s view is that ANT *is* a theory, but not of ‘the social’. For him it is about ‘how to let the actors have some room to express themselves’ (Latour, 2007, p. 142). This view comes out of ethnomethodology about which Latour says:

Actors know what they do and why they do it. It is *us*, the social scientists, who lack knowledge of what they do, and not *they* who are missing the explanation of why they are unwittingly manipulated by forces exterior to themselves and know to the social scientist’s powerful gaze and methods (Latour, 1999, p. 19).

Ontologically, I wanted a method that did not separate structure and agency. ANT is one of two key approaches that do this. The other is Giddens’ structuration theory. While both are designed to address the problem of social structures (structure) and individual action (agency) being treated as separate and opposing ontological perspectives by treating them as interrelated, ANT has been chosen for several reasons. The first is that ANT is not confined to human agency, thus providing a

more complete picture. A criticism of Giddens is that he focuses on social interaction, side-lining the physical world (Murdoch, 1997).

Cordella and Shaikh argue that ANT's view of emergent reality is a distinguishing feature. In letting the actors speak, the researcher reveals the relations between actors ' . . . and it is *only* from this interaction that reality can emerge' (Cordella & Shaikh, 2006, p. 17). In arguing for the ontology of ANT, Cordella and Shaikh propose that this emergent property of agency within a heterogeneous network in ANT is what distinguishes it from other approaches: 'The ontology of ANT is that reality emerges through the interplay of various actors [both technology and people], so in a sense reality becomes 'real' when actors interact' (Cordella & Shaikh, 2006, p. 18).

ANT also addresses the problem of dualistic thinking in areas such as the gap created by the local/global dichotomy and the separation of social and material worlds (Murdoch, 1997). Dichotomies separate; separation creates gaps and the need to make choices. ANT removes the gap created by separating the local/global dichotomy by 'flattening' the landscape so that the two are interlinked non-hierarchically and there is no dualism; it removes the gap created by separating humans and non-humans by recognising that material objects are actors, rather than inert carriers – they create effects, albeit in a different way from human actors; it removes the gap between actor, action and network by defining the actor as creating the network through action – the actor-network.

4.3 Epistemology

4.3.1 Introduction

ANT's post-structural ontology points to an interpretivist epistemology. The term 'interpretive turn' is more commonly used, which encapsulates the ideas of turning away from pseudo-scientific objective methods and turning toward more humanised approaches (Yanow & Schwartz-Shea, 2006).

Interpretivist epistemology starts with the proposition that reality is socially constructed and that individuals construct and interpret the world around them in different ways, depending on their experiences and beliefs, and the social context within which they operate (Berger & Luckmann, 1967; Bevir & Rhodes, 2006b); in short, that reality is 'subjectively experienced and interpreted' (Schram, n.d.). 'The interpretive approach is really a loose collection of many different approaches'

(Schram, n.d., p. 10), including ethnography, discourse analysis, semiotics, narrative analysis, storytelling analysis and more. Influential contributors to the interpretivist epistemology include Clifford Geertz (anthropology); Max Weber, Anthony Giddens, Peter Berger and Thomas Luckmann (sociology); Michel Foucault (philosophy); William Labov (linguistics); Paul Ricoeur, Roland Barthes, Hayden White (history), Frank Fischer (policy sciences).⁶⁷ Bevir and Rhodes (political science/public administration) argue for an interpretive approach using narrative (Finlayson, Bevir, Rhodes, Dowding, & Hay, 2004).

While interpretivist social researchers interpret other people's interpretations of their reality (Bevir & Rhodes, 2006b; Bevir et al., 2003; Finlayson et al., 2004; Giddens, 1976; Schram, n.d.), ANT, as already described, lets the explanation come from the actors. However, the writer still has an interpretive role. 'The social scientist must begin with data that are already partially interpreted in the ordinary language of everyday life' (Outhwaite, 1975, pp. 16–17). This language of everyday life is underpinned by 'thick description' - the background information that is not immediately obvious but which drives people's beliefs and behaviours (Geertz, 1973).

The interpretivist approach places the social researcher within the research, so that in a face-to-face situation, the interaction between the interviewer and those being interviewed is creative, 'requiring a dialogic relationship between the people doing the studying and the people being studied' (Schram, 2003 on Bent Flyvbjerg). Geertz comments that a monologue is of little value (Geertz, 1973).

Narrative is a central part of an interpretive epistemology, and is characterised by events, players in those events, and sequences. In addition, '[t]o make sense of the particular constituents of a narrative, one needs to grasp its plot' (Tsoukas & Hatch, 2001, p. 997). When we are in the middle of the plot, we use narrative to make sense of the world. All people do this from a very young age: '... narrative comprehension is among the earliest powers of mind to appear in the young child and among the most widely used form of organizing human experience' (Bruner, 1991, p. 9). Bruner argues that in this way, interpretation comes out of narrative. We can infer from Bruner's

⁶⁷ This list is not referenced because it refers to the authors rather than to particular works. Most authors are referenced throughout the thesis. A representative work of Max Weber is *Economy and Society: an outline of interpretive sociology*, 1968. New York: Bedminster Press. Labov, Barthes and White feature in Table 2.

explanation that by the time a child grows to adulthood, their interpretations are a complex mix of understandings (stories) built up over time out of their different experiences. Social theories

. . . are, or at least can be interpreted as, various ways to account for *how* people come to adopt stories that guide behaviour. In this, and in their ultimate nonpositivism, they are related to the narrative paradigm, for it, too, seeks to account for *how* people come to adopt stories that guide behaviour (Fisher, 1987, pp. 86–7).

Thus, narrative and interpretation are closely linked. Central to both is language – not only as the medium through which stories are told, but also as a communication and influencing tool (Bridgman & Barry, 2002; Herman, 2000). Language isn't just a descriptive tool either – it is part of the fabric of actions: 'Language is a medium of social practice' (Giddens, 1979, p. 245).

The narrative mode reminds one there is a dialogue involving a narrator and a listener (or reader) and that in a face-to-face situation, there is an interchange between the two, even if no words are exchanged (Tsoukas & Hatch, 2001). The listener therefore becomes part of the story, in a subtle sense. Even when the social scientist is working off written records, they are changed by the narrative they read or watch (in the latter case, in a movie). They are not the expert in the sense that a social scientist is in positivist research. This is what Giddens meant with his term the 'double hermeneutic' (Giddens, 1976).

Narrative analysis involves drawing out themes and insights from actors' stories. The challenge for social researchers is to do so without homogenising them. One way of mitigating this risk is by acknowledging that different people have different narratives, as already discussed in Chapter 3. Another is by depicting a rich picture at different levels of aggregation. Bevir and Rhodes make a distinction between much more diverse current narratives and historical metanarratives of earlier times. In narrative analysis, the researcher draws out the narrative from their data by way of a theory or a method (Jones & McBeth, 2010, p. 342). Narrative analysis that is not anchored to a theoretical domain is not enough on its own.⁶⁸

⁶⁸ My own experience is explained in the Method section, Chapter 4.5.

4.3.2 ANT as method

ANT is a method that traces and thus reveals the circulations and transformations that are the actor-network (Callon in Law & Hassard, 1999). The difference between ANT and other strands of post-modernist thinking (e.g. Foucault, Deleuze and Gattari, Lyotard) is that ANT provides a coherent platform for applying these ideas and concepts to the real world (Law, 2009), although what the application of that platform reveals may not be coherent (Law, 2004a; Mol, 2010).

Since its emergence in the 1980s, ANT has been applied in many different ways. It has been challenged and championed; as a term, it has become a part of the academic lexicon, meaning ‘something’, although what that something ‘is’ has varied with the way it has been used (Law, 1999). Latour has long intended the ANT approach to be applied broadly:

. . . it [bureaucracy] constitutes a mixture of other disciplines which have to be studied with the *same* method I have presented in this book even though they are not considered as pertaining to “science and technology”(Latour, 1987).

Law acknowledges that the version of ANT used in the field of Science, Technology and Society has deliberately not addressed the institutional interactions in the policy context. However, he found it useful to do so in his and Karel Williams’ study of the UK government in which a key issue was breaking open the simplicity and singularity of ‘the market’ (Law & Williams, 2014).

As ANT is used in new ways, so its reach and scope extends into new fields and disciplines. For example, Callon has worked with others to apply an ANT approach to economic theory and markets (Çalışkan & Callon, 2010; Callon & Muniesa, 2005). Others have helped expand the use of ANT into other areas, such as organizational studies (Czarniawska-Joerges & Hernes, 2005) and public policy (Dugdale in Law & Hassard, 1999; Young, Borland, & Coghill, 2010). As such, it is an example of itself. It is an actor-network that is being translated and transformed every time it is used: ‘. . . the ANT tradition rarely works by adding to what has already been established. Instead it introduces variations, sets up contrasts, and time and again, proposes shifts’ (Mol, 2010, p. 256).

In this thesis I contribute to extending the reach and scope of the application of ANT in several ways. First, I apply ANT in two new ways to the field of border management – by extending the concept of ‘marketization’ to border management and by applying this to policy practice in

regional economic integration. Second, I focus on the narrative aspects of ANT and apply them to policy narrative in this setting.

4.4 How ANT has been applied to this thesis

In *Reassembling the Social* (2007), Latour provides guidance on conducting an ANT enquiry. While much of that guidance is open to interpretation, such as what exactly constitutes a translation, the necessity to ‘follow the actors’ through an ethnographic enquiry is clear (Latour, 2007, p. 12). Ethnographic inquiry is where the social researcher reads ‘practices, actions, texts, interviews and speeches to recover other people's stories’ (Finlayson et al., 2004, p. 135). Law (1999, 2000, 2004b) and Boll (2011) show in their work how they use ANT as an approach to inform their work, indicating that there is no single or right way to go about recovering those stories.

My ethnographic approach has been to open up the black box of events that had already occurred and to retrace the actor-networks in play. For the events that occurred during my research, I kept notes on those events I was involved with, but as the work was fragmented across different areas of work and different agencies, and occurred intermittently, my reach was limited. I have followed the actors through written records, through interviews with those involved with the events, and through recalling my own experiences of those events. The writing of this thesis also contributed to a small part of the border story (see Figure 3 below). The performance of trans-Tasman border policy practice continued sporadically throughout the course of the data gathering period. The material I gathered not only informed my thesis, but by way of seminars and workshops, I took back into the workplace the analysis of it, thus, in a small way, influencing the discussions and debates about ‘where to from here?’ This circulating debate was its own actor-network within the larger story. For example, below are my notes written the day after a workshop I held with the Customs Policy Group⁶⁹:

⁶⁹ The Customs Policy Group is the unit within the New Zealand Customs Service that provides policy advice on the customs-related aspects of border management to the Government and internally including advice on international engagement.

Figure 3. Notes from applying ANT in the workplace on 1 August 2012

Experimenting – part of my research strategy/method?

On 1 August, I held a workshop to test out the usefulness of some aspects of ANT for policy thinking. **What I am wondering, then, for my research, is whether I can build on this initial workshop for identifying TT [trans-Tasman] connections, and incorporate the findings in my thesis as part of my method.**

I got the (15 or so) staff who chose to attend the session (labelled ‘discussion of concepts’) to identify TT connections relevant to Customs. They came up with a range of suggestions – not full coverage but a good mix – which I used as the basis for our discussion. We also discussed the types of connections, and whether they were formal or informal and how they occurred. Some of this is reflected on the whiteboard notes.⁷⁰ I noted the way in which discussing connections in this way (and writing them on the board) built a picture of a living, moving web.

I then introduced the idea of connections creating groupings, the inherently unstable nature of these connections, and what we do in the policy world to stabilise them – introducing also the idea that these connections can be either human or non-human. So I suggested that paper, and pens, and emails, and the meetings we’d identified on the board were all technologies that we use in the policy world to stabilise connections, and so are agreements and reports.

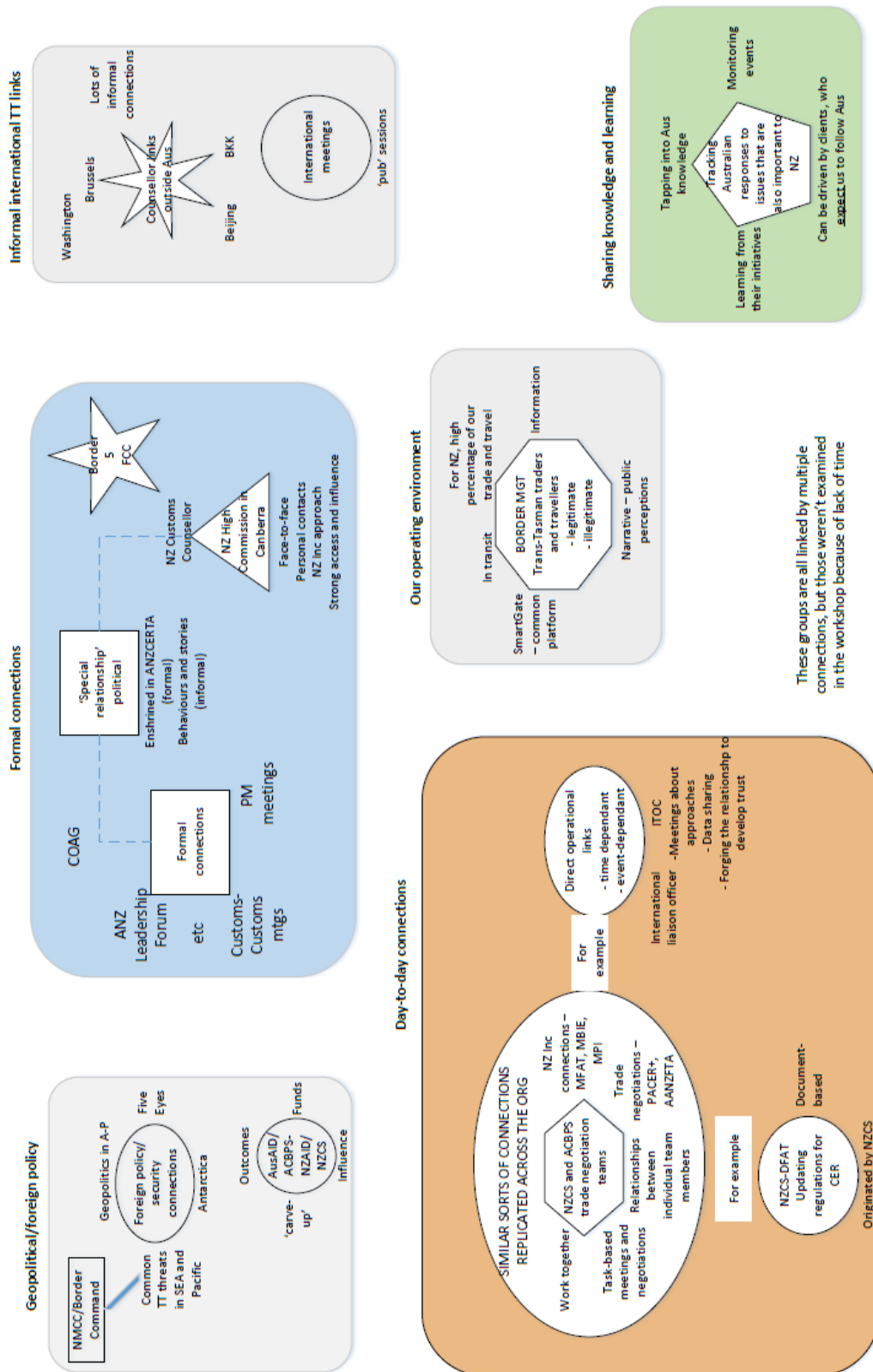
I had already introduced these ideas to at least three people in the room, and so they were able to chip in early on with some thoughts about how this approach could help them think about their work. A number of people commented on their own work situations, reflecting on what this approach gave them.

This exposure alone won’t be enough to get people thinking in this way in their work – I have been the most exposed and even I don’t apply this thinking across all my work.

I clustered the connections identified in the workshop into several groups – geopolitical/foreign policy, formal, informal, day-to-day, the border operating environment, and sharing knowledge and learning. The electronic version of the output from the workshop is depicted below in Figure 4:

⁷⁰ Represented in Figure 4.

Some trans-Tasman connections (but not how they fit together)



These groups are all linked by multiple connections, but those weren't examined in the workshop because of lack of time

In ANT, the starting point of an enquiry is arbitrary because it can always be traced to more and more connections, and, as suggested by Passoth and Rowland, there is no ultimate truth being aimed for:

As long as we do not assume that a better picture of the network can be gained by adding more and more perspectives, the problem of where to begin following actors is not so big because following different actors will not bring us closer to some indelible truth (Passoth & Rowland, 2011, p. 11).

By using the joint Prime Ministerial statement of 2 March 2009 as the starting point, I have been able to localise events through the five trans-Tasman border stories that feature in Chapter 6. I have done this by explaining the different assemblages in the trans-Tasman border policy context. I then connect them with the past and the geographically distant in a flat and folded landscape as described by Latour:

So the right topography here is not to include the front line 'into' some overarching power, but to *localize* both and to *connect* through some sort of well-fed cables what in French is called *connectique*. This is what I mean by flattening the landscape (Latour, 2007, p. 182).

Latour gives a clear description of a good ANT account:

A good ANT account is a narrative or a description or a proposition where all the actors *do something* and don't just sit there . . . A good text elicits networks of actors when it allows the writer to trace a set of relations defined as so many translations (Latour, 2007, p. 128).

This thesis aims to provide a good account. To frame that account, I focused on the actors, their stories, associations and tensions, matters of concern versus matters of fact, translations, multiplicities and surprises.

As evidenced by the quotes above, I have drawn heavily on Latour's later writings, though I have also found his book *Science in Action* (Latour, 1987) to be very useful, particularly in unpacking the concepts of 'matters of fact' and 'matters of concern', which are central to my analysis. While I have found Callon's concept of 'obligatory points of passage' useful, I have refrained from using

the associated stages of translation to frame my analysis.⁷¹ My retracings and interviews revealed that there were no fundamental controversies in play for which this framing might have been useful. I found instead that while translations emerged as critically important to this research, the stages of translation were less so. The stages of translation could have been applied to Story 2 in Chapter 6 but I found the elements of power emerged without them. What emerged instead were what I consider to be more interesting and useful dynamics, such as the creation of matters of fact out of matters of concern in the policy context. In his exposition on ANT, *Reassembling the Social*, Latour does not mention the stages of translation, which indicates they are not central to his thinking about ANT (Latour, 2007).

I have also chosen not to use some other ANT terms, particularly ‘immutable mobiles’, ‘intermediaries’ and ‘mediators’ as I consider they would have unnecessarily complicated the understandability of my narrative. The dynamics sitting behind them do nevertheless appear in my narration.⁷²

4.5 Method

As signalled above, there is no absolute truth that arises from the ANT method (Passoth & Rowland, 2011) and ‘there is no final word, no line to draw under an analysis to bring it to a close, no necessary compilation of accounts’ (Lee and Stenner in Law & Hassard, 1999, p. 93). It therefore follows there is no ideal number of interviews or documents to be examined and the end point of the analysis is a matter of judgment.

My research method was to trace translations and identify narratives from a combination of primary documents, semi-structured interviews, personal recollection, and observations and interventions.

⁷¹ Refer to Callon, M. (1986). Some Elements of a Sociology of Translation: Domestication of the Scallops and the Fishermen of Saint Brieuc Bay in J. Law (Ed.) *Power, Action and Belief: a new Sociology of Knowledge? Sociological Review Monograph*. London, Routledge and Kegan Paul. 32: 196-233.

⁷² The inscriptions discussed in Chapters 6-8 are examples of immutable mobiles – representations that move from one place to another and that can be used by actors to monopolise meaning. An intermediary is ‘anything passing between actors which defines the relationship between them’ and this can include ‘scientific articles, computer software, disciplined human bodies, technical artefacts, instruments, contracts and money’ (Michael, 1996, p. 134). An intermediary counts for ‘just one—or even for nothing at all because it can be easily forgotten’ (Latour, 2007, p. 39). A mediator, on the other hand, translates and transforms and ‘their input is never a good predictor of their output’ (Ibid.). Thus an intermediary doesn’t result in change, whereas the mediator does.

I began my research with a small pilot study on the topic of SmartGate, involving four interviews and one meeting (see Appendix A for the interview guide). At this stage I had identified a theoretical relationship between narrative and action, but had not settled on a theoretical frame. From the pilot, I found that exploring narrative without a theoretical frame was not enough to trace its relationship to action even with the focus on the trans-Tasman border management. I needed a theoretical base out of which the narrative could be revealed.

Therefore, while the pilot formed the basis of an article (Nicklin, 2012), I ended up changing the theoretical approach to my research as the result of a six-month academic exchange to Sciences Po, Paris in late 2011-mid-2012. This institution is the academic home of Bruno Latour, where access to his and other ANT materials were plentiful and close at hand. I am indebted also to Dr. Karen Boll, whom I visited in Copenhagen, for showing me that ANT can be used in many ways, including as an approach rather than as a strict ethnographic method.

While in Paris, I conducted exploratory research on the operation of the EU. I was particularly interested in finding out if the relationship of the UK, with its geographical separation by the English Channel, to the European mainland was in any way comparable to that of New Zealand to Australia. I also wanted to find out more about the operation of the border management parts of the EU as a major source of the global research on regional economic integration. I am indebted to my New Zealand Customs colleague stationed in Brussels, and to the Brussels Embassy, for helping set up the interviews for this research.

I then conducted the substantive interviews in New Zealand and Australia. This was the stage at which I used ANT as my theoretical and methodological frame. My aim was to elicit from interviewees their recollections of events during the period of study. Czarniawska calls these 'narrative interviews' which 'come near to an everyday account, and therefore to direct observation' (Czarniawska, 2004b, p. 787). My own knowledge proved useful in that it enabled me to provide prompts and memory-joggers to interviewees and to generate the sense of a two-way conversation. I found on one occasion that an interviewee did not want to focus on what had happened, and kept reverting back to the future that would 'give us that common ground, as a way forward to move forward' (Official 2, lines 257-258), which appeared to greatly energise this person. While other interviewees did not talk about the future to the same extent, they often spoke about what they saw as possible or what was being planned for the future. This was a signal

for me that temporality in policy practice was worth noting. What was also evident from interviewees were the things that animated them. I refer to some of these instances in my analysis of the stories and in my conclusions.

I traced the translations and recorded them as chronological stories (explained below). I then analysed the narratives by letting the actors speak. The interviews in particular provided rich analytical material for identifying different types of narratives and the interplay of a range of dynamics.

Interviews were subject to the Victoria University of Wellington ethics guidelines. Ethics approval was sought and granted for three different stages of the research – first, for the pilot, second for the exploratory research in the EU, and third, for the trans-Tasman interviews.

4.5.1 Data collection

In planning for data collection, I aimed for enough information to trace action and to be able to show that the activities in my stories are verifiable. However, the interpretation of what was important in my stories and how they fit together, how they are emphasised or not, and what sense I have subsequently made of them is my own.

4.5.1.1 Data from New Zealand and Australia

As discussed earlier, the fragmented and intermittent nature of trans-Tasman activities did not lend itself to full on-site ethnographic methods for gathering data for the stories in Chapter 6. I therefore used a combination of organisational and personal records and interviews to build a picture of officials' activities, supplemented by my own memory of events. These activities are from a New Zealand point of view, but embellished by interview material from both countries, by jointly agreed documents and some documents from Australia.

Documents accessed were official and working records held by New Zealand Customs. They were both paper-based and electronic, and included some of my own work. I also accessed open source information, for example, Cabinet papers made publicly available, media reports and Hansard reports.

Interviews were structured around a set of guiding questions (Appendices A & B). This provided a loose frame that ensured I obtained key information for my analysis and at the same time allowed

the interviewee scope to pursue their own line of thinking. The guiding questions for the pilot were different from the substantive interviews, because of the change of approach described above.

Thirty three interviews were conducted with past and current New Zealand and Australian government officials and one Minister. This Minister was the one most closely involved in the goals and events covered by my research. Based on that interview, I decided not to interview other politicians because of their peripheral involvement and the emerging focus of my research on the activities of officials. The Interviewees were selected because of their knowledge and involvement in trans-Tasman activities relevant to border management. Most interviewees knew me or knew of me through our work connections. While the accounts of these interviewees were remarkably consistent with my own memory of the events I had been involved in, I observed two effects. The first was that on occasions, they framed their comments carefully; the second was they would refer to our common experience of a situation with ‘as you know, Germana’, indicating a connection. Overall, I assessed that interviewees were open and genuinely willing to share their experiences with me.

4.5.1.2 Data from the EU

My investigation of the border arrangements of the EU consisted of an examination of academic research and official EU documentation and interviews with member-state Customs and EU officials. This investigation provided this thesis with the reference point of the most advanced regional economic integration in the world and a comparison between the UK’s physical separation from the European continent with that between Australia and New Zealand.

I interviewed nine officials from member-state Customs and EU administrations. I also held a focus group with eight Customs officials from Europe, Australia and New Zealand. Interview guidelines are attached in Appendix C. Note that these guidelines were written before I changed my theoretical approach. Documents accessed were direct from the EU (electronically), as well as academic material about the EU.

4.5.2 Telling the stories

I have represented the findings of this thesis as a number of stories that are separate but related. While each one is chronological, several of them are contemporaneous with one another; that is,

some of the events were happening in parallel. There are two reasons for telling these stories separately. The first is that this format makes visible the different and overlapping worlds in which officials were operating and thus, the ‘interferences between the stories’, and the discontinuities (Law, 2002, p. 5). The second is that these are what Law calls ‘little narratives’ in which larger narratives can be seen to play out: ‘... these smaller narratives *perform the same pattern*. It is just that they do so at a higher level of magnification’ (Law, 2002, p. 184).

The stories have been constructed from the primary-sourced written and interview material outlined above. The chronologies are by necessity selective. I have included what I considered to be the most relevant aspects of the events, based on the actors and their translations.

4.5.2.1 Voice

4.5.2.1.1 Actors’ voices

In these stories, I have treated the organisations involved as macro-actors, because they caused officials to translate and transform communications and issues in particular ways. Treating government organisations as macro-actors has allowed me to concentrate on the dynamics that occur between organisations in different situations. While interactions are always between individual officials, in the stories outlined in this thesis the descriptions of events are more about them acting on behalf of the governmental and organisational objectives and priorities to which they work than about their individual preferences and behaviours, even in their personal reflections on what happened and what that meant to them.

I have retained the emphasis in actors’ voices as italics in their quotes where it adds to what they said. For officials from the Border Secretariat, which was a small unit, I have referred to them in the collective, rather than their individual roles, to protect their identities.

4.5.2.1.2 Storyteller’s voice

‘A story told presupposes a storyteller’ (Tsoukas & Hatch, 2001, p. 999). I am transparently the storyteller in this thesis. As such, I aim to represent the actors’ intentionality through their own voices rather than interpret it. However, my own authorial intentionality is covertly present in the choices I have made about which actors and actions appear in the stories, and which of their comments I use (Munslow, 2007; Ricoeur, 1990). This aspect of storyteller’s voice is a core feature of interpretive methods, and is no different for an ANT approach than for any other method.

Because of my embeddedness in the environment, close relationship with the events I am recounting and familiarity with the actors and actants, I have written in the first person when it has made sense to do so. Thus I have made transparent my voice as storyteller.

4.5.3 Analysis

Interpretive analysis is subjective and therefore not able to be replicated. However, Dodge, Ospina and Foldy argue that narrative methods of analysis can be rigorous in spite of the results not able to be scientifically replicated (Dodge, Ospina, & Foldy, 2005).

Based on our assumptions and purposes, our products should resonate on some level, with practitioners' experience, even if they reframe, abstract, or even challenge their understanding (Dodge et al., 2005, p. 295).

Drawing on the work of Dodge, Ospina & Foldy, and of Bruno Latour, I have established analytical rigour in four ways:

- The first is by letting the actors speak (Dodge et al., 2005, p. 290; Latour, 2007). As described above under 'Voice', I have used the words of interviewees as much as possible to tell the thematic stories and have included substantial excerpts from a range of actors to enable their voices to truly be heard, although, as mentioned above, my judgment about which excerpts to use and how I use them means that the actors speak through me. In terms of the non-human actors, some human actors have spoken for them, as for SmartGate and some of the notable inscriptions. I have given others voice through my analysis at the end of Chapter 6.
- The second is by establishing credibility through thick descriptions and triangulation (Dodge et al., 2005; Geertz, 1973). I have triangulated the interviews by drawing on official written material and my own experience, including applying the ANT method in my work, to provide insights into aspects of trans-Tasman performativity of border-related policy practice. This includes getting permission from the Australian Customs and Border Protection Service (ACBPS) and New Zealand border agencies for use of their material. As far as possible, I have checked with interviewees that my use of their quotes does not distort their intended meaning and that my account of events does not misrepresent their involvement. In addition, I have embellished ANT analysis with narrative analysis to enrich my findings.
- The third is by establishing dependability. I have done this through making my position clear as an embedded researcher, and transparently reflecting how my experience has affected the way I

present the material (Dodge et al., 2005)

- The fourth is by ensuring my analysis has an internal logic (Dodge et al., 2005). For this, I used the elements of ANT to draw out insights about performativity and their relationship to narrative rather than adopt a narrative framework such as that developed by Reissman (1993), Dodge, Ospina and Foldy (2005) or Shanahan, Jones, McBeth and Lane (2013). My approach is preferable because the structure of the narratives emerges out of the performativity rather than being predetermined, with the attendant risk of making the data fit the model.

My analysis is not normative; there are no judgments of right or wrong, and I have drawn out 'not one but many narratives' (Czarniawska, 2004a, p. 62). For example, the section on the High Level Steering Group (Chapter 5.4) contains a chronological story, a purpose narrative, an action narrative, and a hidden SEM narrative. Neither have I tried to turn these different narratives into a single narrative, but have instead shown where they intersect and overlap.

4.6 Research limitations and challenges

Because I did not physically follow the actors and note down what was happening in minute detail, I have not been able to paint a detailed picture of the performativity of the policy practice of individuals at specific locations. This is a limitation in that I have not been able to observe and record the nuances of engagement, such as passions felt, what the particular points of contention were and how long it took for the circulating meanings to resolve into a decision or an agreed point of view. However, I consider this limitation not to be material. My interest has been in the translations at the group level more than at the individual level. The events I have traced have involved groups of people involved in collective endeavours, which I have been able to trace through written records and through the recollections of interviewees. I have also been able to draw out remembered passions and points of contention from the interviews.

I did not interview all the participants involved in the five border stories. As explained in the previous subsection, I selected officials who had enough knowledge of events and processes to be able to help me unpack the black boxes containing the matters of concern, the debates and other connections. This has enabled me to construct a credible story.

Far more data is gathered than can be included in the writing up of any research. Choices have to be made about what to include and what to leave out. As a result, 'some things get ignored' (Vicky

Singleton in Law & Singleton, 2013, p. 495). Thus, even ANT stories are interpretive. I acknowledge that I may therefore have missed some important insights. Such potential omissions are related to the risks for researchers from 'rendering somebody else's story in one's own idiom', such that 'such a translation is a political act of totalizing' (Czarniawska, 2004a, p. 61).

4.6.1 Responses to criticisms of ANT

The use of some terms and the flexibility of ANT as an academic theory and method has resulted in no shortage of critics (discussed in Baiocchi, Graizbord, & Rodríguez-Muñiz, 2013; Czarniawska-Joerges & Hernes, 2005; Passoth & Rowland, 2010; Peters, 2004), the challenges from whom proponents of ANT acknowledge and readily respond to (Law & Hassard, 1999). Below, some of the key challenges are explained.

4.6.1.1 *Network*

The ubiquity of the term 'network' in society, for example, the road and rail networks, the telecommunications network, social networks – brings with it certain mental images for the reader such as railway lines and stations, and which therefore defines the reader's reaction to the term when used in ANT. 'What metaphorical bag and baggage does ['network' vocabulary] carry?' (Law, 1999, p. 6). Of course, train drivers and telecommunication technicians know that these linking mechanisms are difficult to control. They wear out, they get damaged by weather or someone digging a hole in the wrong place. They don't, in other words, operate on their own, but are connected with other things. In ANT, networks are active – performative – and operate in a non-topographical spatiality, where space and time fold to create a flat landscape of 'local' (Latour, 2007; Law, 1999).

4.6.1.2 *Labelling*

Law argues that the naming of ANT has created a label that un-usefully simplifies what ANT is about. For Law, an important theoretical question is how to label ANT without limiting it to a singularity, particularly given ANT throws up 'the complexities of tension' (Law, 1999, p. 12). In this thesis, I have used the term, like Andrew Barry, as a shorthand for the richness and complexity contained within it (Barry, 2013).

4.6.1.3 *Description not explanation*

Latour himself answers criticisms that ANT doesn't explain performativities, that it (only) describes them (Latour, 1996). An incorrect implication is that ANT is devoid of meaning. First, the describing in ANT is not inert, in that it is following the actors whose translations create the network. Second, meaning is provided in two ways. First, actors themselves provide the meanings. The researcher not then interpreting those meanings enables the reader to become an active participant through their own process of translation and connection-making. Second, the researcher describing a particular performativity is an action that brings to light other realities, other worlds (Law, 2009). Each description expands not only the subject being described but also the body of knowledge that is ANT. 'Academic work is performative' (Law & Singleton, 2013, p. 486).

Callon addresses the charge of 'the inadequacy of the analysis which [ANT] offers in respect of the actor' (Callon in Law & Hassard, 1999, p. 181). He argues that one of its strengths is that because of the absence of motivations and psychology as drivers of analysis, these aspects are not predetermined but rather may emerge. I have already noted in Chapter 3 the benefit from letting motivation emerge out of the analysis for policy narrative. My key response to the lack of attention to motivation, though, is that the point of ANT is not to analyse the actor, but to analyse the performance of the actor-networks.

4.6.1.4 *Power and symmetry*

Another criticism is that ANT doesn't address 'interests' or power. I disagree. Interests have emerged as central to this thesis in the form of 'matters of concern' and ANT explicitly addresses power. The ANT approach to power also has the ability to 'debunk the hero myth' of power by attributing it to the connections a person makes rather than their own inherent qualities (Passoth & Rowland, 2011, p. 834).

A related criticism is the symmetry of ANT – that ANT treats people and things too even-handedly, without discrimination (Passoth & Rowland, 2011). The implication is that people should be favoured over things, because if things are extensions of people, they should not be in opposition to them (Strathern in Law & Hassard, 1999, pp. 157, 170). This argument for asymmetry is about

power and stems, I believe, from too narrow a view of non-human actors and the effects they have on humans. Munro (2009) mounts a related argument for allowing asymmetry:

Whatever bodies its vocabulary of domination, be this heterogeneous materials or elites, research in sociology and ANT has to open up to asymmetries of power that not only nurture the ephemeral, but rely on the intermittency of such links (Munro, 2009, p. 135).

Munro interprets ANT as focusing on durable translations, and that this undermines the invisible and non-durable interactions between humans relating to identity. Strathern's and Munro's arguments imply that humans will somehow be disadvantaged if the action of things is equivalent to the action of people. Even though Munro calls for nurturing the ephemeral, neither he nor Strathern appear to see that ephemeral and non-tangible things, such as ideas, visions, concepts, principles, morals and ethics and behaviours can all be actants that can have immense effects on the behaviours of humans and their social groupings. Neither do these arguments take into account that humans oppose humans not only physically but by using these non-tangible 'things' against one another. The answer, I believe, is in the underlying premise of ANT – the associations and the translations and their inherent instability. My view is that inherent instability allows the possibility of intermittency, and in this thesis, my research suggests that this is what is happening (refer to Stories 1 and 4 in Chapter 6). Latour explains how people and things *can* be of equal status in respect of 'speaking on behalf':

So in practice, there is not much difference between people and things: they both need someone to talk for them. From the spokesperson's point of view there is thus no distinction to be made between representing people and representing things (Latour, 1987, p. 72).

Nevertheless, in using ANT, I found assigning equal status took practice; it does not come naturally, so ingrained is the invisibility of things. I am still learning how to see non-actors to grant them equivalence.

Another accusation related to power is that ANT is 'managerial', that is, 'that ANT analysis tends to explore strong networks and disregard marginal or loosely coupled networks' (Vikkelsø, 2007, p. 303). It is possible, in ANT, to see where and how weak associations fall away as well as those that strengthen, as in this thesis where I explore both strong and weak networks.

4.6.2 My response to potential criticisms

While all research has limitations, sometimes particular problems are more a matter of perspective than reality. In addition to the criticisms outlined above, there are several potential criticisms specific to my use of ANT in this thesis.

The first could be the question ‘how can I be sure I have captured the full complexity of the research subject?’ I cannot, and therefore do not claim to. One obvious omission if fullness was the objective would be the inclusion of data from industry stakeholders, traders and travellers. This data is deliberately outside the scope of this thesis, although would be worth investigation as a separate research project.

The second could be that my analysis oversimplifies the research arena and findings. I have simplified but have attempted not to oversimplify. One of the challenges of a research topic such as this is holding all the threads together as a conceptual whole. Given the non-coherence of actor-networks as discussed in subsection 4.3.2, this challenge is no surprise. One way I have addressed this is to conceptualise the structure of my thesis as ‘flare/focus/flare/focus/flare’, where, after setting the scene, I flare out to describe the state of knowledge, focus in on the gaps, flare out to examine the historical and geographical connections, focus in on the specific border stories of the trans-Tasman, then further in on the answer to the research question, and then flare out to the wider implications for policy practice and narrative theory. While the research has been Customs-centred, I have also identified connections in the immigration and biosecurity functions that fall outside the focus of study. I have also conceptualised what I have seen happening and translated those concepts into diagrams that depict the main threads and how they interact. These are of necessity simplified, as to represent every element would make the diagram very difficult to understand. My overall thesis narrative is another device for holding the threads together, in building up a picture of the long connections and how they are interwoven into the policy practices of officials.

The third, not unique to ANT, could be that I am deeply embedded in the research domain. I consider this to have had two effects. The first is that I cannot be objective. My reply to criticism of that is that no researcher is objective. We all bring our own histories to our research. Our choices of topic, of methodology, our ontological stances, our research questions and analysis are all

personal. However, there is a difference between unconscious bias that masquerades as objectivity and conscious bias that is accompanied by rigorous research method. I have attempted to achieve the latter. One way in which I do this is by being quite transparent about my own involvement; another comes from the clear concepts with which the ANT approach has guided my analysis; and a third, very important way is through peer review, getting feedback on my material from seminars and conferences throughout the process, and of course from my supervisors.

The second effect of being embedded is that I am both more informed about how things work and have better access to information than someone from outside the border management system, and am at the same time blinded to things that would be clear to someone not embedded.

As a final comment, because it is interpretive, this thesis is unique, which in turn means it is not scientifically replicable. However, as with any good social science thesis, I have established in this Chapter the credibility of my methodology and the rigour of my method.

Chapter 5

The performance of border management in regional integration

5.1 Introduction

This Chapter provides an ANT lens to the role of border management in the global trading system and regional market integration, and provides a short historical narrative of key border developments in the EU and trans-Tasman regional market integration environments. I will demonstrate in Chapters 6 and 7 how these different narratives connect into the trans-Tasman border stories.

5.2 How border management became part of the global trading system

As indicated in Chapter 3, border practices are intimately connected with markets and trade flows. Brunet-Jailly's non-ANT view of the dynamics of border practices focuses not just on border flows but also on incentives (2005). Incentives were part of the global trading system that emerged out of the first GATT in 1948 and with the creation of what is now the European Union. Up to then, world trade was unstable, as nation states vied not only for their share of what was seen as 'a definite volume of commerce' (Bunting, 1996, p. 508) but also for political power. In this system, nation states could place tariffs on any goods at any rate unilaterally, resulting in an absence of certainty about the basis of any trading activities. To achieve the 'nirvana' of efficiency, a more systematic approach was required. Thus the global trading system was built on the theory of comparative advantage - the argument that liberalising trade enables countries to concentrate on producing what they can do most efficiently, thus leaving to other countries those products they can't compete with.⁷³ Applied globally, comparative advantage makes the whole system more efficient, but to achieve it, standard tools and policies are required: 'Although conceived in 1947, GATT took so long because reconstruction of industrial bases and infrastructure required, in addition to global monetary stability, carefully tailored investment and tariff policies' (Bunting, 1996, p. 518).

Customs practices formally became part of the global trading system in 1948, when the 23 signatories to GATT agreed to 45,000 tariff concessions affecting \$10 billion in trade. In

⁷³ The World Trade Organization refers to this theory, which was developed by 19th century political economist David Ricardo. See http://www.wto.org/english/thewto_e/whatis_e/tif_e/fact3_e.htm for the WTO's explanation.

anticipation of this event, thirteen European Governments had set up a study group a year earlier to look at ‘the possibility of establishing one or more inter-European Customs Unions based on the principles of the General Agreement on Tariffs and Trade’ (World Customs Organization, n.d.). Those principles included rules for the valuation of customs, and rules of origin. Both sets of rules aimed to provide transparency and predictability to customs practices in the global trading system that began with the GATT.⁷⁴

In 1948, the European Study Group set up two committees – one was the predecessor of the OECD; the other evolved into the Customs Co-operation Council (CCC) (World Customs Organization, n.d.). In 1994, the CCC adopted the name World Customs Organization to better reflect its membership. The WCO now has 179 members⁷⁵ and processes over 98% of international trade (World Customs Organization, n.d.).

As well as technically supporting the WTO’s rules system, the WCO was responsible for developing the aforementioned Harmonized System (the ‘HS’) – an instrument that now underpins the global trading system.⁷⁶ Before the HS was introduced, each country had its own system for classifying goods, which they used for imposing tariffs, valuing goods and other trade measures. Since the HS, classification and valuation of goods have become core activities of Customs administrations. Customs administrations globally require declarations on information about imports and exports, for which a narrative description of what is being imported or exported must also be accompanied by a classification from the HS. The HS clusters goods into different categories, against which tariffs can be listed, and from which valuation of customs duty can then be assessed. Figure 5 depicts the structure of the HS coding system. The first six numbers represent the highest level of

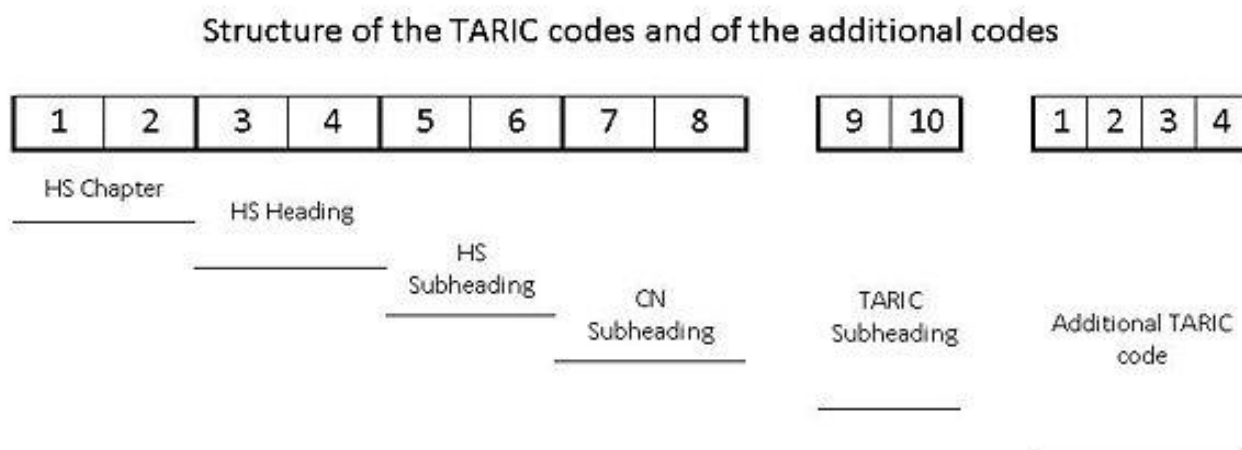
⁷⁴ Equivalent harmonisation was introduced in the area of Sanitary and Phyto-sanitary measures covering the application of food safety and animal and plant health regulations, which are administered in Australia and New Zealand by the respective agencies responsible for biosecurity. ‘The Agreement on the Application of Sanitary and Phytosanitary Measures (the “SPS Agreement”) entered into force with the establishment of the World Trade Organization on 1 January 1995 as an outcome of the 1986–1994 Uruguay Round of world trade negotiations under the auspices of the then GATT (the General Agreement on Tariffs and Trade)’ (World Trade Organization, 2010, pp. 2-3).

⁷⁵ 174 sovereign states, 4 customs territories (Hong Kong, Macao, Netherlands Antilles and Bermuda), and 1 customs union (EU), retrieved from the WCO website at <http://www.wcoomd.org/en/about-us/wco-members/membership.aspx> c.f. the World Trade Organization’s 160 members: https://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm

⁷⁶ This 1988 convention is not compulsory for WCO members, but it is a quasi-standard for international trade, given the vast majority of countries and economies using it. See the WCO website: <http://www.wcoomd.org/en/topics/nomenclature/overview/list-of-contracting-parties-to-the-hs-convention-and-countries-using-the-hs.aspx>

description internationally.⁷⁷ Further detail is added by additional pairs of numbers. These are determined at a national or regional level.

Figure 5. The HS Coding System Structure



The drive for harmonisation came from border requirements such as customs and phytosanitary procedures historically being seen as a drain on market efficiency, and therefore an area that needs to be minimised.⁷⁸ They were seen to interfere with the flow of goods from supplier to buyer, taking time, effort and skill to comply with (Bjelić & Petović, 2009).

In the 21st century, the narrative about barriers from border requirements has been modified to one about trade facilitation. The economic benefits of trade flows are debated and promoted in many different forums (e.g. OECD, World Economic Forum, World Trade Organization)⁷⁹, and Customs administration is widely accepted as important in either enabling or inhibiting trade.⁸⁰ In the 2012 World Economic Forum ‘Enabling Trade’ report, an article by the World Customs Organization Secretary-General highlights the value from Customs administrations working with business, not just to remove barriers, but to facilitate global supply chains (Chapter 1.7 in World

⁷⁷ For example the **four-digit code** or **“heading”** 0403 is a group of products derived from milk. At **six digits**, 0403.10 is the **“sub-heading”** for yoghurt; at the **eight-digit** level, 0403.10.11 could be low-fat yoghurt **“tariff line”**. Retrieved from ‘Customs codes and standardisation’, WTO: http://www.wto.org/english/tratop_e/tariffs_e/tariff_data_e.htm

⁷⁸ The World Bank annually ranks countries against ten ‘ease of doing business’ criteria, one of which is ‘trading across borders’. The World Economic Forum’s 2012 “Global Enabling Trade Report: Reducing Supply Chain Barriers” is even more explicit in its view of “burdensome customs procedures as the second most important impediment to trade” for imports (World Economic Forum, 2012, p. 5).,

⁷⁹ See <http://www.oecd.org/trade/benefitlib/> ; https://www.wto.org/english/thewto_e/whatis_e/tif_e/fact3_e.htm

⁸⁰ For example, in (Hoekman, Mattoo, & English, 2002).

Economic Forum, 2012). This view of Customs as part of global supply chains was made explicit in 2005 with the WCO's introduction of the SAFE Framework of Standards to secure and facilitate global trade.⁸¹ Implicit in the acceptance of this view is that governments have a legitimate role in trade and travel supply chains, and are not necessarily a dead-weight cost, especially when they work with business.⁸²

This short history shows how border management became part of global markets and thus marketization, with the WCO as one of the 'macro-actors'⁸³ that helps ensure that it continues to be so. It creates not only tools and guidelines, but is a gathering point for Customs administrations to connect and share their experiences, knowledge and information about the movement of (pacified) goods and, to a limited extent people, and managing their overflowing effects. The WCO is a network of people and technologies for managing borders. One interviewee said: 'I think it's internationally – every Customs administration deals with similar issues – the nature of the work in terms of cross-border activity' (EU Customs focus group).

The concept of pacification described in Chapter 3 is functionally useful in that it allows us to see that even if they add costs to trading, border regulations have also been a part of and even complicit in the pacification of the movement of goods across borders since the GATT and continue to be so to the present day, where customs processes are being treated as part of trade supply chains.⁸⁴

As described in Chapter 3.4, pacification is accompanied by overflowing. A non-ANT view of these two dynamics is that they present a contradiction for the global trading system:

The variable permeability of borders culminates in what is perhaps **the major contradiction** of the contemporary world system – the fact that capital and commodities can now flow much more freely across borders but labour cannot (Anderson et al., 2003, p. 9). [My emphasis].

⁸¹ Available from the WCO (http://www.wcoomd.org/en/topics/facilitation/instrument-and-tools/tools/~/_/media/55F00628A9F94827B58ECA90C0F84F7F.ashx)

⁸² There is also recognition that the classic view of trade liberalisation and global markets is partial, e.g., it does not take into account the viewpoints of workers and consumers (Aldonas, 2009).

⁸³ Defined in Table 3.

⁸⁴ Customs officials understand this. They talked about border processes being part of the trade value chain long before supply chains became fashionable (personal experience).

Anderson, Dowd and Wilson are highlighting that freeing up border flows excludes the movement of people where restrictions limit their ability to participate in labour markets outside their own countries. This contradiction plays out differently in regional economic integration. If the labour market has been freed up for parties to the integration, as in the trans-Tasman, there is no contradiction. However, for non-parties to the integration, restrictions beyond the border can result in overflowings at the border as people try to evade the conditions in order to participate in that labour market. The marketization point of view is helpful because it enables us to see that rather than a contradiction, there is an effect. People who are parties to the integration are pacified as commodities and can cross the borders freely. The actions of people who are not able to be pacified are overflowings to be managed. These play out in the EU as two different narratives that Van Houtum characterises as 'liberal economics' in relation to the operation of the internal borders of Europe, and 'protectionism' in relation to the operation of its external borders:

Neoliberal arguments about the benefits of free trade underpin the economic rhetoric about the EU's internal borders, whereas classical protectionist arguments are applied at its external borders (Van Houtum in Anderson et al., 2003, p. 46).

These narratives reflect two different matters of concern which need to be addressed differently, pointing to regional market integration being made up of a number of actor-networks:

So . . . we may imagine actor-network theory as a machine for waging war on Euclideanism: as a way of showing, *inter alia*, that regions are constituted by networks. That, for instance, nation states are made by telephone systems, paperwork, and geographical triangulation points (Law, 1999, p. 7).

The following discussion examines the policy settings of the EU and of trans-Tasman regional market integration in light of the discussion above.

5.3 The EU single market and 'bordering'

The concept of the Single Market⁸⁵ is the European Union's 'core business' (Pelkmans, 2011, p. 2) and is the result of the construction of an extensive macro-actor. The institution-building in the EU is unique in the world in terms of the size and extent of political integration, and reflects the

⁸⁵ Also known as the internal market.

political drive for long-term European integration. Fligstein argues that the behaviour of the EU markets reflect this goal rather than being born out of global trade (Fligstein in Favell & Guiraudon, 2011, p. 101). The 1950 Schuman Declaration stated the aspiration for a united Europe and in 1951 the Treaty of Paris formally established the first step – the European Coal and Steel Community (ECSC). With its strong institutional base, it was seen as successful and ‘helped pave the way for further integration’ (Nugent, 2010, p. 20).

The creation of an open European market based on free and fair competition has been at the heart of the policy goals of the EU since the early days of the integration process and has remained largely unchanged (Nugent, 2010, p. 323). O’Dowd indicates that the focus on internal competition has since been extended to include competitiveness with external markets in other countries:

The theory behind the Single Market was that EU member states suffered from a lack of competitiveness. Creating a ‘borderless’ single market would reduce transaction costs and increase competitiveness by creating an EC⁸⁶-wide division of labour that would benefit from economies of scale in competition with North America and Japan (O’Dowd in Anderson et al., 2003, p. 20).

Since 1993, the EU’s objective for its Single Market has been clear: ‘The internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaties’ (European Union, 2010, p. 59). This delineation of the free movement for goods, persons, services and capital is commonly referred to as ‘the four freedoms’.⁸⁷

The development of the internal market was slow until the early 1980s. Drivers that accelerated the process were the continuing slow economic growth since the second half of the 1970s, with the EU falling behind the US and Japan, and the realisation by EU member states that fragmentation of markets in Europe was affecting their economic performance. A white paper by Lord Cockfield listed 300 recommended actions that covered the removal of three types of barriers:

⁸⁶ This could mean European Community in this context. Another common meaning of EC is European Commission, which doesn’t make sense here.

⁸⁷ The New Zealand and Australian Productivity Commissions adopted the term ‘the four freedoms’ in their 2012 Discussion Draft (Australian Productivity Commission & New Zealand Productivity Commission, 2012b)

- The removal of physical barriers including the total abolition of frontier controls by 1992 covering 'all restrictions on goods and individual travellers' (Leonard, 2002, p. 112)
- The removal of technical barriers arising from different standards and regulations, for example, by introducing mutual recognition of national standards, pending adoption of European standards
- The removal of fiscal barriers by establishing an approximate harmonization of VAT and excise-duty rates +/-2.5% of the target rate or norm (Ibid.).⁸⁸

The European Council accepted the White Paper and agreed that the 1992 deadline and the internal market objective be included in the Single European Act 1986 (Nugent, 2010). Integration measures continue to this day. In other words, the EU Single Market is a work in progress (ibid.). For example, in 2010, the EU adopted a new strategy that recommended three sets of initiatives to strengthen the Single Market, as the words used in the strategy indicate:

- Build (a stronger single market)
- Build consensus (on a stronger single market)
- Deliver (a stronger single market) (Monti, 2010).

5.3.1 EU bordering

Like the Single Market itself, the border component of the EU Single Market has not been theorised into a single theory. 'On the contrary, many different strands of thought are contributing to the EU's policy-driven approach to borders that has emerged since 1989' (Van Houtum & Scott, 2005, p. 3). How this juxtaposition of different realities plays out was evident from my interviews on EU border arrangements, not only in terms of the different geographical borders for managing the flows of goods and people, but also the member-state interests and interactions outside the EU.

As previously noted, Fligstein's research has shown that the EU economy is not globalised. By this he means that most trade convergence and trade growth has occurred within the EU (Fligstein in Favell & Guiraudon, 2011). This has been assisted by border practices that delineate travel and trade within the EU as qualitatively different from trade and travel into and out of the EU.

⁸⁸ VAT is collected at the external border by Customs administrations.

A key focus for EU border agencies is therefore on integration within the Single Market. This manifests in a number of unique policies for the movement of people and the movement of goods. Each are treated separately. While the Customs Union was created by the 1957 Treaty of Rome and came into force in 1968, policies on immigration and people movements were not a core policy competency of the EU from the start, and even now are only partially so. The Terms of Reference for the European Community in 1957 set the objective of free movement of workers as part of the economic agenda but didn't deal with border crossings, immigration or visa policy (Leonard, 2002).

In 1967, the Naples convention formalized cooperation and mutual assistance between Customs administrations as 'the first framework for dialogue between member states' (Leonard, 2002, p. 219). By the 1970s, member states wanted freedom of movement for all people, and also to work together more to combat smuggling of drugs, organized crime, illegal immigration and terrorism as problems with these increased (Ibid.). From 1975, informal cooperation in the form of meetings and networks for sharing information developed outside the formal Community institutional arrangements. 1984 saw: '... the first informal meetings of justice and home affairs ministers, every six months, to discuss issues such as police, judicial and customs co-operation, and the free movement of people' (Leonard, 2002, p. 219). By the late 1980s, policy topics included immigration, visas, public order and customs controls (Nugent, 2010).

The Single European Act of 1986 established that the four fundamental freedoms didn't establish freedom for non-European nationals. Removing internal border controls didn't meet with all member states' approval until measures were proposed 'to strengthen external borders and to draft European asylum and immigration policies' (Leonard, 2002, p. 219). Failure to move to formal arrangements led to five states (Belgium, Luxembourg, Netherlands, Germany and France) signing the Schengen Agreement in June 1990, which came into force in 1994. This Agreement abolished internal borders between the five states, while strengthening their external borders by harmonizing visa requirements and issuing visas valid for all Schengen countries, creating a common watchlist and aligning political asylum procedures. The Schengen *Aquis* contains a set of rules that apply to all Schengen signatories. It includes:

[the] removal of checks on persons at the internal borders; a common set of rules applying to people crossing the external borders of the EU Member States; harmonisation of the

conditions of entry and of the rules on visas for short stays; enhanced police cooperation (including rights of cross-border surveillance and hot pursuit); stronger judicial cooperation through a faster extradition system and transfer of enforcement of criminal judgments; establishment and development of the Schengen Information System (SIS).⁸⁹

In practice, these rules mean that citizens of signatory states can cross from one member state to another as if they are travelling within their own country. They can stay in any signatory state for as long as they like without a visa or passport. All visitors to Schengen signatory states are subject to the same short-term visa rules.⁹⁰

Three years after 1994, 13 of the 15 member states plus Norway and Iceland (non-EU member states) had agreed to join the Agreement (Leonard, 2002, p. 114). The Maastricht Treaty (1992) provided the framework for cooperation, including a permanent secretariat (Leonard, 2002). The UK was the outlier, keeping its own border controls over people movements. Ireland stayed out also in order to preserve free movement between Ireland and the UK. By 2014, of the additional 13 members, Bulgaria, Romania and Croatia were still to join.

Part of the strengthening of the external borders appeared in the form of Frontex⁹¹ – an agency established by the Council of European Union on 26 October 2004. The main reasons for establishing the agency were to ensure integrated control and surveillance through common rules on standards and procedures, and increased coordination of operational cooperation between the Member States (Council of the European Union, 2004). Since 2007, Frontex has also had a rapid response role in relation to border risks. Neal calls Frontex:

. . . a textbook interpretation of European integration as regulating traditional sovereign rule by nation-states so that the rule of law and common procedures come to replace state judgements based on self-interest or populism (Neal, 2009, p. 348).

⁸⁹ Retrieved from the Europa webpage “The Schengen Area and cooperation”, para. 6: http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/1330_20_en.htm

⁹⁰ Except for pre-existing bilateral agreements prior to the incorporation of the Schengen zone into the EU legal framework in 1997.

⁹¹ A shortened version of *frontiers extérieures*.

For the movement of goods, similar conditions apply. Trade between members of the EU Customs Union is in effect domestic. There are no processes for clearing goods (and all the requirements that involves), no tariffs and no need to prove rules of origin. There is also one set of external trade data for the whole EU (equivalent to national data). For trade with countries outside the EU Customs Union, all signatory states apply the same external tariff rules.

It is clear that the Customs part of the implementation of the internal market is ongoing. There are constant improvements underway, led and funded by the European Commission (EC), which is the policy and administrative arm of the EU. For example, the objectives in the EC Customs Programme for 2013 for 'functioning of the Internal Market in the Customs Field' covered:

- 'protecting the financial and economic interests of the EU'
- 'Facilitating trade and improving competitiveness'
- 'Helping national customs administrations to perform their duties as though they were one administration'
- 'strengthening safety and security for citizens and trade' (The Evaluation Partnership, 2011).

5.3.2 Networks, pacification and overflowing in the EU border context

I now return to earlier assertions that the ANT, pacification and overflowing themes provide a more nuanced theoretical framework than economic approaches on their own. When we look at how borders are being managed in the EU, and the linkages involved in enacting the Single Market, we see a complex maze of structures, directed by the EC. The EC is the hub for policy and legislation at the EU level i.e. Customs Union policy for the movement of goods and border management policy for the movement of people. The EC maintains a dense network of relations with Customs administrations in member states and manages the complex relationships with the joint decision-making bodies of the Council of Ministers and the European Parliament. One official described the intense effort required to participate in this system:

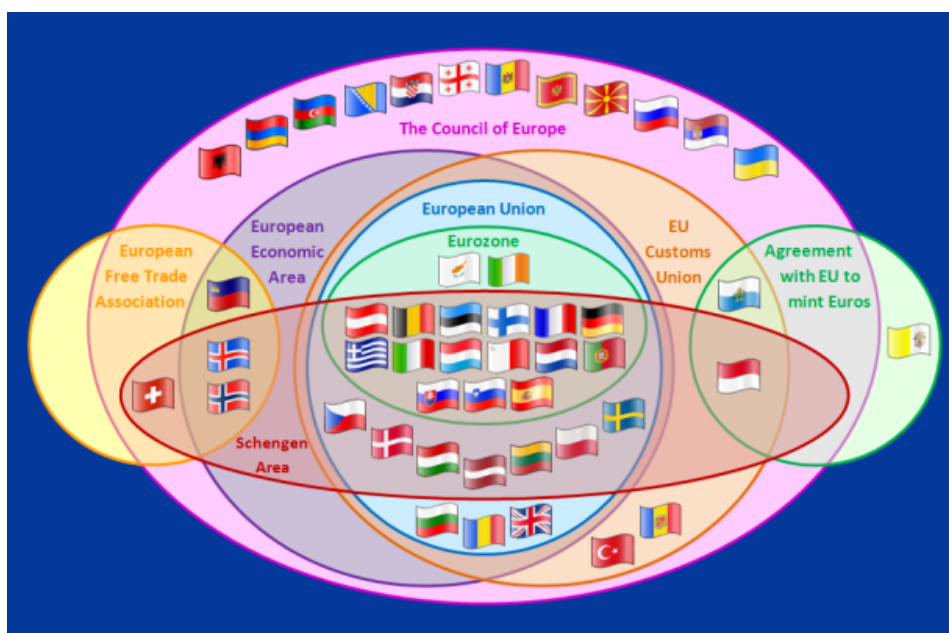
But that is only the policy, and the legal work, but implementation is always a task of the member states, and of course what you say there is very close cooperation, especially in the customs area, there is a Director General of TAXUD – that is a unit within the European Commission – very, very close cooperation. There are *always* every day meetings in Brussels for different areas – for IT, harmonization, for customs law, for transit, for – I don't know

how many working groups in the customs area of the Commission – around 30, 40, 50 groups doing this for special customs matters. So we are always in Brussels at every level (Official E4, lines 141-147).

In examining the EU from an ANT perspective, one can see that despite the integration rhetoric, there are multiplicities within the performance of the EU. There is a need to refer to a whole, but it is not homogeneous. For example, the reporting of the Eurocrisis of 2010-2012 was a narrative of an EU in crisis,⁹² while at the same time, the continued smooth operation of the flows of trade in and out of the EU external border spoke of the performance of a successful, integrated EU. These different narratives – failure and success – operated at the same time within the same infrastructure.

Some of these multiplicities are graphically demonstrated in Figure 6 below. This diagram depicts the different overlapping and intersecting memberships of the EU.

Figure 6. Multiplicities in EU membership



Source: Odessa Talk, 12 June, 2011⁹³

⁹² For example, this 2010 Spiegel article accessed on 27 January 2015 presents a range of views on what was happening: <http://www.spiegel.de/international/europe/the-world-from-berlin-the-eu-could-be-facing-a-double-dip-recession-a-694789.html>.

⁹³ Retrieved from <http://www.odessatalk.com/2011/06/ex-president-kuchma-speaks-on-the-tug-of-war-over-trade-and-influence/>

Anderson and Dowd eloquently describe some of the border effects of this sort of overlapping.

Borders

. . . are at once gateways and barriers to the “outside world”, protective and imprisoning, areas of opportunity and/or insecurity, zones of contact and/or conflict, of co-operation, and/or competition, of ambivalent identities and/or the aggressive assertion of difference. These apparent dichotomies may alternate with time and place, but – more interestingly – they can co-exist simultaneously in the same people, some of whom have to regularly deal not with one state but two. Borders are filters with highly variable degrees of permeability or porosity . . . borders look inwards and outwards: they simultaneously unify and divide, include and exclude (Anderson & O’Dowd, 1999, pp. 595–6).

I revealed above the very clear linkage between managing the border and benefiting the Single Market. The EC’s border programmes do have an outward-facing ‘third country’ component, but the primary focus appears to be on the internally-facing component. The individual member states are tasked with carrying out the ‘border managing’ at the external border for the benefit of the internal market.

One European official referred to the effects of this border configuration when there were ‘overflow’ situations at the border – for example, large flows of illegal immigrants that try, and sometimes manage, to enter the EU. When the flows became very high during the Arab Spring of 2011, small countries like Malta and Greece were overwhelmed, and illegal immigrants flooded into the EU.⁹⁴ Once there, of course, they could then move to any country within the Schengen zone, much to the concern of the immigrants’ destination states such as France.

European Customs officials also consider the lack of internal borders makes the EU’s Customs Union into more than a ‘regular’ customs union. They gave, as an example, security, which is part of the EU Customs Union but not part of a customs union (as broadly defined in the GATT⁹⁵). They differentiated the customs union with Turkey from the EU Customs Union and noted that

⁹⁴ See the Executive Summary (Frontex, 2012) for a description of illegal entry points, numbers and source countries. Retrieved from http://frontex.europa.eu/assets/Attachment_Featured/Annual_Risk_Analysis_2012.pdf

⁹⁵ See WTO “Understanding on the Interpretation of Article XXIV of the General Agreement on Tariffs and Trade 1994” retrieved from http://www.wto.org/english/docs_e/legal_e/10-24_e.htm

Norway/EFTA⁹⁶ is in a free trade/economic area with Europe (the EEA) but there is still a customs border with EFTA countries.

The EU is also a member of the WCO in its own right, so that the EU is represented by the individual member countries and the EC. One official spoke of the interplay between the EU and the WCO, and how the EU aims to influence the WCO:

. . . we can have a look at the Commission and the EU – what are they doing in the WCO? They have been members now for a few years. They use the WCO as a kind of standard – setting the standards. And the standards they adopt immediately in the EU – I think they want to *influence* a lot on the work being done – and the WCO – their models of their thoughts being global. So the influence the EU have on the standard setting in the WCO – I think it's more and more important (EU focus group, lines 487-492).

The narratives of EU border officials tell of the two-way effects of the EU Single Market policies, and the tensions it brings to their activities. On the one hand, pacification activities draw officials together at the EU level to deal with the further development of the Customs Union and the Schengen Agreement; on the other, the responses to overflowing, while supported by the EU, are dealt with primarily on a member state to member state basis, as well as drawing on their international associations.

5.3.3 EU border stories

To provide a 'behind the looking glass' view of the stories in Chapter 6, this section uses three interlinked UK border stories as a jumping off point for looking at wider border integration issues, and illuminates them with an ANT lens. These stories are deeply interesting, because they reflect some of the dilemmas and judgements I have seen and experienced in my own working life in New Zealand Customs, particularly in the trans-Tasman context. The UK is a useful point of reference for trans-Tasman border arrangements because of its island geography (albeit there is now a quasi-land border via the Channel Tunnel ('Chunnel')) and its different memberships of the EU. The UK is a member of the European Union, but is not a member of the Schengen Agreement, nor the Eurozone, so the UK is both in and out of the EU. The implication for UK government

⁹⁶ European Free Trade Association.

relationships is that it is, as one official put it, 'a bit of a part-time, sort of half-hearted member' which, in this person's opinion, made it 'a kind of pragmatic, practical partner' (Official E2, lines 268, 271). In practice, this means the UK fully participates in the EU Customs Union but has an opt-in arrangement for customs law enforcement matters, where it can choose whether or not to come under EU competence on an issue by issue basis; and while the UK is not a member of Schengen, it seeks a seat on Schengen working groups so it can influence policies that might affect it. This is not unlike trans-Tasman border practices in some respects, as we shall see later in this Chapter.

There are different ways in which you can read these three stories. One is to look for human and non-human connections. Two 'star' non-human performers were the Chunnel, which physically transformed the UK from an island completely separated from Europe to an island partly connected to mainland Europe, and the rail link between Europe and the UK that the Chunnel made possible, transforming public transport between the UK and France. Another is to see how and where power plays out, such as who or what is speaking on behalf of whom, or what.

My starting point is the UK's non-membership of the Schengen Agreement. As already described, the Schengen Agreement removed internal borders for the movement of people within the Schengen zone i.e. in 2012, all EU members except Romania, Bulgaria, UK and Ireland, plus non-EU members Switzerland and Norway. Because the UK isn't at the EU table as of right for policy work affecting Schengen policy, it can only seek to sit in as a non-voting participant. This is an interesting position for a country that has a full vote in the political arena.

The first story depicts UK officials on the edges of the Schengen network. The UK's political membership of the EU gives it some permanent connections (e.g. with a mission in Brussels and as a fully participating member of the EU Customs Union), but officials have to actively and continuously build their connections in the Schengen group where the political masters they are speaking for are not directly connected with those developing the policy, and where the UK's position is likely to be different from the other member states and to the EC. Here, the outcomes of the UK's influence are clearly uncertain, and take a lot of effort for policy officials to monitor and manage:

. . . you see that now in a variety of sort of slightly caveated relationships, so Schengen is a very good example, where we're only *partly* in it, but where there are a lot of Schengen

working groups and a lot of Schengen-based initiatives that the UK wants to comment on, and influence as they develop, but a lot of the Schengen working groups want to *exclude* the UK because the UK's not part of Schengen. So we have observer status on Schengen working groups, and on a range of other measures where we're not *really* part of it but we'd still like to be at the table. Frontex is another example – so again, we go to Frontex meetings, and where we can, we – a new word I've come across recently – we “ventriloquise” through those who have a voice – using diplomatic channels, and other means of lobbying where we need to, to try and achieve the sorts of objectives we would like to see achieved, and it's all about *allegiances* isn't it, so you can see how the politicking happens, and we often are in an interestingly half-hearted position. We're not entirely part of whatever the structures are, but we really want to be part of the influencing body, so, it is interesting to see that playing out (Official E2, lines 275-288).

Because it isn't a Schengen signatory, the UK still has border controls for people moving to and from mainland Europe. Since the building of the Chunnel, the UK has juxtaposed border controls with France and Belgium for checking people movements to the UK from these two countries. How this works for Eurostar train passengers is that UK border officials are stationed at Paris, Brussels and Lille where they pre-clear passengers headed for the UK. When passengers arrive in the UK, they can leave the train without any further border checks. As a result, UK officials feel they have to actively manage the relationship and give something back to France: ‘. . . the juxtaposed controls are viewed as a huge favour to us, 'cause basically we've exported our border . . . we're more kind of generally grateful for the fact that the juxtaposed controls are in place’ (Official E2, lines 323-4, 347-8). The language of this official points to an area of inherent instability.

If we unpack this story a little, we see that several different realities (or ‘narratives’) have been ‘black boxed’ into the process of juxtaposed controls. The first is that created by legitimate passengers whose objective is to get from Europe to the UK with as little bother as possible. Juxtaposed controls are a benefit, a service because they create easier travel. The second is that of would-be illegal immigrants and other ‘undesirables’ who want to get from Europe to the UK without having to risk rejection by presenting their travel documents (if they have any) to border

officials. For them, the border controls are a barrier that has to be overcome if they are to get to the UK. Getting around those controls is not easy, as explained:

If you want to claim asylum in the UK . . . you can't do it at Paris, Belgium and Lille. It's not going to work, 'cause if you try to claim asylum, British border officials send you to the French border officials next door. You've got to claim asylum in France (Official E2, lines 324-327).

The third is that of French and UK government officials – their reality involves meeting the needs of their respective governments, managing the tensions between the pacification and overflowings of border flows. The juxtaposed controls also bring together French and UK border worlds. In developing these joint controls, the UK and France had to negotiate an agreement – to translate two border processes into one. The difficulties and barriers, the controversies and debates disappeared with the implementation of the agreement, as they were no longer needed. There is an exception, however – the UK officials 'on the ground' maintain the matter of concern wherein success of the venture depends on France's continuing goodwill.

The fourth is that of politicians – the historical political associations that led to the UK not signing up to the Schengen Agreement, which in turn led to the need for the border controls between France and the UK to be maintained, and the associations with the Single Market, and its economic benefits, that led to a desire for facilitated travel by both countries.

Each EU member state has a mini-embassy in Brussels for negotiating and lobbying its country's position in the EU policy process. It keeps track of dossiers and informs relevant people back in the member state about issues that affect it. The mini-embassy is responsible for ensuring the member state is represented correctly and effectively in the EU. As a result, there are lots of information flows between the member state 'back home', the mini-Embassy in Brussels, and the member state's embassies in other locations in Europe. There is a constant process of translation as member states debate their positions, and policies get negotiated and finalised. This process is complicated but it is well established and public servants in member states can explain how it works.⁹⁷ This is a picture of a largely stable macro-actor (the EU) that is maintained through the performance of routines (Feldman and Pentland in Czarniawska-Joerges & Hernes, 2005, p. 110).

⁹⁷ Interviews.

The second story involves a proposed EU policy change. As indicated earlier, EU policy development affecting the Schengen agreement can have flow-on effects for the UK, which is why the UK wants to be at the table to influence it. Such an area is rail liberalisation. Liberalising rail services is about enabling them to be better connected from one side of Europe to the other. Liberalised rail services to the UK could mean the Eurostar starting at Verona, or Copenhagen or Berlin or Budapest, or anywhere else.⁹⁸

At the time of the interview, this policy work was well advanced, having been under negotiation for 18 months and for which legislation had already been drafted. The UK representatives based in Brussels had been at the table throughout:

. . . it's reached a sort of a head of steam. It's *happening* . . . the point at which we might have been able to veto it, or to influence it in such a way that it couldn't be a threat to the border, for instance, that moment has passed . . . and it's only *now* that the full implications for border control have become quite clear . . . (Official E2, lines 92-96).

Those implications? The juxtaposed controls model doesn't work in an era of rail liberalisation, because the UK would have to have dozens of such controls all over Europe – at every stop from every destination – unless they all hubbed through the existing control points. And somehow, UK officials did not realize this particular implication until too late. In the moment of realization, managing the border shifted ' . . . from certainty about action to an *uncertainty* about action' (Latour, 2007, p. 60). For over a year, EU officials had been working on the policy, and UK officials at the table had been feeding it back to the UK, where nothing was done. There appeared to be no translation, no interpretation. Officials in England weren't picking up the information and making it their own. The Brussels mini-embassy was not a power node for this issue and the information wasn't a significant matter of concern for officials located in the UK.

The triggering event came from Paris, where the UK officials there saw what this meant to UK's juxtaposed controls with France. They were worried about not upsetting that French relationship. So here you have the juxtaposed controls, the basis of which had been 'black boxed' in the UK, being destabilised by this new policy – a risk which officials and politicians in the UK couldn't see

⁹⁸ At the time of writing, border control points were at the termination points in Brussels and Paris and interim points at Lyons and Lille in mainland Europe. These hubs enable passengers from connecting trains to process through immigration processing before proceeding to London.

until someone in Paris, for whom the black box was still open, showed how those old connections collided with the new. As the Official E2 said: 'now eventually there's a cross-government working group that's been set up' (lines 117-8) and 'now it's being gripped in a really quite heavy-handed fashion, but you know the Government understands it's an issue that they need to deal with and they are dealing with it' (lines 122-4). In this story, the UK's embassy in Paris was a power node for this issue.

The third story is another example of change disrupting existing connections and requiring new groupings to be established. To recap, the UK and France's juxtaposed border controls apply to the Paris-London rail service and to that from Belgium to London, which stops at Lille on the way. However, the latter process contained a loophole in which people could buy tickets from Brussels in Belgium to Lille in France, board at Brussels without having to show a passport (because they were staying within the Schengen area), but with no one checking that they disembarked at Lille. So they could carry on and disembark at London with no trouble. A similar loophole had been identified in 2001 at Calais and subsequently closed. With the Lille loophole, officials knew about but didn't act on it. In our story, this instability was not a matter of concern as long as it wasn't widely known – in other words, where the problem didn't connect to a power node.

However, the BBC found out about it and broadcast and published an item about it,⁹⁹ making visible the sleeping problem which suddenly became a matter of concern, 'because it advertised to would-be clandestine migrants a way in' (Official E2, lines 140-1). The intense media interest prompted officials to look for ways to plug the Lille Loophole, 'bearing in mind the wider context of rail liberalisation services across the EU' (Official E2, lines 142-3). The liberalisation of the rail network as described above would mean there would be many 'Lille loopholes' to close – many 'internal Schengen trips' that wouldn't need passport controls but that could enable on-travel to London if not stopped somehow. In describing how the issue became translated from one thing to another and how the EU liberalisation policy was operating at the same conceptual level as the operational issue, Official E2 demonstrated a mind-shift – a translation that bridged the gap between the two types of issue:

. . . it goes from being a really operational-focused issue looking at people getting on and off

⁹⁹ See BBC News item 'UK border staff in arrest threat over 'Lille loophole'. Retrieved on 10 March 2015 from <http://www.bbc.com/news/uk-16058860>.

trains, and how we do border controls, to you know, the strategic approach of the EU towards liberalizing services and encouraging free movement (Official E2, lines 143-145).

If we look at the intersection of the story about juxtaposed controls with this story, we see that the Lille loophole wasn't a problem for legitimate passengers – they wouldn't even have been aware of it. For criminals and would-be illegal immigrants, however, it provided the means for them to evade the border controls. For the politicians, it was a known issue. According to the BBC report that sparked off all the publicity, officials had advised politicians some months before, but they didn't act on it until this operational matter was made visible by the media. And we can see how the problem was compounded when proposed changes to EU policy came into the picture.

These are local stories that paint a picture of constant movement – of policy being constructed, of borders being managed. Similarly to Bevir and Rhodes (2006a), this view, I believe, challenges the idea of the public service as a solid and static entity. Looking with ANT eyes, 'the public service' is a honeycomb of connections through which officials and politicians are serving the public. As illustrated in the telling of these tales, macro-actors such as the EU and the UK government are ever present hubs of influence and power. Our three stories were local in nature, but at the same time part of the governance stories of the EU. Political power in ANT depends on an agglomeration of connections that lead out to and feedback from many local sites, where *every* site is local in the way officials are translating their government's wishes into action and where connections between sites become important.

These stories have provided insights into the performativity of EU and UK border policy and some of the tensions and contradictions involved in stabilizing actor-networks involving an island and a continent. They provide an introduction into what might be meant by 'performativity' in the domain of policy practice, and the importance of connections, translation, matters of concern and hubs of power.

5.3.3.1 *UK border narratives*

Within these stories are contained some specific narratives. The first is about the UK's membership of the EU. The 'part-time' nature of the UK's membership of the EU creates a tension for border officials:

. . . we are obviously full members of the Customs Union – an area where we've got lots of

exclusive EU competence, where *all* the 27 member states have got to act as one, and we can't unilaterally decide to do something different from everybody else, contrasting that with the immigration situation, where the UK is *not* in Schengen and in the EU-wide arrangements, so the extent to which we've got national discretion and autonomy to do things differently varies quite a lot from customs and immigration. And that's something that I think can be in tension a little bit (Official E1, lines 189-95).

UK border officials interviewed for this thesis also highlighted that the UK's geographical position in relation to continental Europe is a part of the UK psyche and has an effect on policy and the behaviour of officials:

You'll still hear people *here* refer to the Continent as 'Europe' in a sense of us *not* being part of Europe, which is something that colleagues in the EU would always pick up on, if somebody said "well, in Europe . . .", as the UK delegate, which is quite interesting. But I think again, that's just part of island mentality, I suppose, that we're not used to the same, yeah, if you have the experience of being on a train, going across mainland Europe, you realize just how much integration can make sense, because it's just so seamless moving from one country into another. I think because we've got some form of barrier, *even* with the train, that still feels like it's there, that probably influences our kind of psychology and approach to those kind of things (Official E1, lines 69-77).

. . . many commentators in general in the UK often talk about us being separated from Europe by the English Channel – there's been headlines in papers recently saying "fog in the Channel cuts us off from Europe". So there's this really strong sense that Britain is separate and different . . . (Official E2, lines 166-9).

Other comments included the fixed-ness of its borders (as compared with Alsace-Lorraine), the 'strength of feeling around British identity' and 'of not wanting to let foreigners in' (Official E2).

But the Chunnel is playing a role in lessening that separation through making possible new everyday connections with Europe:

I suppose it makes movement of goods and people easier and quicker, so in *that* sense, it's probably broken down some of the island mentality in terms of having that faster and

quicker connection, rather than having to take a flight, or take the ferry across the Channel. You know, it means you can do Paris or Brussels in a day, which previously would have been a more difficult thing to do” (Official E1, lines 60-64).

Associated with these narratives is that the UK’s matters of concern have historically had a wider focus than Europe:

Now, clearly, all EU member states have got their histories and their historical connections which remain important, but I guess there’s something about the UK perspective that we’ve always had both EU but also wider relationships that have been a critical part of our foreign policy and the way we’ve operated – you can look back in history for that . . . the sort of British Empire days when we’ve had a much sort of *bigger* world picture and influence – that’s changed *hugely* obviously over the last hundred years, but there’s always been a wider world view, a lot of it based around trade . . . (Official E1, lines 386-89, 394-397).

All these narratives affected the ways in which officials engaged in and with the EU and start to provide a picture of the multiplicities within a regional integration environment.

5.4 Trans-Tasman ‘bordering’

This section sets out the historical connections between the two members of the trans-Tasman economic region, with a particular focus on trans-Tasman ‘bordering’.

In the beginning, trans-Tasman border management was all about revenue. Both Australia’s and New Zealand’s Customs administrations have their roots in the British Customs and Excise department that began with the Winchester Assize of 1203-4 under King John of England (Asakura, 2003). Customs controls for New Zealand were managed out of New South Wales under direction from London until, in 1840, George Cooper, New Zealand’s first Collector of Customs, set up New Zealand’s first Customhouse in Russell. In 1841, when Governor Hobson declared New Zealand a colony, the Customs Regulation Ordinance was the third law created in the colony,¹⁰⁰ providing for New Zealand’s own tariff (McGill, 1991). Its early creation highlights the importance the Customs revenue-gathering role had for the young colony.

¹⁰⁰ The first affirming New Zealand law as the same as New South Wales law, and the second about settlement of controversial land claims.

In the early 19th century, trade between the Australian and New Zealand colonies was prolific (Patman, 2001), but from the late 19th century to the 1960s, Britain replaced Australia as New Zealand's main bilateral partner. New Zealand and Australian economic ties weakened during this period because developments in technology and transportation¹⁰¹ made Britain a more attractive market than Australia for New Zealand (Patman, 2001). However, while Australia and New Zealand also tried to develop reciprocal customs duties during this period, attempts were thwarted first by Britain and then by the federation of Australia in 1901. Federation meant New Zealand traded with one large entity, rather than with each of the previous colonies, creating an asymmetrical trading environment (Mein Smith et al., 2008).

5.4.1 From Federation to World War II

There are differing views about the reasons for Australia's move to federation with the predominant view changing over time from economic to cultural. Mein Smith concludes the most compelling reason for federation as creating a 'grander, nobler future' and a stronger identity (Mein Smith, 2003, p. 309). 'God wanted Australia to be a nation' (Hirst, 2000, p. 4) and Australia wanted to raise its status with Britain from 'mere colonists' to an equal nation (Hirst, 2000, p. 30; Joseph & Kirby, 1995; Mein Smith et al., 2008). Dispute between Australian states was also a fraught issue for the Australians, and one in which border controls played a part:

Ultimately the irritations, delays and the cost of maintaining inland Customs border posts between the colonies became a crucial element in the Federation debate. It was also argued that border duties between the colonies interfered with trade and disrupted travellers (Lee, 2000).

In practical terms, one of the things federation created was a common external border for the whole Australian continent, although a customs union could have been achieved without federation (Hirst, 2000).

When Australia invited New Zealand to join the Federation, New Zealand could have become another state within this system. However, New Zealand decided not to join. A favoured reason cited is:

¹⁰¹ Refrigeration, and the Panama Canal, in particular.

Nature has made 1,200 impediments to the inclusion of New Zealand in any such federation in the 1,200 miles of stormy ocean which lie between us and our brethren in Australia (Sir John Hall, quoted in Mein Smith et al., 2008, p. 19).

His next sentence, which is relevant to this thesis, expresses New Zealand's wish to stay connected: 'That does not prevent the existence of a community of interests between us' (Ibid.) That Australia has kept Clause 6 in its constitution allowing 'the Colony of New Zealand' to join the Australian Commonwealth, has, while legally debated, kept alive the popular story that New Zealand could still do that if it wished (Eichbaum, 1992).

Even after New Zealand's refusal of federation, the drive to reciprocity continued. 'New Zealand customs officials sought tariff reciprocity with Australia right up to the Second World War' (Mein Smith et al., 2008, p. 100). Preferential trade arrangements between the two countries were signed in 1907, 1922, and 1933 (Easton, 1991) '... although they do not seem to have markedly affected actual trade' (Easton, 1991, para. 11). Rather, New Zealand trade with Australia was disadvantaged by Australian protectionism until 1938, when New Zealand reciprocated with its own. And tit-for-tat quarantine disputes about fruit and vegetables and dairy foods erupted between the World Wars.¹⁰²

5.4.2 The road to Closer Economic Relations

Today's trans-Tasman border arrangements came out of three geopolitical changes created by World War Two, resulting in 'greater regional consciousness' (Holmes, 2002, p. 2). First, the 'superpower mantle' shifted from Britain to the US, creating 'a new international order' (Mein Smith et al., 2008, p. 104). Second, Australia and New Zealand signed the Canberra Pact in 1944, not telling Britain or the US until afterwards: 'Above all, Australia and New Zealand wanted their collective voices heard by their American ally . . . They did not want the US to set the terms in what they perceived as their realm, south of the equator' (Mein Smith et al., 2008, p. 105). Third, Britain joined the European Economic Community, removing from Australia and New Zealand their privileged trade status. As a result, '[f]orewarned of Britain's intentions, Australia and New Zealand started to coordinate economic policy' (Patman, 2005, p. 51).

¹⁰² The longstanding Australian ban on the import of New Zealand apples has been a continued point of tension between the two countries.

The subsequent freeing up of trans-Tasman trade started in 1966 following the signing of the New Zealand-Australia Free Trade Agreement in 1965. It was a rather limited vision of free trade, however, because it kept 'a high wall of protection against trans-Tasman competition' (Holmes, 2002, p. 3). In 1980, New Zealand's special arrangement with Britain ended, and in 1983, CER was signed: 'It was this deprivation [that is, not having the benefit of the internal market provided by states in the Australian federation] that CER set out to mollify. It was more than just a free trade agreement' (Kirby, 2002, p. 1085).

The idea of reciprocity, evident from the late 1800s, was present during the negotiation of CER. The Lusaka Agreement of 1979 set out a range of options for wider economic cooperation, including customs union and economic community (Australian Department of Foreign Affairs and Trade & New Zealand Ministry of Foreign Affairs and Trade, 2003). That 1979 agreement envisaged a wider scope even still, including the free flow of people: 'The enduring thread is the hope of achieving reciprocity in the relationship, and of creating a "community of interests" or a "community of purpose"' (Mein Smith et al., 2008, p. 120). The political ambition for CER was, from the beginning, for a broad agenda (Australian Department of Foreign Affairs and Trade & New Zealand Ministry of Foreign Affairs and Trade, 2003).¹⁰³ The resulting components of CER covered free trade in goods, services, mutual recognition of occupations and goods and a free labour market, and the level of integration of the two economies went far beyond the type of Free Trade Agreement referred to in the Balassa hierarchy¹⁰⁴.

In 1983, CER committed Australia and New Zealand to 'harmonization of business laws, trade practices, tariffs, competition and commercial laws, taxation, customs and quarantine arrangements' (Kirby, 2002, p. 1085). At the operational level, in 1985, the two Ministers responsible for customs matters signed a Customs Cooperative Arrangement that supported the implementation of CER.

CER has been progressively implemented and extended since its signing in 1983, although not without some back-tracking at times. Further liberalisation occurred in 1988 with the review of CER, and it is clear that geopolitical considerations were still driving CER developments. 'Joint

¹⁰³ E.g. 'Prime Ministers' Communiqué', pp. 285-287.

¹⁰⁴ Table 1.

ministerial statements from 1988 identify the importance of CER as a springboard into Asia' (Joseph & Kirby, 1995, p. 154). This review widened CER to include trade in services and competition law, customs and quarantine procedures, standards and industry assistance (Pearce, 1995).

Another review of CER in 1992 gave consideration to further extension to include taxation, passenger facilitation and mutual recognition of standards and occupational registration (Pearce, 1995). On 1 Aug 1992, the phased integration of Australian and New Zealand aviation markets began but in 1994, just before the final stage, Australia announced its intention to withdraw. The New Zealand Minister of Customs recalled this moment, while recognising that in the 2010s, the relationship was on a much better footing:

I have to tell you back in the old round of Ministers in the '90s, I was absolutely gobsmacked that they pulled out of the single aviation market, given that they had initiated it, they had asked for it, Keating had asked New Zealand to consider it, Bolger sent me packing over there as the Minister of Transport. We got ourselves a negotiated arrangement for the within, beyond and between rights, for it all to come into effect on the 1st of November in 1994. Bolger then went off to a Prime Ministerial meeting in Australia in July and they ratified it. Keating and Bolger ratified the whole deal, and we just thought "this is brilliant". Everyone was as happy as hell, and so was I. And to receive a fax from my counterpart six days before, on the 25th of October, saying "We are unilaterally withdrawing from the bilateral agreement that was ratified by our Prime Ministers. Get stuffed", I've never seen anything quite – and I'm told by a number of the officials that I've talked to since, there was just *huge* consternation (lines 232-242).

Unsurprisingly, from 1994-6 there was '... a stiffening in the Australian approach to New Zealand on CER matters.' (Holmes, 1996, p. 29). Holmes reports a number of possible reasons, stemming partly from a perception that New Zealand was pushing Australia faster than it wanted to go.

5.4.3 Trans-Tasman travel

Much of the academic writing about trans-Tasman border movements has been about trade. A key reason appears to be the predominant story of the role of international trade in promoting economic growth, especially 'free' trade. Other possible reasons are that trans-Tasman travel has

needed little attention, as it has been largely free-flowing since the colonies' creation, and apart from the short period from 1915-1920, only since the 1970s have there been any real barriers (Henry, 2008; Patman, 2001). Holmes observes that '[n]o aspect of the bilateral relationship better epitomises the shared heritage than the trans-Tasman travel arrangements' (Holmes, 1996, p. 41). That history has centred on a shared view that the Australasian colonies were and should remain 'white' ('New Zealand' in Irving, 1999, p. 400).

Trans-Tasman travel data has been collected since 1858, though patchily at times (Carmichael, 1993). From 1915-1920, a passport and exit permit system developed during World War I was in place, impacting on the freedom of travel for British subjects (that is, including Australians and New Zealanders) between Australia and New Zealand. This was abolished in 1920 and 'all "natural born British subjects" (including Maori, as "honorary whites") would be able to travel between New Zealand and Australia without travel documents' (Henry, 2008, p. 198).

This arrangement existed until 1981, when Australia became alarmed by an imbalance in travel, with many more New Zealanders travelling to Australia than vice versa. In 1981, all New Zealanders were given a visa on arrival in Australia, in effect requiring them to have passports. New Zealand reciprocated in 1987 by requiring Australians to have passports for entry into New Zealand (Mein Smith et al., 2008). These arrangements still exist. However, despite now having to travel with passports, travel is easy and frequent, and since commercial flights were provided trans-Tasman by jet airplanes in the mid-1960s, travel and tourism between the two countries have grown significantly (McLintock, 1966). For example, between December 1983 and December 2007, visitors from Australia to New Zealand more than quadrupled (Statistics New Zealand, 2007). Pearce comments: '... it is difficult to identify any pre-existing barriers to the free and full development of tourism between Australia and New Zealand, civil aviation excepted, which needs to be eliminated' (1995, p. 114). He also notes the integration of the trans-Tasman tourism industry and the close cooperation between the two industry associations and that CER has increased business traffic. As noted in Chapter 3.4.2, travel and tourism are now recognised as a

driver of economic growth, and tourism is included in economic development planning. Today, trans-Tasman travel is the backbone of the tourism and airline businesses in New Zealand.¹⁰⁵

However, while tourism might have been made easier, labour market movements from New Zealand to Australia were affected by Australian-initiated changes to the trans-Tasman social security arrangement in 2001. It was the fourth change since 1986, each change progressively eroding the immediate access to social security benefits New Zealanders had enjoyed up to 1986. These changes arose from Australia's concern about increased migration flows from New Zealand to Australia (Mein Smith et al., 2008).¹⁰⁶ While understandable from the viewpoint of fiscal pressures for Australia, it did constrain the traditional free flow of labour.

Until the mid-2000s, there had been very little visible change to trans-Tasman border arrangements for travellers. The only observable changes were Australia's introduction of an 'Australians and New Zealanders' arrivals line in 2005¹⁰⁷ and their inclusion of New Zealand passport holders as eligible to use the automated passenger processing system SmartGate, launched in 2007. As noted in Chapter 1, a passport lane for New Zealanders and Australians had been established in New Zealand a decade earlier, from the mid-1990s. New Zealand officials are keenly aware that it took 10 years for Australia to reciprocate this visible sign of the special relationship between New Zealanders and Australians.¹⁰⁸

5.4.4 Towards a single economic market

The economic asymmetry that prevailed from 1901 persists to this day. Even after the expansion of CER, there were still significant trans-Tasman economic differences not experienced by states within the Federation and a need to consider further integration such as a single economic market or economic union (Kirby, 2002). By 1999, the CER agenda shifted from 'at the border' trade matters to services and 'behind the border' competition, and the matters of concern were the hard ones to resolve:

¹⁰⁵ See Trans-Tasman references in the information on the tourism industry, Statistics New Zealand website. Retrieved from http://www.stats.govt.nz/browse_for_stats/industry_sectors/Tourism/tourism-satellite-account-2014/Summary_results.aspx

¹⁰⁶ That concern was not so much about the flows themselves as the attendant costs associated with the right of New Zealanders residing in Australia to access social security entitlements, including transfer payments and health care.

¹⁰⁷ I was present at the 2005 Ministerial meeting when the Australian Minister said that he wanted this put in place.

¹⁰⁸ Comments made to me during my time as Senior Strategic Advisor, International Relations.

There was some truth to the claim made by some officials, mostly in Canberra, that it was a lemon squeezed dry. It was getting harder and harder to make progress with services and back-from-the-border issues like regulatory harmonisation. The only issues that were animating the business community on the New Zealand side were very difficult issues, like the imputation credits and so on. They were what I called 'high hanging fruit'. You know, they weren't easy things to pick off and do because the balance of direct, easily quantifiable, up-front benefits was at the margins (Official 14, lines 167-171).

At this time, therefore, Australian and New Zealand attention was more focused on the growing opportunities in Asia:

. . . here were the two of us who were bilaterally partners in a trade and economic integration strategy, and also (pluri-laterally) APEC members tracking towards Asia in a new set of economic relations with Asia. Were we talking to each other about the extent to which AFTA-CER¹⁰⁹ was going to carry us into South East Asia, and to what extent was APEC going to carry us into North Asia? What was the nature of Australia and New Zealand's common interests in all of that? It was a difficult issue – we were, as is the nature of these things, at a certain point, chasing the same goals, and wanting to arrive there ahead of each other. Like, the Australians did their US FTA ahead of us. We arrived at the gate to find it closed and I think to some extent, our China FTA was the obverse of that (Official 14, lines 242-250).

The two countries' solution was to refresh CER as the SEM. The New Zealand Government announcement in 2004 that the two countries would move toward a single economic market was clearly part of a steady development of reciprocity since the 1960s. This was the point at which the concept of the single economic market shifted to the more symbolic objective of a trans-Tasman SEM. Official 14 summarised the situation thus:

So SEM came along to succeed ANZCERTA as a "brand" at a point in time when this argument about the lemon squeezed dry and the high hanging fruit had the more force, because these other regional agendas, and other third country bilateral objectives were much more in play. And the CER Trade Ministers' meetings were becoming pretty desultory, really. There wasn't an awful lot of stuff that the two Trade Ministers – Australia and New

¹⁰⁹ The ASEAN-Australia-New Zealand Free Trade Agreement.

Zealand – could talk about bilaterally; really the back-from-the-border, economic integration agenda issues sat in other portfolios and the decision-making belonged more to other Ministers. We needed a broader based negotiations architecture. That often left both of them, I felt, sitting there thinking “I wonder how I’m going to deal with China or India or Singapore or whatever, or APEC”. The DOHA round was in the frame too, and it, in its early stages anyway, consumed lots of trade policy energy and attention (Official 14, lines 252-259).

A joint review of the CER agenda in 2012-13 by the Australian and New Zealand Productivity Commissions involved an in-depth look at developments and opportunities for further integration. This review used the EU ‘four freedoms’ as part of its framing. Here is the beginning of the Issues Paper:

Opportunities to strengthen trans-Tasman economic ties can be classified using a framework based on what the European Union has termed the ‘four freedoms’ — relating to trade in goods and services, and the movement of capital and labour. Knowledge transfers and the integration or interaction of government functions are also considered (Australian Productivity Commission & New Zealand Productivity Commission, 2012a, p. 8).

This short history shows geopolitical considerations have long affected Australia and New Zealand’s responses to each other, drawing them close at times, and pulling them apart at others.

5.4.5 Trans-Tasman bordering today

Anderson and Dowd note that land borders have been more contested than sea borders (1999, p. 596), but sea borders are still subject to geopolitical forces. The nation state that claims power over sea borders has, more likely than not, gained that power through conflict and violence, just as the nation states within a continent such as Europe (Anderson & O’Dowd, 1999, pp. 595–6). That is certainly the case for Australia and New Zealand, whose territory was wrested, in some cases violently, from the indigenous peoples by the British.

This territoriality by violence is hidden in the rhetoric of the ‘legitimate’ nation state (Anderson & O’Dowd, 1999 pp. 595-6; Walters, 2002 p. 506). Sovereignty has become a sacrosanct concept, in which control of the nation’s borders is an essential part: ‘The geopolitical border is implicated in

questions of sovereignty and high politics. It is a sacred, politically charged institution' (Walters, 2002, p. 564).

The borders of countries surrounded by sea are therefore in some ways as imagined as land borders. Australia and New Zealand's common colonial history attests to that. Australia, from a British perspective, started off, in 1788, as the convict port of Sydney. New Zealand was briefly annexed to the colony in 1839 until 1841, when New Zealand became a separate colony. What are now Australia's states and territories were all separate colonies of Britain, such that they all had their own Customs controls. If you wanted to travel from New South Wales to Victoria, you had to go through Customs on one side of the border and again on the other side, both collecting customs for the British government (Lee, 2000).

Nevertheless, Australia's and New Zealand's approaches to their borders are characterised by their geography. Both are surrounded by water; neither has a land border with any other country and no country disputes their sovereignty. The two countries are separated by the Tasman Sea – the 'ditch', in popular parlance.¹¹⁰ Their legislated maritime boundaries comply with the United Nations Convention on Law of the Sea.¹¹¹ Their wider Extended Economic Zones and Continental Shelves intersect at only two points – around Norfolk Island in the north and Macquarie, Auckland and Campbell Islands in the south.¹¹² New Zealand's legal border is so aligned with its island status and so internationally uncontested that it does not attract the same official attention as countries with land borders.¹¹³ For New Zealand and Australia, entry into and exit out of the two countries

¹¹⁰ One of my interviewees used the term. An internet search will reveal many references, e.g. the Encyclopaedia of Earth, para. 3: <http://www.eoearth.org/view/article/156417/>.

¹¹¹ United Nations Convention on the Law of the Sea, Part II retrieved from United Nations website http://www.un.org/Depts/los/convention_agreements/texts/unclos/part2.htm

¹¹² New Zealand and Australia agreed a treaty defining a maritime boundary over their overlapping areas of EEZ and continental shelf on 25 July 2004. The boundary has two parts:

- in the north dividing New Zealand and Australia's EEZs and continental shelf in the region extending from Lord Howe Rise, past Lord Howe and Norfolk Islands to Three Kings Ridge to the northwest of the North Island.
- in the south dividing New Zealand and Australia's EEZs and continental shelf in the area between Macquarie Island (Australia) and Auckland and Campbell Islands (New Zealand) off the south coast of the South Island.'

Ministry of Foreign Affairs and Trade, 'Maritime Boundaries', retrieved from: <http://www.mfat.govt.nz/Treaties-and-International-Law/04-Law-of-the-Sea-and-Fisheries/NZ-Continental-Shelf-and-Maritime-Boundaries.php>

¹¹³ Australia's northern border is not quite settled: 'all borders between Indonesia and Australia have been agreed upon bilaterally, but a 1997 treaty that would settle the last of their maritime and Exclusive Economic Zone (EEZ) boundary has yet to be ratified by Indonesia's legislature; Indonesian groups challenge Australia's claim to Ashmore Reef; Australia closed parts of the Ashmore and Cartier reserve to Indonesian traditional fishing', retrieved from 'Australia', CIA Factbook,; <https://www.cia.gov/library/publications/the-world-factbook/fields/2070.html>

can be more easily controlled than for countries separated by a land border. Two reasons are that their huge coastlines have large parts that are inhospitable to craft, and vessels can only enter or exit the two countries by air or sea, giving more time to find out if people, goods or craft moving into the country are a threat or are of interest than with a land border.

Each country manages its border according to its own sovereign interests. In recent times, Australia's primary border focus has been on security and protection¹¹⁴; New Zealand's has been on contributing to the economy (New Zealand Customs Service, 2010, p. 7). Those interests include the concept of a trans-Tasman border. The trans-Tasman border is about the movement of people, goods and craft across the Tasman Sea and it draws on the two countries' shared history described above. This shared history has evolved into a modern expectation that the movement of people, goods and craft between the two countries should be as free as possible - a 'networked (non)border'.¹¹⁵ As outlined in Chapter 5.4.3, the trans-Tasman movement of people in particular has been '... largely unrestricted as to right of entry and permitted length of stay' (Carmichael, 1993, p. 820).

These stories of trade and people movements show us freedoms have varied over time. They show that since CER, border regulation¹¹⁶ and border mechanisms have become a part of the discourse between the two countries. As outlined in the previous sub-section, they also show that changes to border arrangements have been strongly influenced by geopolitical as well as domestic interests.

5.4.5.1 *Border practices*

Border practices that delineate travel and trade between Australia and New Zealand are structurally different from the EU, both in the scope of the role and in integration. While internationally many Customs administrations do not have responsibility for primary processing of passengers, both Australia and New Zealand do, and have gained added value from managing the

¹¹⁴Its name changed from Australian Customs Service to Australian Customs and Border Protection Service in December 2008 to better reflect this role "About Customs and Border Protection", Australian Customs and Border Protection Service. Retrieved from <http://www.customs.gov.au/site/page4222.asp>

¹¹⁵ Refer to Chapter 3.3.

¹¹⁶ Border regulation includes reporting requirements for movements of people, goods and craft, quarantine requirements, customs duties and fees, rules of origin and classification and valuation of goods.

flows of both people and goods.¹¹⁷ This is different from the EU, where border management for goods is quite separate from border management for people.¹¹⁸ In the 20th century, both governments created new functions to specifically manage immigration and biosecurity risks, though the Australian and New Zealand Customs administrations are most strongly equated with 'border management'.¹¹⁹

There is no 'internal border', divided as the two countries are by the Tasman Sea, the width of which precludes the prospect of a 'chunnel' or a bridge in the foreseeable future. The Tasman Sea might be a symbol of the political separation of the two countries since Sir John Hall's famous statement in 1890. However, Hall's 'community of interest' plays out through officials working to create the 'feel' of an EU-type internal border. An example is the term 'domestic-like' used in a 2012 paper from the border sector Ministers of Primary Industries, Customs and Immigration to Cabinet:

Government expectations of improved service delivery are also reflected in its vision statement for future trans-Tasman passenger processing:

"The ideal future state for passenger processing would be designed to simplify the travel experience for passengers without compromising security and border control. It would require cooperation between governments and their agencies as well as travel industry stakeholders in both countries." [CAB Min (09) 16/2 refers].

This vision was articulated by the Prime Ministers of New Zealand and Australia as an expectation that both countries will work towards a 'domestic-like' experience for trans-Tasman travellers (Office of the Minister for Primary Industries, Office of the Minister of Immigration, & Office of the Minister of Customs, 2012 para. 18)

¹¹⁷Note also that both countries are among the few globally that operate separate and substantial biosecurity functions at the border.

¹¹⁸ Since 11 Sept, 2001, US, Canada, UK and Singapore have created new authorities that combine customs and immigration functions as part of their core business. This is a different arrangement from the 'working on behalf of' arrangements in Australia and New Zealand (personal knowledge).

¹¹⁹ Compare this with other countries e.g. UK's immigration function was until recently a standalone department, into which the border control parts of customs has been absorbed; Singapore similarly. See UK Border Force, retrieved on 11 March 2015 from <https://www.gov.uk/government/organisations/border-force> and Immigration and Checkpoints Authority of Singapore at <http://www.ica.gov.sg/page.aspx?pageid=64>

The focus for trans-Tasman border management is therefore facilitation, or in marketization terms, 'pacification'. The focus is both domestically inward-looking and looking outward to trans-Tasman and other markets. Ideally, changes in one administration benefit both countries.¹²⁰

For the movement of people, facilitated travel processes are in place for New Zealand and Australian passport-holders through a separate Australia/New Zealand passport lane at airports, and automated passport clearance (SmartGate) at major international airports (Auckland, Wellington and Christchurch in New Zealand).

For the movement of goods, facilitated trade processes are in place for goods bound for Australia and for imports from Australia that fulfil the rules of origin test. Most goods are cleared for customs and biosecurity purposes before the goods reach the other country (Australian Customs and Border Protection Service & New Zealand Customs Service, 2010).

Official 8 explained the different ways in which CER and related trade discussions play out in the trans-Tasman customs world:

So the trade area is interesting for us because – well it's interesting – it's a slightly different relationship because the role that Customs plays in Australia is different to the role that Customs plays in New Zealand in that space. So New Zealand Customs has a policy function in relation to trade. It's built within the Ministry of Foreign Affairs and Trade's core overall policy function for New Zealand, but we provide policy advice to *our* Minister and other Ministers on those issues that we deal with in trade agreements, and those issues in relation to border management. Australia Customs has a slightly different function. They are not direct providers of policy advice in that space. They support the Department of Foreign Affairs and Trade, so in a negotiation setting, the Department of Foreign Affairs and Trade leads the negotiations and Customs sits behind for Australia.

For New Zealand, Customs leads the negotiation, with support from MFAT¹²¹ in legal areas, and ensuring that it's within the border policy context. So a lot of our networking, and especially over this period where we have supported, I think, two kind of core initiatives –

¹²⁰ Or at worst, don't impede. The SEM principles announced on 20 August 2009 included this element of mutual benefit 'Outcomes should seek to optimise net Trans-Tasman benefit' (Key & Rudd, 2009b, Joint Statement of Intent: Single Economic Market Outcomes Framework, point 5.)

¹²¹ Ministry of Foreign Affairs and Trade.

one is ongoing review of CER Rules – quite technical – and also the implementation of AANZFTA¹²² and the start of TPP¹²³ over this period, and the negotiation of that – a lot of our work has been with DFAT. And if I talk about the TPP negotiation, we've worked very, *very* closely, actually, with the Department of Foreign Affairs and Trade as the lead negotiator on customs issues. Australian Customs has played a role in that, but it actually has also been one of the most notable absentees. There have been rounds when they are the *only* country that has not sent a Customs person, and they are totally reliant on Foreign Affairs and Trade's kind of leadership in broad issues. And if we're looking at trans-Tasman barriers, you know, those discussions – the most important one has been CER Rules of Origin – and cleaning up any remaining technical issues that have prevented New Zealand access to the Australian market. The most telling is men's suits, which has now been sorted, but was a pain for a long time (Official 8, lines 27-50).

Official 8 also explained the way in which the two Customs administrations use those connections in regional trade negotiations:

But most of the rest of the discussions are about Australia and New Zealand outlook into other markets such as ASEAN and the United States, and how we can work jointly, and what areas of common interest we have in the customs and origin space that we can, you know, present a common front on, and, you know, use CER as the model – a model of how a free trade agreement should actually work, not just in terms of what you get when you finalise a deal, but longer term what it means for two economies, and that's been a very very core part of the New Zealand and Australian story for TPP, and from a Customs perspective, that has been very very important to us as well, to say “look, we've been able to break down gradually over time the few remaining trade barriers that we have to goods, and I think the Productivity Commission review, even though it came up with a slightly weird recommendation around ROO,¹²⁴ supported that. You set an initial agreement, and over time, it works to actually promote *greater* cooperation to remove any further remaining barriers (Official 8, lines 51-62).

¹²² See Key Terms.

¹²³ Trans-Pacific Partnership agreement. See the New Zealand Ministry of Foreign Affairs and Trade website <http://mfat.govt.nz/Trade-and-Economic-Relations/2-Trade-Relationships-and-Agreements/Trans-Pacific/index.php>

¹²⁴ Rules of Origin.

The linkage between border processes and the SEM is not a direct one. One New Zealand Customs official said

. . . there might be a wider high level issue of closer economic ties with Australia but that's not about border management That's purely an economic strategic position for both countries. . . . It's a piece of keeping the relationship positive and coming together, as distinct from the thing that will alter it (Official 22, lines 380-384, 389-390).

And from another, referencing the 'lowering and raising fences' concept in Ladley & White (2006):

. . . we could go back to the "Conceptualising the Border" and the sort of concept in there of the border having fences and depending on the times, that fence gets raised or lowered. Well I guess using *that* concept is that I would see the trans-Tasman border having a lower fence, potentially, than the external border, but it doesn't mean having no fence at all (Official 6, lines 473-478).

Even so, facilitating the movement of goods and people *in general* is the end-game for both Australian and New Zealand officials. The two Customs administrations have a long history of working together on a wide range of operational and policy matters – 'there's nothing new, if you like' said Official 3. Another official said of the relationship 'Australian officials are genuinely keen to know what we're each trying to achieve individually and what we might be able to do together' (Official 21, lines 571-580).

The way in which that 'working together' occurs is not by way of formal structure. There are semi-regular meetings by working and senior level officials, and by Ministers, and New Zealand has a Counsellor in the High Commission in Canberra who provides an important link between the two Customs administrations. Compared with the dense spider web of connections spun by the EC, the trans-Tasman border management linkages are well-established but subject to the vagaries of political priorities, organisational restructurings and operational needs.¹²⁵

¹²⁵ I have not addressed the role of Ministry of Primary Industries (biosecurity) and Ministry of Business Innovation and Employment (immigration). These agencies are primarily interested in the overflow effects of trade and travel, although MPI has a significant role in facilitating food exports through food quality certification. That role is described in Chapter 6.

5.5 Narrative implications

The pacification and overflowing narratives are products of the global trading system that play out at nation-state borders in two main ways. The first is the incorporation of international standards in customs, quarantine and food safety into local legislation and border policy and practices. The second is that overflows create a tension that is largely left to nation-states to manage.¹²⁶ One official articulated this very point, implying that dealing with criminal matters (overflows) was a much more emotional matter than dealing with pacification:

. . . speaking from a personal perspective rather than knowing what was in the minds of Ministers at the time, public perception and opinion here was such that that would have been unacceptable, from a sort of public viewpoint to have closer integration on matters that are seen as, as I said, fundamental to your national security and to nationhood, I guess, in that sense, so we've got a situation for customs which is really interesting. The things that are about the effective functioning of the single market within Europe – customs procedures, processes, the Tariff – all of that is very, very harmonized, but the law enforcement side – prohibitions and restrictions, cooperation on criminal matters, as opposed to civil or administrative stuff, is in quite a different space, and attitudes to that are quite different (Official E1, lines 223-232).

When we look at regional integration narratives relating to the border, we see the integration narrative playing out in different ways. In the EU, the narrative about no internal border and one external border is very strong, driving policy action such as the Customs Strategy. In the trans-Tasman, the border narratives are different in different domains. On the one hand, the EU's framing of pacification for the Single Market (the four pillars) has been adopted into the trans-Tasman lexicon in recent years and for the free movement of trade, the narrative is simple and unproblematic; on the other, in Australia, the 'free movement of people' has been challenged and constrained, justified by a counter-narrative related to sovereign matters of concern not matched by New Zealand.

¹²⁶ Examples of exceptions are the WTO's disputes process and the law enforcement components that *are* included in the EU's competence.

Despite the two regions' differences, the EU border narrative also plays a part in that of the trans-Tasman:

Well, Australia I would hope looks, you know, more and more like an ability to trial things that you can't do anywhere else, because if Europe can take – what was the number of European – 13, I think, started at the Union, and if you can have 13 countries who have been at war with each other so many times – the Germans and the French, or the French and the Spanish or the whatever, or the Italians and the Spanish, if you've had sort of countries who've had hundreds of years of history of war, and hundreds of years of different currencies, and hundreds of years of dislike, and all sorts that went on in Europe, and just suddenly say "we're all now one" and they don't even need passports to cross borders between these countries any more, if you're a member of the European Union – if you're a member of a country, you're a member of the whole lot, I can't see why for the life of me that can't become even more so between us and Australia (Minister, lines 189-98).

We have seen that in the case of the UK, geography explicitly affects narrative. It is also implicit in the way in which trans-Tasman bordering has evolved.

The above comments highlight that there are global market narratives and regional integration narratives in the EU and the trans-Tasman regional economic integrations, that these narratives are multiple and that there are also connections between the EU and trans-Tasman systems. The historical narratives appear to have an effect on the framing of the integrations, and for the trans-Tasman, we can see the concept of 'matters of concern' appearing. The tension between integration and separation identified in Chapters 2 and 3 can be seen in both the UK border stories and the description of trans-Tasman border practices. These two different border pictures provide clues about how these narratives are likely to play out at a more detailed policy level in the trans-Tasman border environment and how they affect action. As I take you through the stories in the next Chapter, I invite you to hold these different integration and separation narratives in the back of your mind, to see where they surface and what effects they have on the different actor-networks.

Chapter 6

Trans-Tasman border stories: the performance of border management policy practice

6.1 Introduction

This Chapter tells stories of trans-Tasman border policy practice over the period from 2 March 2009 to early 2012, and, using ANT analysis, draws out insights and conclusions about performativity and narrative in the practice of trans-Tasman border management policy over this period.

6.2 Customs, Biosecurity and Immigration trans-Tasman connections

This section describes the ways in which the three main border agencies on both sides of the Tasman are connected, first bilaterally and then more widely. The formal framing of those connections in many cases arises from CER. Table 4 below outlines some of the key trans-Tasman CER instruments operating in the current border environment.

Table 4. Trans-Tasman CER instruments operating at the border

Domain	Instrument	Description
Trade	Rules of Origin	<p>The CER ‘rules of origin determine which products count as “Australian” or “New Zealand” products. They are then eligible to enter the markets in either country at a zero tariff rate. The rules establish what level of processing or manufacturing needs to be achieved on a product by product basis’ (para 3.).</p> <p>‘[F]or the majority of tariff lines, an exporter need simply satisfy the condition that there has been a specified change in tariff classification between any imported materials from third countries, and the completed good being exported to Australia or New Zealand’ (para. 5).¹²⁷</p>

¹²⁷ New Zealand Ministry of Business, Innovation and Employment. Retrieved from <http://www.med.govt.nz/business/trade-tariffs/trade-environment/economic-relationship-with-australia/closer-economic-relations>

		Australia and New Zealand do not take anti-dumping cases against each other.
	Food Standards Australia New Zealand (FSANZ) 1991.	This is a joint Australia-New Zealand independent agency that sets the food standards for both countries. It is governed by a joint Board. ¹²⁸
	Protocol on the Harmonisation of Quarantine Administrative Procedures, 1988	<p>The Protocol aims to improve the efficiency and speed of the flow of goods between the two countries by harmonising quarantine administrative procedures. It contains the principle that quarantine requirements should not be deliberately used as a means of creating a technical barrier to trade where this is not scientifically justified.</p> <p>The Protocol places some rules or disciplines around harmonising technical measures with international standards where they exist.¹²⁹</p>
	High-level dialogue on biosecurity issues, known as the Consultative Group on Biosecurity Cooperation, 1999	Provided for in the Protocol, this group aims to strengthen trans-Tasman relations through increased dialogue on quarantine issues
Travel	Trans-Tasman Travel Arrangement (TTTA)	The TTTA 'allows New Zealanders and Australians to live and work in each other's countries with the minimum of bureaucratic obstacles' (Australian Government Department of Finance and Administration & New Zealand Ministry of Economic Development, 2007, p. 9).

¹²⁸ See FSANZ website <http://www.foodstandards.govt.nz/about/Pages/default.aspx>

¹²⁹ New Zealand Ministry of Foreign Affairs and Trade. Retrieved from <http://www.mfat.govt.nz/Foreign-Relations/Australia/0-biosecurity-and-quarantine.php>

	Open Skies Agreement, 2002	The Agreement allows Australian and New Zealand airlines access 'from and beyond the others' territories, without prescribing where carriers fly, the number of flights they operate and the prices they charge'. ¹³⁰
Working in each other's country	Trans-Tasman Recognition Arrangement (TTMRA), 1998	The TTMRA helps facilitate trade in two areas: <ol style="list-style-type: none"> 1. By allowing any good legally able to be sold in New Zealand to be legally sold in Australia, and vice-versa 2. By entitling any person registered in Australia to practice an occupation to practice an equivalent occupation in New Zealand, and vice-versa.¹³¹

6.2.1 Trans-Tasman Customs connections

As already explained, Trans-Tasman Customs connections are longstanding and multiple in nature. However, knowing that doesn't tell us much about how those connections are made, how they work in practice and what they result in. The following section introduces some of the more stable kinds of connections.

6.2.1.1 Formalised cooperation

As mentioned in Chapter 5.4, the connections between the Australian and New Zealand Customs administrations were formalised by a non-binding Customs Cooperative Arrangement signed in 1985 to support the implementation of CER. The Arrangement also provided a mandate for cooperative activities such as sharing of information, cooperation on law enforcement matters

¹³⁰ Retrieved on 11 March 2015 from 'Air Services Agreements', Ministry of Transport website: <http://www.transport.govt.nz/air/internationalairservices/>

¹³¹ Ministry of Foreign Affairs and Trade, New Zealand. Retrieved 11 March, 2015 from <http://www.mfat.govt.nz/Foreign-Relations/Australia/0-TTMRA.php>

and joint training. This mandate was renewed in 1996, when the Arrangement was updated and specific schedules have been added since.

There is a history of formal, generally at least annual, trans-Tasman Customs meetings at ministerial and senior officials levels. These meetings have provided an avenue for decision-making that has supported and enhanced the every-day operational connections. This thesis describes in section 6.3 the rise and decline of one of these meetings – the High Level Steering Group (HLSG).

6.2.1.2 Trans-Tasman Customs representatives

New Zealand Customs has had a full-time representative in Australia since 1969, located within Ministry of Foreign Affairs and Trade (MFAT) premises. Originally operating out of the New Zealand Consulate in Sydney to manage technical customs matters relating to goods, the removal of this function in 1989-90 led to a continued presence but a change of focus to law enforcement.

In early 2008, New Zealand Customs moved its representative from Sydney to the New Zealand High Commission in Canberra, signalling a commitment to greater strategic and policy level engagement with the Australian Customs Service.¹³² The move strengthened ‘head office’ connections between Canberra and Wellington.

6.2.1.3 Differences in agency responsibilities

Connections between the two Customs administrations are not fully equivalent because of differences in agency responsibilities. For example, New Zealand Customs has responsibility for collecting excise duty and for investigating border offences including those relating to illicit drugs; in Australia, the Australian Tax Office is responsible for collecting excise and the Australian Federal Police undertakes investigations of illegal importation of drugs. As described in Chapter 5.4, New Zealand Customs leads the customs aspects of trade negotiations whereas in Australia, this responsibility falls to their Department of Foreign Affairs and Trade. While these differences are not major and do not detract from the core customs work in common, we will see later in this Chapter some of how the focus of each agency’s work plays out differently.

¹³² Interviews with senior officials.

The connections between the two Customs administrations are about to be disrupted by the implementation in July 2015 of the consolidation of customs and immigration policy and operational functions into a single department.¹³³ While some of the senior staff in the ACBPS will take up positions in the new department, a lot of changes at other levels are expected. One likely effect is that some connections New Zealand Customs officials have with individual ACBPS officials will be severed; another is that work programmes could be disrupted and potentially changed; a third is that New Zealand Customs may have to create connections with Australian Immigration officials, with whom there is no shared global culture.

As indicated in Chapter 5.4, the two Customs administrations work closely together in other regional forums, such as APEC and ASEAN. They also do so within the WCO, including a group calling itself the Border Five. This group comprises the Heads of the Customs administrations from New Zealand, Australia, Canada, the UK and the US.

6.2.2 Trans-Tasman Biosecurity and Quarantine connections

The history of trans-Tasman quarantine cooperation since CER is well-documented by MFAT: 'Quarantine issues were carved out of the original CER Agreement, which allows for reasonable, scientifically justified quarantine measures to be taken to protect human, animal or plant life or health' (para 1.).¹³⁴

The Consultative Group on Biosecurity Cooperation (CGBC) ensures the intent of the Protocol is followed. Key areas of focus for the CGBC are to:

- Streamline approaches in Australian and New Zealand risk analysis.
- Ensure that current biosecurity requirements are based on sound science.
- Review the mechanisms for information exchange and other interaction between the two countries on biosecurity issues.

The CGBC meets annually (and can consider issues out of session), reporting to the Australian and New Zealand Ministers of Agriculture (Ibid., para. 5)

¹³³ See the ACBPS website: <http://www.customs.gov.au/site/page4222.asp>.

¹³⁴ Retrieved from <http://www.mfat.govt.nz/Foreign-Relations/Australia/0-biosecurity-and-quarantine.php>

Interviews revealed that the biosecurity relationship focusing on the trans-Tasman border is new, very loose and not formalised but also very close in some parts, and offers the potential for much more.¹³⁵ New Zealand is looking to learn from Australia's Department of Agriculture, which is introducing new approaches to biosecurity at the border:

Parts of our relationship are *much* tighter and much more aligned and virtually like we work in the same office in a sense, around food and things like that, and standards, whereas the actual *management* of the border, we're not connected that well, but we're looking at each other's systems, and we talk about each other's systems, and we work with industry together (Official 12, lines 97-101).

This alignment of the relationship was confirmed by an Australian official:

So there's some areas where we could work closely together, but there's very rarely areas of disagreement, or argument. Those things tend to happen much more at a policy level, and they're generally trade-driven (Official A3, lines 284-287).

The matter of concern for trans-Tasman Biosecurity agencies is '... the nasty pests and diseases that the other one's got' (Official A3, lines 314-316). These risks are most significant for trade, but less so for people, as described by a New Zealand official: 'But, you know, in the end, trans-Tasman trade for us, while it's major, it's not our biggest biosecurity threat, particularly with people' (Official 12, lines 252-253). And it's not the goods themselves that are the biosecurity problem. 'It's the conveyance we're interested in' (Official 12, line 351).

A trans-Tasman operational cargo group involving senior officials from the Australian Department of Agriculture and the New Zealand Ministry for Primary Industries (MPI) covers sharing of experience and collaboration, such as mutual recognition. 'MAF¹³⁶ did have people located in Japan looking at used vehicles coming in from Japan so we accepted the New Zealand inspection . . . for Australian purposes' (Official A3, lines 29-31). Also, five years ago, what was then the

¹³⁵ Until early 2014, the two senior officials leading the administration of biosecurity at the border had previous connections through employment in the respective Customs administrations.

¹³⁶ Ministry of Agriculture and Forestry – the former name of what is now the Ministry for Primary Industries.

Department of Agriculture, Fisheries and Forestry (DAFF, now the Department of Agriculture) shared its Biosecurity Import Condition System with New Zealand.¹³⁷

As two of only a few countries internationally with an interest in biosecurity controls, the two Biosecurity agencies also work closely together in international standard setting.¹³⁸ One official noted the importance of this work to New Zealand:

Biosecurity operates well beyond the border as well, both in terms of a *huge* amount of work done with other countries around import standards and export certification and so on and the wider influence in international standard setting. New Zealand quite deliberately puts a *huge* amount of work into as it was an area where New Zealand could get screwed very quickly if the rest of the world agreed on a set of protocols and standards which didn't work for us

(Official 13, lines 81-86).

Australia and New Zealand also work together under the QUADS framework, which provides a forum for quadrilateral scientific cooperation in plant biosecurity between Australia, New Zealand, Canada and US.¹³⁹

Two trans-Tasman matters of concern for the two agriculture ministries impact very little on the administration of border processes and related policy practice. The first is food safety, addressed through Food Standards Australia New Zealand (FSANZ). The second is the already-mentioned long-standing dispute arising from Australia's refusal to approve the importation of New Zealand apples.¹⁴⁰ This has been an emotional and very political matter of policy concern that has now been largely resolved through the WTO disputes process. However, the narrative of the apple dispute was still present for both Australian and New Zealand Biosecurity officials who were interviewed.

¹³⁷ Interview.

¹³⁸ Others are Hawaii (a state of US) and Galapagos Islands (province of Ecuador).

¹³⁹ See MPI. (2007). 'Biosecurity Science Strategy', p. 43. Retrieved from <http://www.biosecurity.govt.nz/files/biosec/sys/strategy/2007-biosecurity-science-strategy.pdf>

¹⁴⁰ Begun in 1924 (Mein Smith, Hempenstall, & Goldfinch, 2008, p. 101).

6.2.3 Trans-Tasman Immigration connections

The TTTA underpins the trans-Tasman engagement between the two Immigration agencies – the Australian Department of Immigration and Border Protection (DIBP)¹⁴¹ and Immigration New Zealand within the Ministry of Business, Innovation and Employment (MBIE). Senior Immigration leaders (agency Heads and General Managers) meet annually for the Australia-New Zealand Immigration Forum. This is a policy forum where leaders discuss matters of mutual interest. However, the two countries are also in competition with each other for the same groups of immigrants:

. . . it probably is unlike Customs – within Immigration, we're actually competitors with Australia in a lot of space – attracting international students, business migrants, even our temporary labour schemes, like what's called the RSE scheme in New Zealand, workers, like mostly from the Pacific, but some South-East Asian countries temp – in the horticulture/viticulture seasonal worker programmes. That's actually competition, and in that – for example, in the seasonal worker space, our programme is more advanced and more supposedly successful, so they want to get our ideas and understand – and in the student space, we're really vying for the same people, so it's all a bit problematic, the engagement there, 'cause we're not collaborators, we're competitors (Official 16, lines 475-482).

For 'at the border' functions, Australia and New Zealand immigration border control tends to focus on technologies for identifying risk. For example, both countries use the same technical system for advance passenger processing (APP),¹⁴² which requires the two Immigration agencies to work together closely on the system itself and operationally: 'because the system generates operational "hits" on passengers that are of interest to both countries So we sort of have this partial virtual common border, if you like, with APP' (Official 11, lines 237, 242). In his 2005 lecture on the relationship of trans-Tasman public servants, New Zealand State Services Commissioner Mark Prebble used this arrangement as an example of increasing cooperation between New Zealand and Australian officials (Prebble, 2007).

¹⁴¹ As noted above, this will include customs functions from 1 July 2015.

¹⁴² Introduced in New Zealand in 2003.

The main international forum for immigration-related border collaboration is the Five Country Conference, which also includes the UK, Canada and the US.¹⁴³ New Zealand and Australia are very aligned in this forum: ‘We often find ourselves working really collaboratively to try and influence in the multilateral space’ (Official 16, lines 501-2).

The two countries also work together in two significant regional forums - the Bali Ministerial Process, and APEC’s Business Mobility Group, which is chaired by Australia. One tool from this latter group that is highly valued by Australia and New Zealand’s Immigration officials is the Regional Movement Alert System (RMAS). This tool enables participating countries (US, New Zealand, Australia, and soon, Philippines¹⁴⁴) to check their records of people traveling there from APEC member economies against a regional ‘lost and stolen passport’ Alert List. Australia and New Zealand work together to ensure travellers are not using any of the listed passports.¹⁴⁵

6.2.4 Wider trans-Tasman connections

In Australia, the ACBPS is a federal agency with no equivalent agencies in the Australian states and territories of Australia. This means that ACBPS is not connected into any Australian Commonwealth mechanisms, such as the Council of Australian Governments (COAG). And because ACBPS is not connected to COAG, neither is New Zealand Customs. Likewise, the two Immigration agencies are connected with each other but are not actively involved in COAG. However, since the 2013 election in Australia, there has been a Ministerial connection between customs and immigration, with the one Minister responsible for both portfolios. This has resulted in more Customs-Immigration connections, for example Operation Sovereign Borders (OSB), which is:

. . . a military-led, border security operation supported and assisted by a wide range of federal government agencies. The OSB Joint Agency Task Force (JATF) has been established to ensure a whole-of-government effort to combat people smuggling and protect Australia’s borders. The JATF is supported by three operational task groups:

- Disruption and Deterrence Task Group—led by the Australian Federal Police

¹⁴³ This is the Immigration equivalent of the Border Five, and there are some connections between them.

¹⁴⁴ Interview.

¹⁴⁵ Interview.

- Detection, Interception and Transfer Task Group—led by the Australian Customs and Border Protection Service (ACBPS), which includes Border Protection Command (BPC)
- Offshore Detention and Returns Task Group—led by the Department of Immigration and Border Protection (DIBP).¹⁴⁶

Despite its disruptive effect on the Customs-to-Customs and Immigration-to-Immigration connections, the new DIBP that will integrate customs and immigration functions will create new trans-Tasman connections and is likely to strengthen the connections between the New Zealand's customs and immigration functions.

The Biosecurity agencies *are* connected to COAG, involving greater effort and organisational focus than biosecurity border connections. As indicated above, New Zealand's MPI is responsible for food safety, and as such is part of FSANZ - a joint agency where, as one manager put it, New Zealand officials are in Australia every week. In addition, a Commonwealth/New Zealand Ministerial level body sets policy and guidelines on food regulation - the Legislative and Governance Forum on Food Regulation. This COAG body:

. . . comprises a Minister from New Zealand and the Health Ministers from Australian States and Territories, the Australian Government as well as other Ministers from related portfolios (Primary Industries, Consumer Affairs etc.) where these have been nominated by their jurisdictions (para. 2).¹⁴⁷

For New Zealand, this gives multiple Ministers access to a range of Australian colleagues with whom they otherwise wouldn't connect. Not only are the connections highly stabilised (as in the case of FSANZ) but also the matter of concern is more wide-reaching. This gives MPI more imperative to work closely with Australia on a sustained basis.

COAG covers a wide range of government business, but, as indicated earlier, not customs or immigration. This absence from Commonwealth mechanisms is significant because these agencies miss out on opportunities to connect. Interviewees from biosecurity agencies identified the many opportunities it provides for the two countries to work together more closely, or to integrate an

¹⁴⁶ ACBPS website. Retrieved from <http://www.customs.gov.au/site/operation-sovereign-borders.asp>

¹⁴⁷ Australian Department of Health website. Retrieved from <http://www.health.gov.au/internet/main/publishing.nsf/Content/foodsecretariat-anz.htm>.

aspect of governmental business. These opportunities occur serendipitously at COAG meetings where New Zealand Government Ministers and officials are present:

New Zealand has, I think, an *astonishing* advantage and the Australians have been astonishingly generous in opening the COAG processes to us. Helen Clark was very good at encouraging Ministers and also chief executives to participate. I think it would be a grave mistake on New Zealand's part to let that opportunity for engagement slip. COAG meetings can be tedious, boring, time-consuming and all the rest of it. But being there has provided smart officials and ministers, often quite serendipitously, to spot opportunities to say "ah, why don't we include New Zealand in that?" Others can recount more authoritatively than me which initiatives have emerged from simply being there on the spot and being able to make the case for New Zealand's inclusion in new initiatives. I understand the SEM initiative came on the back of an Australian discussion around how to create greater integration between the states. So, it's having New Zealand Ministers and officials sitting there, alongside their Australian counterparts, participating in the dialogue, watching the states and the federal government get together and decide they want to do something jointly, and saying "Why not? Why not put New Zealand in there?" (Official 13, lines 330-341).

So in terms of broader institutional trans-Tasman connections, Customs and Immigration agencies are comparatively isolated, though with the potential to connect with each other more strongly. ACBPS and New Zealand Customs are also part of the WCO 'family', as already described, and the 'five country' relationship with the UK, Canada, and the US is important for both customs and immigration functions.

The following stories describe how the three main border agencies carrying out customs, immigration and biosecurity functions have worked to forge new connections and to strengthen existing ones in their attempts to contribute to the SEM.

6.3 Story 1: Customs-to-Customs High Level Steering Group

This story outlines the birth and decline over a period of nine years of a trans-Tasman actor-network intended to generate action between the two Customs administrations. It describes the primary mechanism for engagement and action used by senior managers during this time.¹⁴⁸

After the SEM goal was announced in 2004, a business forum called the Australia-New Zealand Leadership Forum (ANZLF) was created. This group identified early a desire for a common border, creating an environment ripe for reinvigorating the trans-Tasman Customs relationship. A New Zealand Customs memo for the Comptroller of Customs¹⁴⁹, written around this time notes: '[w]hile relations with Australia continue to be excellent, it has been some time since there were formal Official talks and there is no joint work programme of any kind'.¹⁵⁰

This thinking was taken into Customs Ministerial talks in July 2005, and immediately followed by discussion between the two Chief Executives. After these meetings, the two Ministers issued a communiqué that announced the creation of a high level steering group 'to address border issues, facilitation of passenger movements and cargo processing' (Barker & Ellison, 2005). Officials' intentions for this group were that it have a practical focus.¹⁵¹

Prior to the first meeting of the High Level Steering Group (HLSG), officials held a video conference to plan that meeting. A number of agreements were made, such as which country would lead which work item, who the lead person would be, to have a purpose statement and develop 'an agreed format for reporting, with an intention to provide the same report to both Ministers'.¹⁵²

In the first three and a half years, between August 2005 and March 2009, the HLSG met seven times, and twice together with the Biosecurity agencies. Sometimes these meetings were linked to Chief Executive level meetings, and once they were linked to a Ministerial meeting. In the

¹⁴⁸ Different sorts of engagements occur at other levels, e.g. operational activities – the sharing of information, cooperation and joint activity around particular operations - continue regardless of whether or not senior managers meet.

¹⁴⁹ This title refers to his delegated Customs role. The 'Chief Executive' title refers to his role as Head of a public sector organisation.

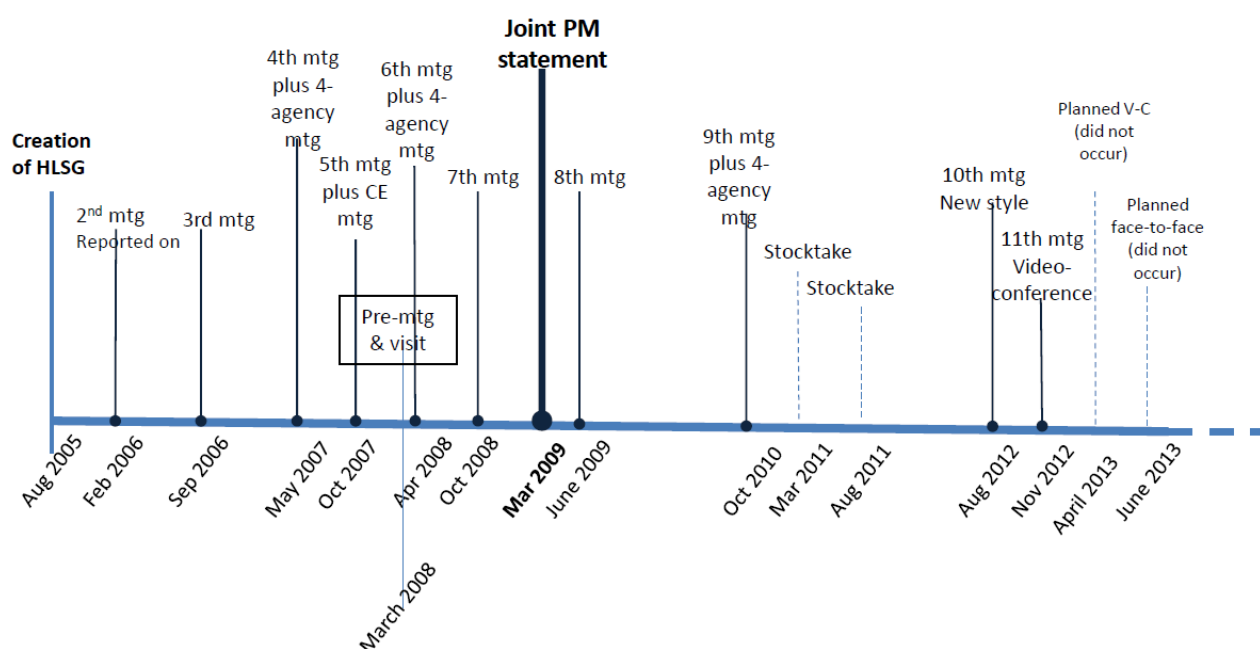
¹⁵⁰ New Zealand Customs. (Undated). 'OR-187 'Single Economic Market with Australia' [Comptroller's Cover Sheet].

¹⁵¹ New Zealand Customs. (November 2005). 'Trans-Tasman Customs Relationship', OR 05/158 [Report to Minister of Customs].

¹⁵² 'HLSG 1st Video Conference 3 August 2005', 'General Agreements'.

subsequent four and a half years, from March 2009 to November 2012, the HLSG met four times, one of these by video-conference. At the second to last meeting, it was agreed that there would be one face to face meeting and three video conferences each year. As at May 2014, one video conference was held in November 2012 and nothing since. An internal New Zealand Customs paper dated February 2014 noted the need to develop a work programme and re-establish more formal meeting arrangements,¹⁵³ echoing the situation nine years earlier. The timeline below shows the spread of the meetings over the period studied:

Figure 7. HLSG Timeline 2005-2013



New Zealand Customs' records provide an account of the content and actions of the HLSG meetings. The first HLSG was held in Sydney on 31 August 2005. The participants agreed the Purpose Statement, a review of the Customs Cooperative Arrangement, a work programme and a timetable. The work programme topics were largely those identified in the Ministers' communiqué, covering automated passenger processing, two trade-related topics, maritime and air security, intelligence sharing and the Oceania Customs Organisation¹⁵⁴ (OCO). The Minutes record a Purpose Statement and a Strategic Statement 'providing the vision or "life" to the

¹⁵³ New Zealand Customs. (2014). 'Options for New Zealand Customs' Engagement with Australia', CEB (14) 01/05 [Report].

¹⁵⁴ A 23-member regional grouping of Pacific customs administrations that includes Australia and New Zealand.

document'.¹⁵⁵ Meetings were to be held 'once or twice a year, including prior to annual CE talks, with other meetings by Vidcon'.¹⁵⁶ The minutes record that the next meeting was to be held in February 2006, in Wellington. They noted the agreement 'to remove contentious terms from the Strategic Statement, such as 'Single Economic Market'. The discussion broadened the original intention to progress the customs-related contributions to the SEM to wider customs issues beyond the SEM.¹⁵⁷ The New Zealand Customs report to the Minister of Customs in November 2005¹⁵⁸ on the trans-Tasman Customs relationship does not mention SEM, and instead paints a picture of common issues facing the Australian and New Zealand Customs administrations, and places the Customs-to-Customs relationship in the context of the ANZLF. This deliberate removal of the SEM from the HLSG narrative is interesting. It elevates the common matters of concern to customs matters and though the SEM goal is invisible, it is still present – an effect that is explored later in this Chapter and in Chapter 7.

New Zealand Customs officials appear to have used the 2005 Customs Ministers' Communiqué as a stabilising point. In November 2005, New Zealand Customs updated the Minister of Customs on the trans-Tasman relationship, including a review of the agreements made at the July Ministers' meeting and the outcome of the first HLSG meeting. It noted the agreement 'to meet annually at Ministerial level, and at chief executive level every six months' and 'Ministers themselves largely set the topics on the work programme during their Talks'.¹⁵⁹

The second meeting was held on 23-24 February 2006, in Wellington. Aside from the aforementioned work programme, additional items on the agenda included the implementation of the new Rules of Origin under CER, which had just been announced.¹⁶⁰

New Zealand Customs files reveal a process for preparing for the HLSG had been established, including a briefing plan and a briefing template.¹⁶¹ New Zealand developed a project status

¹⁵⁵ 'Australia/New Zealand Customs to Customs HLSG, 31 Aug 2005, Meeting Minutes'.

¹⁵⁶ 'Australia-New Zealand Customs to Customs HLSG' purpose statement' (undated).

¹⁵⁷ Unsigned letter to staff (created on 11 August 2005).

¹⁵⁸ New Zealand Customs. (2005). 'Trans-Tasman Customs Relationship', OR 05/158 [Report].

¹⁵⁹ Ibid.

¹⁶⁰ 'Australia-New Zealand HLSG Annotated Agenda 23-24 February 2006'.

¹⁶¹ 'HLSG Briefing Plan and HLSG Briefing Template' (undated).

report that set out key work underway, key milestones met, next milestones and key risks. The 2006 report notes 'progress has been made on most items'.¹⁶² For the third meeting, which was scheduled for 5-6 October 2006 in Sydney, the Automated Passenger Processing item included an update by Australia on SmartGate/biometrics. In addition to the topic of the work programme, there were eight other items on the agenda.¹⁶³ One of these was a discussion about the possible involvement of the two quarantine services in future.

The first involvement of the Quarantine services occurred on 31 May 2007 as an adjunct to the fourth HLSG, which was held on 1 June 2007 in Canberra. Topics for the 'four-way' talks were Streamlining Trans-Tasman Trade, Single Window, Passenger Facilitation Initiatives, and an overview of New Zealand's Border Sector Governance Group¹⁶⁴ (BSGG).¹⁶⁵ Three actions came out of the meeting. The HLSG also discussed Streamlining Trans-Tasman Trade (which incorporated the original trade items and included several more), Passenger Processing Initiatives (in which Australia provided an update on SmartGate), OCO, Intelligence Sharing, and Other.¹⁶⁶ An unfinished report to New Zealand Customs' senior management team identified nine 'Next Steps', three of which were joint and six of which were Australia's lead.¹⁶⁷

The fifth HLSG was held immediately before a Chief Executive meeting, as originally envisaged. The two meetings were fitted around the annual conference of the Customs Brokers and Forwarders Council of Australia on 11 October 2007, held that year in Queenstown, New Zealand. Both Customs Chief Executives were scheduled to present in the conference in a joint session, demonstrating to this forum the close connection between the two administrations. The HLSG agenda¹⁶⁸ covered the four main items on the work programme, and six other items, including the date for the next Ministerial meeting; the Trans-Tasman Chief Executives meeting agenda¹⁶⁹ had

¹⁶² 'High Level Steering Group Progress Report', Project Status Report – as at 15 August 2006, p. 4.

¹⁶³ 'Australia-New Zealand HLSG Annotated Agenda, 5-6 October 2006'.

¹⁶⁴ This Group features in the stories following.

¹⁶⁵ 'Draft Record of Meeting, Australia-New Zealand Customs and Quarantine Talks, 31 May 2007'. This Group features in the stories following.

¹⁶⁶ 'Australia-New Zealand HLSG Agenda, Canberra 1 June 2007'.

¹⁶⁷ New Zealand Customs. (2007). 'Fourth Meeting of Australia/New Zealand Customs to Customs HLSG', SMT (07). [Unfinished Report]. The records show an oral report back to the SMT (senior management team) meeting in June 2007.

¹⁶⁸ 'Trans-Tasman Discussions 10-12 October, Agenda'.

¹⁶⁹ Ibid.

five items, one of which was 'Outcomes from HLSG'. The extensive minutes of the HLSG meeting¹⁷⁰ indicate observable progress had been made on the Streamlining Trans-Tasman Trade item, on which there was substantial discussion, and six 'next step' actions; for Passenger Processing initiatives, the minutes note a workshop that identified five key tasks, which clearly foreshadow the work undertaken post-March 2009. For example, out of five tasks identified in a Trans-Tasman passenger workshop (one of the actions from the previous meeting), one was to develop 'two business models for pre-clearance of Australian and New Zealand passengers on Trans-Tasman flights (concept April 2008, completion October 2008)'.¹⁷¹ Another was to examine 'the possibility of installing part of the SmartGate system in New Zealand'; a third was to examine 'potential quarantine initiatives'.¹⁷²

A month before the sixth HLSG, three officials from the Australian Customs Service (as it then was) visited New Zealand for a two-day workshop to carry out one of the Streamlining Trans-Tasman Trade actions from the fifth HLSG meeting.¹⁷³ The sixth HLSG was held in Brisbane on 2 April 2008, along with another four-way Customs-Quarantine meeting, at which agencies shared their significant activities over the past year, and discussed Streamlining Trans-Tasman Trade and Passenger Facilitation Initiatives, as on the previous occasion.¹⁷⁴

The seventh HLSG meeting on 8 October 2008 in Brisbane included 'International Issues' for the first time (previously Pacific issues) and a new item on small craft. There was also an 'action update' from the April HLSG that showed Customs Ministers were briefed on Passenger Facilitation developments and Pacific issues at their bilateral meeting on 7 May 2008.¹⁷⁵

The eighth HLSG on 4-5 June 2009 in Wellington was the first HLSG after the 2 March joint Prime Ministerial statement. The Passenger Facilitation item focused on the trans-Tasman Customs approach to a draft paper from the Australian Department of Prime Minister and Cabinet, to

¹⁷⁰ 'Minutes for the Fifth Meeting of the Australia New Zealand High Level Steering Group, 10 October 2007'.

¹⁷¹ Ibid. p. 3.

¹⁷² Ibid.

¹⁷³ 'New Zealand Customs Overseas Visitor Programme', 6-7 March 2008.

¹⁷⁴ 'Australia-New Zealand HLSG Agenda, Brisbane 2 April 2008', 'Australia-New Zealand Customs-Quarantine Meeting Agenda, 1 April 2008'.

¹⁷⁵ 'Australia-New Zealand HLSG Agenda, Brisbane, 8 October 2008', and 'October 2008 HLSG – Record of Action Items'.

which New Zealand was preparing a multi-agency response. The two administrations were preparing material for the Prime Ministers' meeting in August 2009. The meeting agreed to a two-pronged approach – SmartGate, and 'concrete building blocks for an enhanced passenger experience for trans-Tasman travellers'.¹⁷⁶ For Streamlining Trans-Tasman Trade, the focus was on providing the Prime Ministers with information to 'demonstrate the high level of efficiency already present in border clearance of trans-Tasman trade'.¹⁷⁷ Both items referred to 'the story' the two administrations sought to tell the two Prime Ministers. The proposal to conduct a joint Time Release Study (TRS)¹⁷⁸ was also endorsed at the meeting.

The ninth HLSG was held almost 16 months later, on 21-22 October 2010 in Melbourne. The first day included a third four-way Customs-Quarantine meeting. The agenda for this meeting was primarily focused on 'the Prime Ministers' deliverables',¹⁷⁹ across both travel and trade, particularly in relation to the biosecurity components. The Customs-to-Customs HLSG agenda was slightly different from its predecessors. Passenger Facilitation Initiatives became 'Passengers Vision' and focused on what was called 'the Prime Ministers' trans-Tasman passenger processing streamlining initiatives'.¹⁸⁰ Streamlining Trans-Tasman Trade disappeared as a heading, and was replaced by two individual agenda items, one of which was 'Next steps for the trans-Tasman TRS'.¹⁸¹ Again, the need for an agreed overarching story was identified, and the agencies agreed a response to an industry stakeholder proposal for trans-Tasman travel.¹⁸²

An even bigger gap of almost two years ensued until the next HLSG meeting held in Auckland on 15-16 August 2012. A year earlier, action was being taken on an item from the 2010 HLSG, but in an email exchange in March 2012, initiated by ACBPS (which ACS had become in 2009), it is clear that the initial concept of the HLSG had disappeared, and that the format and the agenda of the meetings at the Deputy Chief Executive level would in future be more fluid. The meeting in August

¹⁷⁶ 'Record of Action Items Australia-New Zealand High Level Steering Group Wellington, 4-5 June 2009'.

¹⁷⁷ Ibid.

¹⁷⁸ Covered further in Chapter 6.7.

¹⁷⁹ '21 October 2010 Four-Agency Customs-Quarantine Meeting - Record of Action Items'.

¹⁸⁰ 'Australia-New Zealand HLSG Agenda, Melbourne, Thursday 21 October – Friday 22 October 2010'.

¹⁸¹ Ibid.

¹⁸² 'Australia-New Zealand HLSG, Melbourne 21-22 October 2010 – Record of Action Items'.

2012 introduced a more relaxed style. The actions arising from the meeting reflect this change.¹⁸³ The first two actions arose from discussions on Customs input into the 2012 Joint Productivity Commission study on Strengthening Trans-Tasman Economic Relations (Australian Productivity Commission & New Zealand Productivity Commission, 2012c). The rest of the discussions ranged across a wide range of areas of mutual interest.¹⁸⁴

A video-conference was held in November 2012, after which no further meetings at Deputy Chief Executive level were held (as at May 2014). Part of the reason was the restructuring experienced by both organisations during 2013 and 2014. While some of the same senior officials maintained Deputy positions as at June 2014, their roles changed, and new appointments to other Deputy or equivalent roles meant connections were not able to be stabilised. For ACBPS, further restructuring was announced in May 2014, with the merging of ACBPS and the Australian agency responsible for immigration, as mentioned in section 6.2.1.3.

6.3.1 Exploring the narratives

The story of the HLSG is in many respects unremarkable. We can see it as an actor-network that emerged, stabilised as connections strengthened and destabilised as connections fell away; we can also see it as a transnational network¹⁸⁵ of senior level officials.

However, nested within the chronological sequence of events are several narratives, some of which connect to other narratives in this thesis, and some of which led to action. There were three types of narratives, the first being purpose narratives that told:

- the story of the life-cycle of the HLSG – how the group worked and evolved
- the story of the purpose of the work, and how the matters of concern changed.

The second was an action narrative about how the HLSG caused something to happen. The third was narratives about trans-Tasman connections:

SEM – present but not seen

- Border agency connections – long but not fragile.

¹⁸³ ACBPS, 'Actions Arising From HLSG Meeting – 15-16 August 2012'.

¹⁸⁴ I helped with briefings and was present for some of this meeting.

¹⁸⁵ (Slaughter, 1997). Rather than a policy community, this network was cross-functional, in that it included officials from operational areas as well.

6.3.1.1 *Purpose narratives*

6.3.1.1.1 The purpose of the HLSG - the story of its creation and evolution

The initial concept of the HLSG was of a small group of executives providing direction to a work programme. This was encapsulated in the name – ‘High Level’ indicating senior level engagement; ‘Steering Group’ indicating the direction-setting role of the Group. However, as with so many organisational terms, the ‘High Level Steering Group’ quickly became known as the HLSG. Interestingly, it was never referred to as the ‘trans-Tasman HLSG’ or the TTHLSG, but simply the HLSG.

Over time, the concept and personnel changed, so that the connections of members to the originating Ministerial meeting and communiqué fell away. The stabilised and stabilising artefacts and processes began to change the way the group, and the actors connected to it, operated, and this reduced the ability of the HLSG members to have transformational discussions. In other words, these artefacts and processes became actants that created stability but had a limiting effect, as explained by one official:

I thought the original concept, where it was set up to be a targeted, focused small group, so that you could have frank exchanges, and that it was really the issues of concern on your mind from one administration to another, and where were the areas where we could leverage off each other, and there were only three of us from Australia needed to represent Australia, and likewise, only a small number needed to represent New Zealand. I felt that in the life-cycle of all of these groups we had gone into one of those cycles where it had become a bit like form over substance¹⁸⁶, and we'd complicated it by putting many things on the agenda. It didn't seem as though it was a meeting if it didn't have this really formal agenda that looked as though we'll completely packed out the days. So in a sense the form I think reduced the ability to have the conversation about the issues (Official A6, lines 96-105).

Another referred to the more generic need to refresh connections:

And I think the same story with the HSLG – had a big momentum for a while – particularly that structure – HLSG-CE's meeting-Ministers – but you need new blood at some stage where

¹⁸⁶ From an ANT viewpoint, ‘form over substance’ indicates the absence of translation.

you need a refreshed look at it and you need to either kick-start it or say 'we'll do it in a different way'. Because the relationship changes, and people change, and the focus changes, so what you're doing changes, so that forum may not be appropriate (Official 8, lines 121-125).

This description illustrates Latour's assertion that 'if you stop making and remaking groups, you stop having groups ' (Latour, 2007, p. 35). Latour goes on to say: 'this cannot be done without looking for vehicles, tools, instruments, and materials able to provide such stability . . . since they have to make the grouping *reach* a bit further and *stand* a bit longer' (Latour, 2007, p. 35).

He notes the importance of maintaining alliances in mitigating the effects of change: 'Every time an ally is abandoned, replacements need to be recruited' (Latour, 1987, p. 125). Interviewees noted the impact of changes to key personnel and organisational changes on the operation of the HSLG, for example:

the relationship was a lot more personal in the past, because there were a number of people that we had engaged with over a long period of time . . . and *now*, because there've been a lot of changes . . . that's been total sort of turnover. So what I see is that gradually rebuilding. The thing is, the nature of Australian Customs and Border Protection has been changing as well. The border protection bit has been growing as a proportion of its total role, over quite a few years now. You know, the guns they get are getting bigger and all of that, and so . . . I think the organisations today aren't quite as similar in nature as they were five years ago (Official 6, lines 208-217).

The purpose of the HSLG changed in practice, if not formally. One reason given was that the relationship no longer needed to be steered:

Oh, I think it's just part of evolution. We had a work programme . . . a lot of stuff got done, and the relationship matured over time, and it became, I guess, less important to be having these high level meetings because . . . it became business as usual (Official 6, lines 74-80).

and ‘there isn’t really any steering role for the High Level Steering Group’ (Official 21).¹⁸⁷ Another was that by 2012, the HLSG had changed from a formal structure to a more informal gathering:

So the HLSG was structured, had agendas, it came out with action items and programmes of work and all those sorts of things. What it’s now evolved into is much more of a more informal relationship management type vehicle, and so when we interact, it’s a lot more about keeping up with what each other’s doing and where we do see value in working together on something, then we take that opportunity and progress that (Official 6, lines 33-38).

It is interesting that the ‘machine’ – the meeting arrangements, agendas and minutes – that initially stabilised the HLSG ended up constraining its ability to refresh its connections and its matters of concern. In the end, the HLSG purpose ceased to exist as a matter of concern, resulting in no translation and thus no action, and so it ceased to exist as an actor-network.

6.3.1.1.2 The purpose of the work – the story of matters of concern

This narrative traces the changes of topics – the *raison d’être* of a trans-Tasman work programme in which practical solutions implied action.

In 2005, the two Ministers responsible for Customs agreed the items on the work programme, which officials then jointly acted on over several years, adding new topics as the original ones were completed. These topics, which implied trans-Tasman agreement on those matters of concern relevant to Customs, were primarily about trade and travel facilitation, but also included some joint intelligence and Pacific-related activities. Within this frame, new items were added or the focus of existing items was changed, depending on the work done by the two administrations between meetings. At one point, at the seventh HLSG meeting, officials briefed Ministers on two of the work items that had been part of the original remit for the group, creating an implicit referral back to the original matters of concern for the group.

In 2009, the wording of the work topics took on that of the trans-Tasman deliverables initiated by the two Prime Ministers. A year later, the need for an overarching story for these items was identified. By 2012, the interests of the two Customs organisations had diverged, reflecting a focus

¹⁸⁷ Email, 28 March 2012.

on sovereign issues more than trans-Tasman issues:

. . . for quite understandable reasons, the New Zealand and Australian border interests have been diverging over the past two or three years – primarily on the Australian side because of the increase in concern over the illegal immigration boat people from up north, and that’s caused a shift in budget, from border facilitation to border protection. And on our side, our Prime Minister maintained the same expectations around facilitation of travel and trade, and so the primary objectives of the two organisations are slightly divergent, which means that the border facilitation processes are being developed in different ways on each side of the Tasman (Official 6, lines 33-45).

One Australian official noted how events in the present can trigger memories, and highlighted the need to periodically revisit what happened in the past to determine if they have become a matter of concern. The example given occurred as part of the HLSG work programme:

You know, it sticks in my memory the trial of trying to have the export entry as an import entry here, and it didn't succeed, and you have to reflect on “well, why didn't it succeed?” and if we really wanted to make it happen, what would we have to do to make it go differently? So it's just a complete raft of different issues that we've addressed over the years that, as something happens, it triggers a memory of “Yes, let's go and look at that aspect again” (Official A6, lines 236-241).

6.3.1.2 Action narrative – how the HLSG caused something to happen

Interviewees tell a story of the HLSG as an actant – it caused something to happen, although not always visibly so:

/ always felt that the key area that was underplayed – in that the HLSG had actually done some quite good things of in the first few years of its existence – was the enforcement cooperation, and, you know, some of the areas of cooperation that we had progressed through intelligence exchange, and the links between, at the time, [Official] and his co-what's the word? – his equivalent were actually producing really good benefits in terms of increased information sharing and actually some decent operations in that area, and I always felt that was underplayed in the HLSG space with its focus on trade and travel facilitation (Official 8, 82-88).

Its formal structures and protocols created an impetus for action. The meetings provided a means by which *other* connections could be maintained:

I guess my personal view is they're [meetings] necessary to maintain them, and to make that sustainable, because people move on, and you can't establish those relationships through email or phone. You need to have sat face to face, is my personal view. But that's not necessarily what made really strong relationships. So that gave the opportunity – HLSG and meetings like that – regular meetings at CE level and so on – gave the opportunity to form those connections, but, for example, I know that at Deputy CE level, there were regular phone discussions, and that's a sign to me that the relationship is working – that those weren't officials-organised¹⁸⁸ (Official 7, lines 170-177).

The heart of the HLSG was the meetings, which were the focus for action, with the previous meeting's action items and the date set for the forthcoming meetings providing bookends to that action. This can be inferred from the timing of the workshops, which were held just before the HLSG meetings, and from the progress report that ticked off previous action items and added new ones to the list. Action was also related to the matters of concern, with reports of progress on the agenda topics, and resulting discussion at the meetings resulting in a series of 'next step' actions. These actions reached forward to the future. When we examine the events triggered in March 2009, we will see that the HLSG set the groundwork for those events to occur. The HLSG work programme foreshadowed the March and August 2009 work – a kind of 'forward connection' to SmartGate in New Zealand, and the feasibility study for a pre-clearance model for trans-Tasman travel.

Once discussed (i.e. translated) and agreed, some of the actants became stabilised artefacts, for example, the final versions of the purpose statement, the meeting agendas and the minutes. These were clearly identifiable in New Zealand Customs' electronic filing system.¹⁸⁹

Interviewees also talked of the HLSG as a mechanism of 'non-action'. Their comments highlight the importance of purpose in getting to action. One official pointed to uncertainty of purpose for

¹⁸⁸ That is, formally organised by officials.

¹⁸⁹ Because there was no central trans-Tasman file repository accessible to both countries, this system contained no visibility of Australia's files.

the HLSG itself which resulted in discussion only, not action:

Australian International¹⁹⁰ had an action in probably about 2009 to review the HLSG in tandem with us, and that never really led to anything. So “what was the role of the HLSG, what was the role of the two Customs agencies, where did our responsibilities lie, what did we want out of CEs, what did we want out of Ministers?” We usually managed to get enough together to have a Minister's discussion but often it wasn't really firmly agreed about how it would proceed, and it needed decisive direction from CEs at their discussion for there to get things sorted out. And you probably want – or you should have, at that lower level down – you should actually have agreement most of the time (Official 8, lines 186-193).

Another official reiterated the lack of impetus and uncertainty of purpose, this time of agenda items in the meetings:

. . . there were probably some people particularly in the High Level Steering Group that felt that the discussions weren't as valuable as they might have been and that it wasn't clear what the purpose of some of the agenda items was (Official 7, lines 123-125).

6.3.1.3 *Trans-Tasman Narratives*

6.3.1.3.1 SEM – present but not seen

Initially, officials broadened their work beyond the SEM – the HLSG was explicitly NOT about the SEM, but was still aligned with it, in that a large part of the focus was about harmonisation and automation of the processing of people and goods across the two countries' borders.

From the time of the joint Prime Ministerial statement on 2 March 2009, the HLSG's trans-Tasman story gradually changed so that the work of the HLSG supported the actions arising from that statement. For a short time after the March and August 2009 Prime Ministerial statements, the HLSG's work programme ran in parallel to the multi-agency deliverables for Streamlining trans-Tasman Travel and eventually took on the aspect of those deliverables – it was not a big switch, but it could be interpreted as the matter of concern (and thus the story) switching from border management objectives to SEM objectives. The correlation between the Streamlining trans-

¹⁹⁰ The International section in ACBPS that looked after the bilateral relationship with New Zealand.

Tasman Travel work programme ceasing in February 2012¹⁹¹ and the HLSG faltering to a stop at the same time supports this interpretation.

6.3.1.3.2 Border agency connections – long but potentially fragile

As explained earlier in this Chapter, the trans-Tasman Customs connection is nicely illustrated by the two Chief Executives jointly presenting to the 2007 Australia Customs Brokers and Forwarders Council of Australia. The HLSG provided a forum for working through differences and providing a platform for joint or collective action, such as developing a joint story on the trans-Tasman work in 2009. Another example is the inclusion of the Biosecurity agencies in the trans-Tasman dialogue.

In the explanation below, Official 8 articulates the translation processes of Australian and New Zealand officials and politicians to address a trans-Tasman matter of concern, acknowledging the difficulty of getting to this point when the two countries start with different matters of concern:

You know, is there alignment between the things that we would like to achieve and what the Australians would like to achieve, and that's often a difficult process, but you've got to have the discussion, so you need to have the forum to have the discussion and create the frameworks that enable those things that we *both* want to work. It's not really a negotiation, but you know it is a discussion. And then you need the political backing, and that's – for officials is, you know, putting up the clear advice, weighing up all the other things that we've got on that we want to achieve – whether this is more important ahead of anything else or not, and Ministers will either do what they normally do, which is either support what officials' advice is or they'll give clear direction (Official 8, lines 246-254).

They then articulate what they think that matter of concern is for the way the two countries address challenges:

I mean, we've both got other challenges as well, and I sometimes think that we need to *quite* recognise that we've got these other challenges, and I *do* think that sometimes we miss the boat – both countries – in actually “well, what can we do jointly to actually look at the things that we've both got problems with or issues that we have?” So that space should be created as well (Official 8, lines 254-258).

¹⁹¹ Refer to Stories 3 (Chapter 6.5) and 4 (Chapter 6.6.2).

One official noted the effect of not maintaining the connections between the two Customs administrations:

I think there still needs to be a continuous dialogue between New Zealand and Australia to make sure that we don't drift away as opposed to not necessarily drift closer or get closer or have the same process on both sides. . . . I think there's a danger if we don't have a continuous dialogue, that we'll go our way and, more particularly, they'll go theirs (Official 3, lines 412-417).

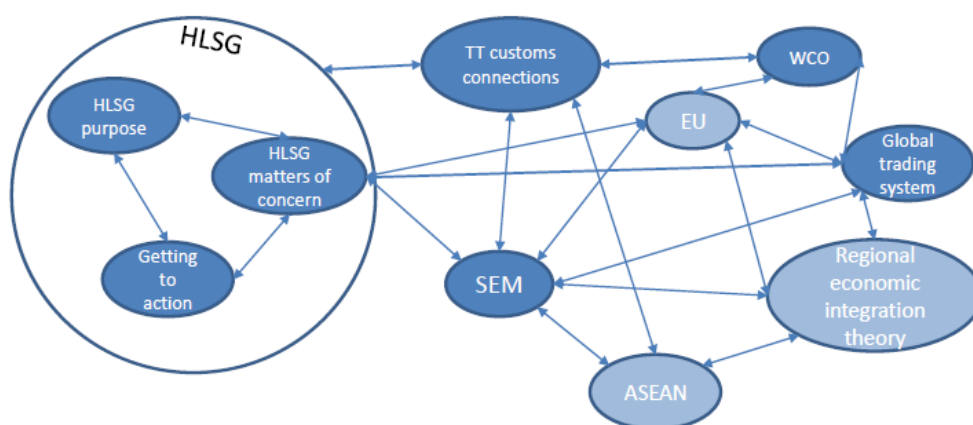
The words 'to make sure we don't drift away' evokes a picture of boats that could either be close by or drift off in different directions.

When we look at the HLSG narratives and their connections and overlaps, we see three things:

- HLSG matters of concern are connected with the global trading system narrative more strongly than the SEM narrative
- There is a strong trans-Tasman border narrative that is not SEM
- The Trans-Tasman Customs narrative is strongly connected with facilitation and enforcement narratives coming out of the WCO.

These connections are depicted in Figure 8 below. The darker blue and thicker lines represent the stronger connections and the size of the shape indicates the relative size of the narrative in the HLSG work, both explicit and implicit. This diagram includes the narratives from Chapter 5, from which the work of the HLSG drew. These narratives will be discussed further in Chapter 7.

Figure 8. Connections into and between HLSG narratives



6.4 Story 2: SmartGate

SmartGate is an automated processing system that enables international passengers to self-process through the first layer of immigration and customs controls. There are many different types of automated passenger processing systems around the world, with the SmartGate system being used in Australia, New Zealand, the UK, Norway and some other European countries.¹⁹²

Australia started implementing SmartGate in 2007. It is now available for eligible Australian, New Zealand, Singapore, UK and US passport holders arriving in Brisbane, Gold Coast, Sydney, Melbourne, Adelaide, Perth, Cairns and Darwin international airports. Holders of Swiss, Canadian and Irish passports were also being trialled at the time of writing.

New Zealand started implementing SmartGate in December 2009. In November 2014, the Minister of Customs reported in Parliament: '10 million people have now used the technology. We have a new 1-week record of 76,000 people, which was set last week, and we are rapidly approaching the record of 1 million people every 3 months'.¹⁹³

SmartGate is not installed at all New Zealand's international airports, only the three 'gateway' international airports of Auckland, Wellington and Christchurch that deal with the greatest proportion of travellers. At December 2014, SmartGate was available for eligible New Zealand, Australian, UK and US passport holders arriving at and departing from these airports, with the addition of more nationalities planned.

Today, SmartGate New Zealand nestles comfortably in the Customs precinct of these three airports. It is unremarkable. More and more passengers choose it over being processed by a Customs officer. From the moment the Prime Minister, John Key, successfully passed the 'initiation test' at the official opening on 3 December 2009, the 'becoming' of SmartGate New Zealand was black boxed. Key inserted his passport into the kiosk, received a ticket, placed the ticket into the gate apparatus, had his photo taken, and the gate opened, letting him through to

¹⁹² New Zealand Customs official.

¹⁹³ Questions for oral answer, 5 November 2014. Volume: 701;Page:645, New Zealand Parliament. Retrieved from http://www.parliament.nz/en-nz/pb/business/qa/51HansQ_20141105_00000011/11-border-control-smartgate-system%E2%80%94passengers-processed

the other side.¹⁹⁴ The actor-network of SmartGate was stabilised and ready for the travelling public at large.

The story of the success of SmartGate has been told more than once. Eppel, Lips, Sylvester, & Pacheco (2013) describe and analyse the SmartGate story in their paper on innovation in the New Zealand Public Sector. Through conducting a network analysis, they highlight the significant role played by ACBPS, the strong drive from the New Zealand Prime Minister, strong agency leadership and collaboration with other agencies and private sector players. The New Zealand Office of the Auditor-General also told the story in their report on successful technology projects (Office of the Auditor-General New Zealand, 2012).

This thesis tells different SmartGate stories. It unpacks the black box of the 'becoming' of SmartGate to reveal the many connections back in time and even forward into the future; the debates and uncertainties in the policy process; the creation and falling away of actor-networks and the narratives that drove action.

6.4.1 The starting point/s – tracing connections back

One New Zealand Customs record notes 30 July 2008 as a starting point.¹⁹⁵ That was the date that the New Zealand Cabinet approved New Zealand Customs' trialling of SmartGate, with a requirement to report back on the results in August 2009.

However, this research reinforces Latour's statement that when you are tracing an actor-network, there is no beginning. You have to just choose a point in time (Latour, 2013). For it is also possible to trace SmartGate back to 2004, when the trans-Tasman SEM was announced, and to 1998, when ANZCERTA was extended, and to 1983 when CER was signed, and to the sharing of technology thinking between Australia and New Zealand Customs administrations in the 1980s, because SmartGate New Zealand is connected to all these events. We can also point to the significance of the formal Customs to Customs Arrangement,¹⁹⁶ which set the scene for cooperation and is

¹⁹⁴ See 'Stuff' video, retrieved on 11 March 2015 from <http://www.stuff.co.nz/national/3125011/Video-John-Key-opens-SmartGate>

¹⁹⁵ New Zealand Customs, (Undated, created on 22 May, 2009). 'SmartGate Cabinet Paper – Chronology of Events'. [File note]

¹⁹⁶ Refer to section 6.2.1.1.

overtly connected with SmartGate through the three schedules relating to SmartGate added between 2008 and 2011.

In the two years prior to 2008, New Zealand Customs had been keenly watching ACBPS design its SmartGate system, being built with technology provider Morpho, and absorbing what ACBPS was learning about which they had been generous in sharing with New Zealand Customs.¹⁹⁷ The Comptroller of New Zealand Customs tells it like this:

So I remember thinking . . . “I wonder what the Australians are doing on this?” So I asked the question, and they said that, oh they’d been trialling this thing called SmartGate; so I actually rang Michael - Michael Carmody - and I said to him, “Where are you at with your automated processing?” . . . [He replied]” . . . and we’re pretty close to actually making a decision about introducing this, into Australia for passenger processing on arrival.” So I said, “Can I have a look at it?” He said, “Yeah, by all means, come across.” He said, “We’re looking at putting it into Brisbane first up”. So I went across, and I went to Brisbane, had a look at this – and this was the sort of trial, at about – I don’t know, I can’t remember now, but probably four or five gates – four gates, maybe. And I instantly realised that . . . if Grandma [X] was going to be travelling across the Tasman, the last thing she needed was to have a different system to what was being used on the Tasman (Lines 144-158).

Thus, the Comptroller’s view was that passengers needed to have the same experience on both sides of the Tasman Sea. Later in 2007 after the Australian SmartGate system was implemented, the Comptroller saw it working. He immediately saw that if New Zealand had the same system, it would facilitate trans-Tasman travel.¹⁹⁸ In 2008, ACBPS offered to loan New Zealand a gate to enable it to carry out its trial, which included testing its compatibility with New Zealand's border processing system, CusMod.

The ANZLF’s border sub-group¹⁹⁹, in which the Comptroller of New Zealand Customs was very active, had aspirations for a common border between the two countries. One official commented on the purpose of this sub-group:

¹⁹⁷ Facilitated by the HLSCG connections.

¹⁹⁸ Interview.

¹⁹⁹ Refer to Chapter 6.3.

There was a really strong drive for a very unclear end-point, but you know, a domestic-like experience, borderless travel, whatever it is, automated processes, whatever . . . there was a kind of vague desire from the Leaders' Forum for *something* to be done in that space and to work on that (Official 8, lines 106-109).

Simon Le Quesne noted in his thesis on the ANZLF that:

Conversations on a common border and developing shared solutions on issues such as clean energy and food, climate change and scientific challenges have all added impetus to a shared consensus on economic and institutional integration (Le Quesne, 2011, p. 115).

In New Zealand in 2007, a new set of connections was created that put a new focus on trans-Tasman border activities – a 'border sector',²⁰⁰ with the formal governance structure of the BSGG and a Border Sector Secretariat (Border Secretariat) hosted by the New Zealand Customs. Trans-Tasman passenger facilitation was part of this group's work programme. It was not new work, but rather a 'gathering up' of existing work, for which the HLSG was already a key connection point. The SmartGate trial was one of the items on the work programme.²⁰¹

At the same time, behind-the-scenes discussions between diplomats, discussions between New Zealand senior officials and briefings by New Zealand Customs on opportunities to further streamline passenger processing to manage increasing volumes were also occurring, and had been for several years.²⁰² The cyclical requests to Government from border agencies for more funding to manage these increases at airports were recognised as unsustainable. New thinking was needed. Trans-Tasman border processes were at the forefront of these discussions because volumes were highest on flights between New Zealand and Australia. As an example, Table 5 below shows the changes in volumes of flights in the month of December from 2008 to 2014.²⁰³

²⁰⁰ Agencies responsible for border management, covering customs, biosecurity/quarantine and food safety, and immigration functions, along with related interests of transport regulation and passport issuance.

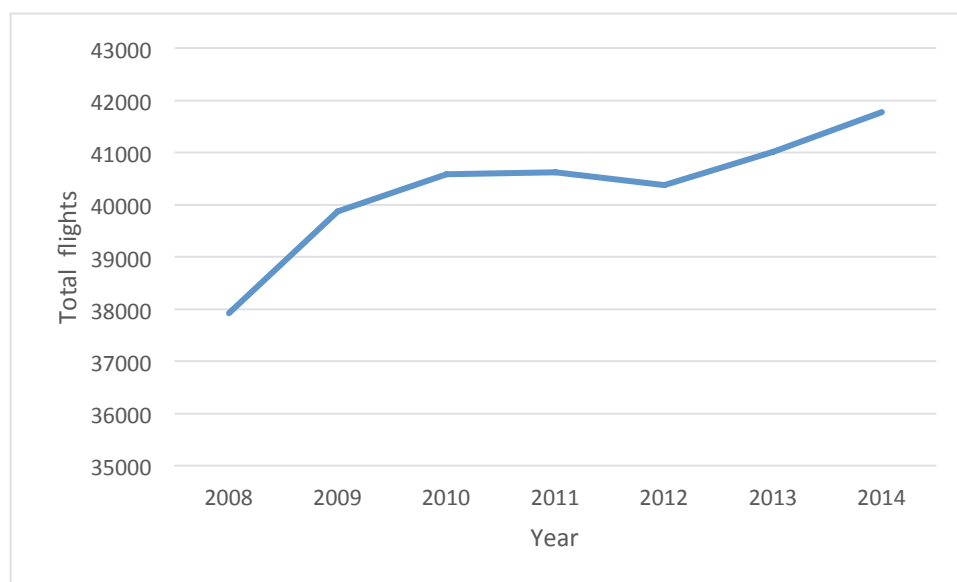
²⁰¹ I was acting Manager of the Border Secretariat at the time.

²⁰² Interviews with senior New Zealand officials.

²⁰³ Number of flights is the best available indicator of demand and thus a proxy for passenger volumes, even though not all flights are full. Statistics on international travel don't include New Zealanders, so are not a true reflection of travel volumes. Retrieved from Tourism/International Travel and Migration/Number of flights by direction and overseas port (Annual-Dec), Statistics New Zealand on 11 March 2015: <http://www.stats.govt.nz/infoshare/>

This table shows the steep increase in volumes being experienced in 2008, the subsequent levelling out from 2010 to 2012, and steeper increases in 2013-2014:

Table 5. Volume of arriving and departing flights between New Zealand and Australian airports in the month of December 2008-2014



The Prime Minister of New Zealand, elected in November 2008, assumed the Tourism portfolio. As such, he was very interested in technological developments in the airline industry, and saw the potential for it to be used for the trans-Tasman border. A New Zealand official told it like this:

John Key was really enamoured with the way Air New Zealand was using technology in its check-in processes, and kept saying “well, why does it just have to be Air New Zealand? Why can’t border agencies do smart stuff like that?” And so he was up for sort of reengineering processes at the border. The trans-Tasman relationship looked like the one to focus on because obviously the degree of travel was high, the possibilities of doing something jointly were much higher there than elsewhere. We’d had a history of very free and open transport and a high degree of movement between the two countries. So that was the obvious place to develop a pilot project (Official 13, 41-48).

Officials from a range of agencies regularly provided the Ministry of Foreign Affairs and Trade (MFAT) with briefings prior to the biannual meetings of the Prime Ministers of Australia and New Zealand. The Customs’ briefing²⁰⁴ for the February 2009 meeting urged for continued priority to be

²⁰⁴ ‘Streamlining border processes, New Zealand Customs Service, February 2009’.

given to streamlining border processes. It reads ‘Consistent with our approach to the SEM we should be looking at the minimum necessary impediments to people and goods crossing our borders.’ It then goes on to say how important it is to business, as highlighted by the ANZLF in 2008. The content of the briefing refers to New Zealand’s discussions with Australia about SmartGate, refers to opportunities in travel and trade, and the means to progress them via ANZLF’s common border working group and bilateral officials and ministerial Customs meetings.

The specific border-related commitment to ‘reduce remaining barriers at the borders to ensure that people and goods can move more easily between the two countries’ (Key & Rudd, 2009a) could be traced back to all these connections that preceded that 2 March 2009 joint statement by the Australian and New Zealand Prime Ministers – the usual type of joint statement that was always released after these biannual meetings.

On 20 August 2009, the two Prime Ministers met again, and announced the next steps – ‘. . . a joint plan to streamline trans-Tasman travel, with improvements to be seen as early as next year’ (Key & Rudd, 2009b). The roll out of SmartGate New Zealand and a trial to test the feasibility of integrating the New Zealand and Australian SmartGate systems were key parts of that announcement.

What follows is the story of what occurred between those two announcements, and beyond.

6.4.2 Unpacking the ‘black box’ of the Cabinet decision

This account of events leading up to the Government’s decision to implement SmartGate in New Zealand is drawn from New Zealand Customs records and email communications²⁰⁵, and interviews. The emails trace a sometimes minute by minute series of debates, circulating meanings and translations that occurred within Customs in the lead up to that decision. While these debates were happening, New Zealand Customs was preparing the organisation for a live trial of the loaned SmartGate system in Auckland International Airport.

Things went smoothly over the first two weeks after the Joint Statement. On Friday 6 March, the Chief Executive of Department of Prime Minister and Cabinet briefed border sector Chief

²⁰⁵ Unless otherwise stated, dates and related events are sourced from ‘SmartGate Cabinet Paper – Chronology of Events’, and emails.

Executives about a two-pronged approach to the 2 March joint statement – a long term (a trans-Tasman common border) and a short term (SmartGate) approach.²⁰⁶ The BSGG was made collectively accountable for ensuring both these 'deliverables' were achieved.²⁰⁷ On the following Tuesday, 10 March, the Prime Minister met with the Chief Executives of New Zealand Customs and MAF, seeking delivery of something tangible by the end of the year (2009).²⁰⁸ Later that day, New Zealand Customs was confirming arrangements for the Prime Minister to visit the SmartGate laboratory.

On the next day, DPMC passed on to New Zealand Customs the Prime Minister's wish to make SmartGate implementation a New Zealand Customs portfolio priority.²⁰⁹ By 18 March, two weeks after the release of the Joint Statement, New Zealand Customs had drafted a Cabinet paper which it distributed to MAF and the Department of Labour (DoL)²¹⁰ for comment the following day. Informal engagement between senior officials from those agencies revealed their surprise, and discomfort with the process.

On 20 March, the Border Secretariat advised that a BSGG meeting scheduled for 7 April had been brought forward to 2 April so the Chief Executive of the DPMC could attend, and SmartGate had been added to the agenda.

On 23 March, the Prime Minister visited the room where SmartGate was being tested and tried it for himself. On the same day, I briefed my senior officer on internal feedback I had received about a multiagency meeting convened by New Zealand Customs to discuss initial issues and proposals – some senior executives from other agencies were concerned about the process and lack of consultation. This was confirmed in my interviews, where one official commented that within their agency: 'SmartGate was very high on the agitation list in terms of what it would achieve and what that would mean for [that agency's] mandate and control of the people flow system' (Official 16, lines 190-192). This in part related to an earlier decision by New Zealand Customs to trial

²⁰⁶ New Zealand Customs. (9 March 2009). 'File Note: Prime Minister's expectations regarding common border and Trans-Tasman passenger facilitation'.

²⁰⁷ The Comptroller of Customs was the Chair of this group, as 'first among equals', and New Zealand Customs hosted the Border Secretariat.

²⁰⁸ Personal knowledge.

²⁰⁹ In other words, a Ministerial priority.

²¹⁰ Responsible for immigration functions at the time.

Australia's SmartGate technology in place of a multi-agency project on the automation of passenger clearance processes underway at the time.²¹¹

The Chief Executives of New Zealand Customs and DoL met to address DoL's concerns and agreed to a joint Cabinet paper. On the same day in a different place, New Zealand Customs was accommodating MAF's needs within the SmartGate trial.

'Between a rock and a SmartGate' – the subject line of an email on 25 March 2009 brings to life the challenge the Comptroller of Customs was facing in delivering the SmartGate system in nine months, and his need for the support of his BSGG colleagues to do so. He specifically drew on the mandate from the Prime Minister, citing the 'Commander's Intent'.

On 27 March, the Officials of the Economic, Growth and Innovation Cabinet Committee met with New Zealand Customs and DoL to get them to explain their respective views.

By 2 April, a calendar month after the Joint Statement, and also the day of the BSGG and the day when the Ministers of Immigration and Customs visited the SmartGate laboratory, the email trail shows the debate between agencies was continuing. On 8 April, when the Economic Growth and Innovation Cabinet Committee (EGI) met, new concerns were raised by the Minister for Biosecurity, and EGI asked for a revised paper for Cabinet on 20 April. Two weeks later, on 15 April, the so-called final paper was drafted but it was clear there were still significant differences of opinion between the agencies on the content.²¹² On 16 April, the Chief Executive of DPMC withdrew the paper and deferred it for a week, making it clear they were not going to accept a paper when the agencies didn't agree. The Comptroller of Customs said in an email on the same day 'I'm not sure what the unified position is but we will have to have one'.²¹³ He appealed again to his colleagues.

On 20 April, the BSGG held another meeting, convened by DPMC.²¹⁴ The outcome was agreement on a pilot, with a fixed end-date. On 21 April, New Zealand Customs circulated another draft paper

²¹¹ Interviews. I also recall being told of this connection at the time.

²¹² In the back office of Customs, I recall, around this time, wondering on a daily basis what was going to happen next.

²¹³ Email, 16 April 2009.

²¹⁴ These meetings were usually held two-monthly, so two in one month was a significant change.

reflecting this agreement. On the same day, a parallel debate surfaced internally within New Zealand Customs over the feasibility of including SmartGate for arrivals *and* departures in the budget bid.²¹⁵

On Wednesday 22 April, New Zealand Customs circulated internally and to the other border agencies the revised Cabinet paper, now called 'Pilot of Automated Passenger Processing Clearance in New Zealand'. The change of title was to address the other agencies' concern about the choice of SmartGate being seen as a 'done deal'.²¹⁶ Informal advice on the same day indicates one of the agencies would still not recommend their Minister sign the paper, and on the next day, that the other agency also had some concerns. However, later the following day, advice was received that the agencies had all agreed. Nevertheless, further emails revealed one of the agencies was very dissatisfied with the process, which prompted New Zealand Customs to initiate a meeting to clear the air and work on moving forward. This led to a realisation that there needed to be a regular senior level meeting between the two agencies 'as a start of a new ongoing way of engaging'.²¹⁷

On Friday 24 April, the Cabinet paper was submitted to the Cabinet Office and on Monday 27 April, Cabinet asked that the paper be resubmitted after the Strategy Cabinet Committee (STR) scheduled for 4 May had considered the proposal, alongside the longer term work that had been conducted in parallel to SmartGate (refer to Chapter 6.5).

On Monday 4 May, two months after the Joint Statement, STR agreed to a roll-out of SmartGate.²¹⁸ On the same day, New Zealand Customs re-circulated the revised 'final' Cabinet paper with changes reflecting the STR decision. As part of this, New Zealand Customs consulted with ACBPS on wording, with ACBPS promptly replying the next day. On Wednesday 6 May, the paper was sent to Ministers for signature in preparation for the Cabinet meeting on Monday 11 May.

²¹⁵ The proposal up to this point had been for arrivals only. Departures involved different considerations.

²¹⁶ Personal recollection.

²¹⁷ Email, 23 April 2009.

²¹⁸ Within New Zealand Customs, however, discussion was occurring over who owned biometrics and different agency accountabilities.

On Thursday 7 May, the Minister for Biosecurity visited the SmartGate laboratory, and on 11 May Cabinet agreed to the roll-out of SmartGate at Auckland, Wellington and Christchurch international airports, for both arrivals and departures.²¹⁹ This decision was kept confidential for the announcements on 20 August 2009.

On 15 October 2009, the Customs and Excise Amendment Bill had its first reading and was passed into law on 7 December 2009. This law change permitted the use of biometric technology such as SmartGate for the processing of people at the border.

On 3 December 2009, the New Zealand Prime Minister formally opened SmartGate at Auckland International Airport. Below are pictures of SmartGate in operation in Auckland International Airport.

Figure 9. Images of New Zealand's SmartGate set up



Source: New Zealand Customs

6.4.2.1 *Postscript*

By June 2010, SmartGate had been successfully implemented in Christchurch and Wellington, ahead of the planned timetable. New Zealanders took to the system quickly, to the extent that the numbers of passengers using SmartGate exceeded expectations and, percentage-wise, exceeded the uptake in Australia when it was first introduced there.²²⁰ Australian officials commented that uptake also increased in Australia after SmartGate was implemented in New Zealand.²²¹ Since the

²¹⁹ New Zealand Government, (2009). 'Implementation of SmartGate Automated Passenger Clearance in New Zealand', CAB Min (09) 16/19.

²²⁰ 'New Zealand Customs, SmartGate Expansion Business Case' (2010).

²²¹ Personal knowledge.

initial implementation, the New Zealand Government has funded a further set of SmartGates and New Zealand Customs has continued to look for ways to improve the uptake and experience of SmartGate. At the time of writing, Australia was trialling two different automated options for outbound travel²²² at airports. One official likened New Zealand and Australia to competing in a horse race:

So it started with a small beginning and we were sort of like the small horse that was at the back of the race on the final straight at the Melbourne cup, and suddenly we came charging up the outside and crossed the line first (Official 24, lines 86-88).

6.4.2.2 *Narratives*

6.4.2.2.1 Trans-Tasman border narratives

All the significant considerations about the impact of streamlining trans-Tasman border clearance processes to facilitate travel occurred prior to March 2009. The Comptroller of New Zealand Customs saw the opportunity provided by SmartGate; the Prime Minister of New Zealand saw the potential of technology, if not SmartGate in particular, to make a difference to travel; MFAT made the link with SEM – border processes affect trade and labour flows; the ANZLF wanted a common border, or at least some streamlining of border processes; Customs made overt reference to SEM in its briefings for the Feb 2009 joint Prime Ministerial meeting.

We see here more than one matter of concern but all were about getting smarter border processes between Australia and New Zealand. What the joint statement of 2 March 2009 did was focus them on a single objective – ‘reduce remaining barriers at the borders to ensure that people and goods can move more easily between the two countries’. When this happened, the Comptroller of Customs knew how to use this focus to get action and to generate a decision. The primary narrative presented to Cabinet by the three BSGG Ministers was that SmartGate would benefit trans-Tasman travellers, and thus meet the objective in the 2 March 2009 joint Prime Ministerial statement. This was made clear in the Executive Summary of the Cabinet paper. In addition, it provided the following policy objectives:

²²² ‘Outbound’ is the Australian term for ‘departures’.

The relevant policy objectives are:

- providing a quality experience for passengers that is much more closely aligned to the domestic travel experience
- system and process alignment on both sides of the Tasman (accepting that policy differences may remain) and improved cost effectiveness of border processes over time
- maintenance or enhancement where possible, of New Zealand's risk management assurances especially relating to biosecurity, immigration and preventing contraband coming into New Zealand
- ensuring that implementation now will not preclude structured evaluation of the future needs for enhancing automated passenger processing (Office of the Minister for Biosecurity, Office of the Minister of Immigration, & Office of the Minister of Customs, 2009, p. 4).

When introducing the proposed amendments to the Customs and Excise Act to Parliament needed to implement SmartGate, the Minister of Customs reiterated the benefits to passengers, although it was not the first thing he said. For his Parliamentary colleagues, he started with the longer waiting times experienced by the public and promoted SmartGate as providing 'a faster, more streamlined exit through border processing' for low-risk Australian and New Zealand passport holders. He then went on to say:

The effect of these amendments is to allow the use of automated processing systems at the border, which is something that will benefit the travelling public and contribute to the Government's objectives to improve the border crossing experience for trans-Tasman travellers (Williamson, 2009).

Other points made by the Minister were that the role of Customs officers would continue to be important and that SmartGate would enhance that role by enabling them to focus on high risk travellers.

The order and content of these narratives points to two different dynamics. For officials to get Cabinet approval (via the Minister of Customs), they had to focus on the trans-Tasman benefits. For the Minister of Customs to get his Bill through Parliament, he had to also articulate the

problem and reassure Members of Parliament that the SmartGate solution wasn't going to undermine the role of border officials.

In tailoring his narratives, the Minister of Customs was participating in different assemblages. He was speaking on behalf of the Prime Minister in both, but the connections with Cabinet processes and his Cabinet colleagues were different from those with Parliament as a whole, the legislative process and the inclusion of other political parties. His speech to Parliament was establishing connections with Members of Parliament whose particular matters of concern would not have been addressed by the 'pure' trans-Tasman narrative.

6.4.2.2.2 SmartGate telling its own story

SmartGate helped tell the story that caused people to act in particular ways. It was a physical entity that could be seen, touched and used, and about which there were existing connections demonstrating its functionality; it generated fierce debate between agencies about whether or not it provided the best value for money for government; it persuaded politicians that this technology was indeed going to create a new, simpler border process:

SmartGate was the biggest surprise to me. I mean, that was . . . buried in the middle of the PM's briefing with a few figures, and a story that we'd been talking about for a while, and he really ran with that. You know, picked it up and said "this will be great". So, I guess what the ability of political leaders to look at something – actually to read the brief <laughter>²²³ is the first thing, and then run with it is – and where their mind-set might be is always a bit of a surprise. Well, it's not always a bit of a surprise, but it can be a bit of a surprise (Official 8, lines 287-292).

. . . when the Prime Minister came down he brought his passport with him and did it a few times and said, "Let's do it" (Official 19, lines 180-181).

SmartGate also caused the airport companies to reconfigure their internal space to accommodate the new technology.²²⁴ In Actor-Network terms, because SmartGate was a machine that had some capabilities greater than a human, it was not just an actant, but a *powerful* actant for the trans-

²²³ This type of bracket indicates a reaction or interjection.

²²⁴ Later, it became a symbol of innovation in the public sector (Eppel, Lips, Sylvester, & Pacheco, 2013).

Tasman objective: 'It's the power exerted through entities that don't sleep and associations that don't break down that allow power to last longer and expand further' (Latour, 2007, p. 70).

The public narrative for the introduction of the system in New Zealand started with the debates in Parliament over the Customs and Excise Act Amendment Bill in October 2009 but really only began in earnest once the first SmartGates were implemented. The first media item was the video of John Key opening the SmartGate precinct on 3 December 2009. In this video, Key was depicted as a classical Greek hero undergoing an initiation test, which he successfully completes, thus passing through the gate into the welcome on the other side. This was a highly symbolic and theatrical event, with SmartGate 'requiring' the initiate (John Key) to undergo a series of actions.

Passengers' and politicians' experience of SmartGate prompted them to tell stories about it. The Minister of Customs gave a 'before and after' story about what people told him about their experiences of SmartGate:

Ministers quite regularly talk about it, but it's more to do with their personal view, and it's more to do with their constituency thing. It's interesting the number of people – Paula Bennett only a week ago, she said "Oh, I've got some friends came through the airport the other day, and they *love* you and they love SmartGate and they think it's just *wonderful*, Maurie. You're great" and they get that all the time. Well, what you get as a constituent MP if the border's awful is just letters and phonecalls, and, you know "Bloody hopeless, I waited an hour and a half to get through your customs queues the other day . . . " We don't see that. We don't see it. We used to. I know, I was one of the complainants, many years ago. Customs at Auckland in the 1970s was just appalling. It was like some Eastern European . . . border guards. You don't get that now. You get people hearing the birds chirping at Auckland, and they walk up, and they walk through and they're clean and they're done, and only the ones that we're wanting to get do we get. I'm amazed at the number of people who make a comment. I go to a Rotary breakfast and get told "God, you've done a great job at the border". So that's refreshing, 'cause the in-tray will always focus your mind about what's working and not. Don't ever think that the general public won't write to you when they're unhappy. I've even had letters from Australians, who've said "the experience of arriving into *your* country was better than when I arrive back in *mine*". But that's nice (lines 147-163).

6.4.2.2.3 Different realities result in different matters of concern

As outlined in Chapter 3, multiplicity is a feature of ANT, and one we would expect to see revealed in any ANT analysis: ‘Different realities are enacted in different practices, and this is a chronic condition’ (Law, 2011, p. 5). These different realities can be centred on the same thing, but rather than representing different perspectives of one world view, according to Annemarie Mol they reflect different worlds, different realities through different practices that may, or may not, fit together (Law & Hassard, 1999; Mol, 2010b; Mol & Law, 2002). For example, her analysis of arteriosclerosis revealed that the disorder showed itself differently depending on how people were interacting with it (Law, 2011).

In the SmartGate story, SmartGate was ‘practised’ differently by different agencies. It wasn’t just a piece of technology that read a passport and took a photo of the person who presented the passport to compare the two photo images. For New Zealand Customs and ACBPS, it was a *facilitation tool* to give trans-Tasman travellers (Australian and New Zealand passport-holders) a common trans-Tasman experience. For New Zealand Customs, it enabled the organisation to meet the ‘commander’s intent’ by ‘simply automating a process that we do’ which, according to one official, meant ‘there was no reason for others to actually have any concerns, interests or otherwise’ (Official 21, lines 165-168).

It was also a means to achieve other objectives: ‘. . . on the other hand, it suited our *organisational* agenda in the sense that we were able to seek investment and build on our reputation as a very effective border management organization’ (Official 22, lines 67-70).

There were also matters of concern within Customs where aspects of the SmartGate proposal in terms of its effect on managing the ‘overflowings’ were being questioned. The following comment related to that questioning, which the official saw as legitimate and necessary:

I think in our organization we’ve still got some people who *rightly* look through the rear view mirror but perhaps can’t . . . see two or three years out. They’re reliant on their historical experiences, which is *good*, and you need that, but we need people who can . . . carry a vision (Official 22, lines 216-221).

For the other border agencies, SmartGate was the cause of a *lack of input and loss of mandate*; for DPMC, it was a *deliverable*. One official reported one of the central agencies, the State Services

Commission, characterising the different matters of concern as Customs having a vertical view and the other agencies having a horizontal view: 'SSC at the time described it "look both views are absolutely pure but we're actually each coming at it from different angles"' (Official 21, lines 220-221).

Each of these realities resulted in a different matter of concern. New Zealand Customs officials were required to achieve a single articulation of the task at hand. If they couldn't move those matters of concern to become the same as Customs', they needed to find an accommodation, a peaceful overlapping rather than a contested intersection of those concerns.

6.4.2.2.4 Power narrative

The story told about SmartGate is a tale of power relations that can be compared with Latour's stories of power in the science community, and the role of inscriptions in creating winners and losers in turning matters of concern into matters of fact (Latour, 1987). Latour emphasises that power is the end of a process, not something that inherently 'is':

. . . it's so important to maintain that power, like society, is the final result of a process and not a reservoir, a stock, or a capital that will automatically provide an explanation. Power and domination have to be produced, made up, composed (Latour, 2007, p. 69)

The 6 March discussion was an early translation of the Joint Statement into what in policy parlance is called 'a deliverable' (the implementation of SmartGate in New Zealand by December 2009). Once the deliverable had been identified, officials then carried out a series of translations that led to action. The Cabinet paper finally approved on 11 May was one of those actions. It was an inscription – the representation of the 'other world just beneath the text' (Latour, 1987, p. 69). That 'other world' was the debates and circulating meanings needed to get to a point of agreement. The emails were inscriptions that were also actants, in that their content caused people to translate, to transform, to take action. The changing content represented the translation of each stage of the debate and it prompted new actions each time. The discussion below expands on these points.

New Zealand Customs officials had a lot of thick connections in this process – they provided the human voice of SmartGate; they spoke on behalf of the New Zealand Prime Minister ('commander's intent') in particular with all the connections that fed into that role, and with the

New Zealand and Australian Prime Ministers collectively; and they held the pen, which enabled them to frame the narrative, including making explicit the above connections: 'Individuals sometimes do not so much exercise power by virtue of who they are, but by virtue of which macro-actors they speak on behalf of' (Czarniawska-Joerges & Hernes, 2005, pp. 115–116).

As detailed in the section above, New Zealand Customs had to find a way of accommodating the different realities and matters of concern experienced by the other agencies. The Chief Executive of DPMC was the gatekeeper who required Customs to present to Cabinet a paper representing a position agreed by all three border agencies and their Ministers. One official recounted their experience of this gatekeeper role:

So basically [the Chief Executive of DPMC] said "I'll talk to the other Chief Executives. Can you go back and talk to the teams that are working". So [Chief Executive of Customs] sent me back into a meeting on the 7th floor of the Wellington Customhouse where Immigration and our people had been locked in discussion for two or three hours going around in circles, and I just went back and advised them of where the conversation had got to with between [the Chief Executives and Customs and DPMC] and said "Look, you need to smell the tea leaves, guys. Prime Minister wants this . . . There's already collateral damage been done . . . because of the way we're collectively dealing with this. Stay focused on the main game." Anyway, after that, the next day I think, or the next two days, the paper was confirmed, some more work was done and we got it through the system (Official 22, lines 506-521).

The emails that revealed considerable anxiety about the wording of various parts of the SmartGate Cabinet paper lend support to Latour's argument that facts are made when there is agreement on the matters of concern (Latour, 1987), for the words represent more than just the meaning of the text; they represent the end point of the debates. In other words, the transformation of the multiple matters of concern into a single matter of concern, and a single 'owner' of that matter of concern when approved by Cabinet became a 'matter of fact'. Getting to that position involved the debates and circulating meanings outlined above, during which words

were negotiated and renegotiated, with the final version reflecting whose voice was going to be heard in history – that of New Zealand Customs (Latour, 1987).²²⁵

My research has revealed the emotions involved in getting to this point of a single matter of concern. Law and Singleton call the emotion felt during debates ‘lived experience’ (Law, 2004b; Law & Singleton, 2006). The following comments provide some insight into officials’ emotional responses to the situation:

. . . we had quite a difficult little battle between Customs, MAF and Immigration around the Cabinet paper that went up. The debate was around being very clear about the nature and extent of the costs, the nature of the benefits, and where the productivity gains would come from. There was a fair bit of push and shove and angst around all of that. It became a somewhat unpleasant process to the analysis and the paper nailed (Official 13, lines 66-70).

SmartGate was very high on the agitation list within Immigration, in terms of what it would achieve and what that would mean for Immigration’s sort of mandate and control of the people flow system, from an Immigration point of view (Official 16, lines 190-192).

Law suggests lived experience becomes invisible when it is ‘not being enacted elsewhere in a publicly transportable form’ (Law, 2004b, p. 8). In the SmartGate policy process, the ‘lived experience’ was visible only to the officials involved. The extent to which the debates were publicly known, and from which the passions could only be inferred, was through a single article in the technology section of www.stuff.co.nz on 5 April 2010, drawn from an Audit New Zealand report on the SmartGate procurement process.²²⁶

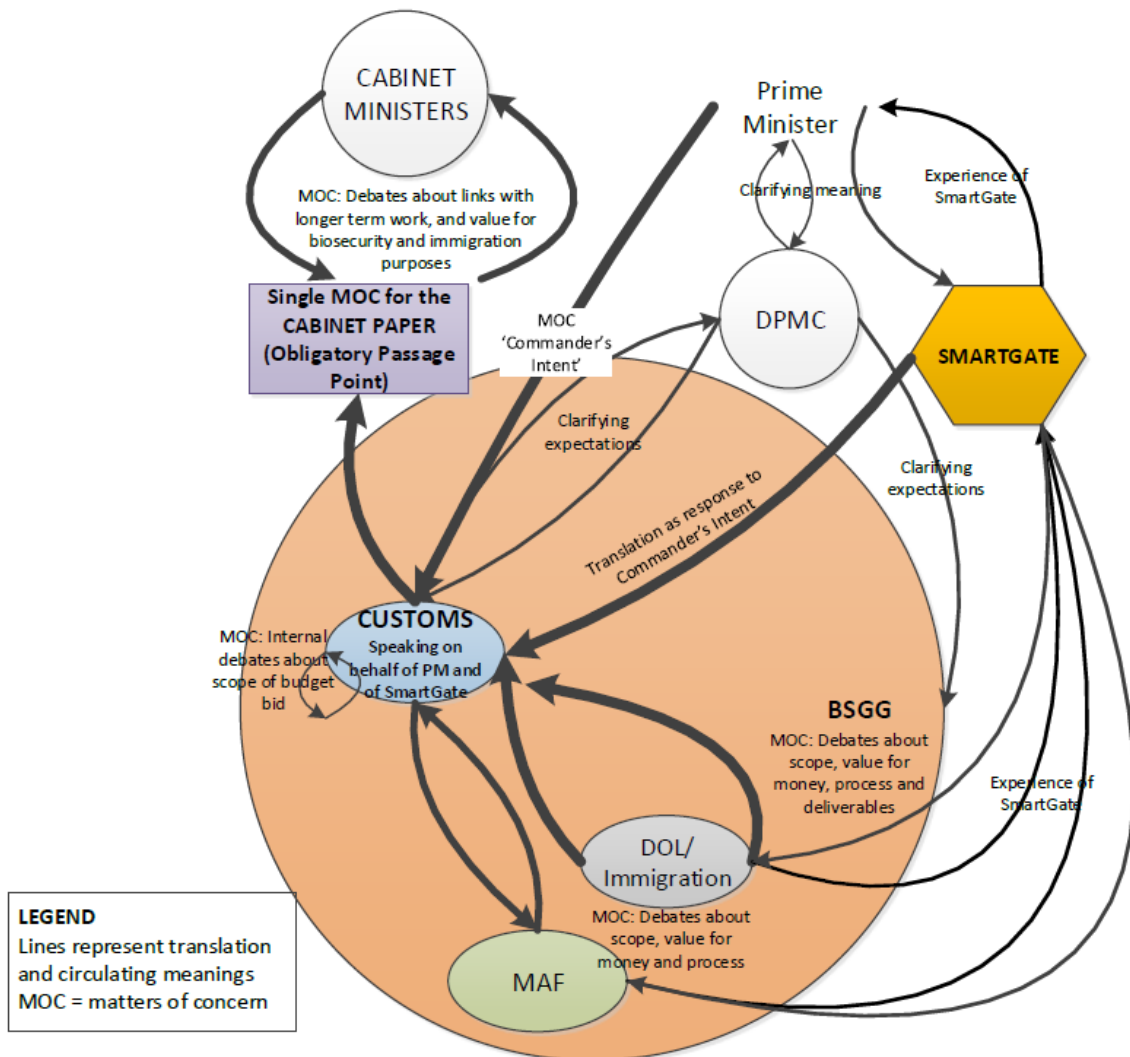
The Cabinet paper played a central role in turning agencies’ matters of concern into matters of fact as both an actant and an ‘obligatory point of passage’ (Latour, 1987); it caused people to act in certain ways, and getting to a version with agreed wording was a point through which the actors/actants (i.e. officials and SmartGate) had to pass to ensure their interests were met (i.e.

²²⁵ This research is limited by lack of access to the same level of data from agencies other than Customs. However, given Customs’ central role in the BSGG and lead agency on the SmartGate policy process, I submit that we can assume the key debates and circulating meanings have been represented. Given the available evidence, it would also be reasonable to assume that internal discussions in and between other border agencies were occurring at the same time.

²²⁶ ‘Stuff’ online news item. Retrieved on 11 March 2015 from www.stuff.co.nz/technology/3546794/Future-technology-at-heart-of-SmartGate-dispute.html

continued political and public sector support). Figure 10 below depicts these dynamics.

Figure 10. Policy translations - getting from matters of concern to matters of fact



6.4.2.2.5 The border sector narrative

The three border agencies were part of the same 'border sector' grouping, led by the Chief Executives. However, during the policy process for commissioning SmartGate, their debates indicated they were operating within different paradigms. Latour's insight about the intersection of different paradigms helps illuminate the dynamics of the SmartGate debates detailed above. He argues 'no one lives in a "culture", shares a "paradigm", or belongs to a "society" *before* he or she clashes with others' (Latour, 1987, p. 201). 'They [the clashes] reveal the extent of a network and the conflict between what will stay inside and what will fall through its mesh' (Latour, 1987, pp. 205–6).

Viewing the BSGG this way, it appears not to have been a stabilised network. The key actors had not reached a point where they were clear about what would stay inside and what would fall through. The BSGG grouping was a means by which things could be made to happen but it didn't of itself cause people to do things, that is, it didn't *create* clashes with others. However, the determination of the Chief Executive of DPMC to get the three agencies to agree on the SmartGate proposal indicates that the BSGG was *seen by others* as a network and therefore the key actors were being driven by others to make it so.

6.5 Story 3: The longer term work - March to August 2009

In parallel to the approval process for SmartGate, the 'longer term work' referred to by the Chief Executive of DPMC at his 6 March meeting with the BSGG followed a quite different path in New Zealand. It was border sector-focused and was intended to be overtly trans-Tasman. I was very involved in this work, being the New Zealand Customs representative on the working group set up to design a new model for streamlining trans-Tasman travel.

Ten days after the joint statement, on 12 March, Customs hosted the first of two multi-agency workshops held that month. The first was called by DPMC, as the voice of the Prime Minister, at which the official from DPMC set the scene with expectations and key messages – very important for getting border officials to understand what was important and what they had to do. The record of the workshop shows these expectations very clearly. The first was the work required of border agencies. Note the strong narrative grounded in the Prime Ministerial statement but focused on the wishes of New Zealand's Prime Minister:

Recent events (including the trans-Tasman Prime Ministerial talks) require border agencies to accelerate their work programme to provide a visible, tangible difference this year, with some 'announceables' by 20 August.

and

- The focus on trans-Tasman is the start of a wider programme of work. The trans-Tasman area, focussing on NZ and Australian passport holders, enables the maximum amount of facilitation to be delivered to the maximum number of travellers.
- The PM has travelled across the US/Canadian border and he wants that experience for New Zealand – what are the issues? The PM will not compromise on biosecurity,

however the report will benefit from analysis of other international models.

- The PM is looking for more alignment and harmonisation with Australia.²²⁷

The second expectation was the speed of the work to be done. The group had to have a draft plan in a week, a draft report to BSGG members by 24 March and a final report to DPMC by 27 March.²²⁸

In the workshop, officials traversed a large number of operational considerations, such as legislation, airport check-in times, infrastructure, costs, ownership, assumptions, and an agreed future state. The Border Secretariat ended the written record with the following narrative about possibility and opportunity:

Points to Remember as we Proceed

- This work is a high priority for the PM.
- This work presents a significant opportunity for the border sector to demonstrate collaborative working, to deliver quality joined up advice, and to see some significant results in a short timeframe.
- We need to focus on what's possible, and not be constrained by current barriers. If there are barriers they should be noted – as well as what it would take to remove them.
- Within what is possible, or what is currently happening, we should also consider what can be accelerated.
- We need to identify the positives and negatives of the various options, put this to Ministers, and they will decide on the course of action.²²⁹

The second workshop, held over three days less than a week later, resulted in a future state paragraph:

The ideal future state is a model based upon recommended international practice (including the International Air Transport Association Simplified Passenger Travel Interest Group

²²⁷ 'Trans-Tasman Travel Workshop 12 March 2009 – Key Points and Agreed Actions', pp. 1-2.

²²⁸ Ibid.

²²⁹ Ibid., p. 3.

recommended process flow), the sharing of data, and the use of emerging technology (including automation). It is designed to simplify the travel experience for passengers without compromising security and border control. It requires cooperation between trans-Tasman governments and their agencies and travel industry stakeholders.²³⁰

Evident from the record of the workshop is the referencing back to earlier work and decisions – legislation, a Cabinet decision made in 2001 that required 100% border screening for biosecurity, a 2007 project to introduce a standard for passenger processing, and the International Air Transport Association (IATA) Simplified Travel Processing model. The written records reiterate some of the DPMC requirements ('PM wants "enhanced passenger experience for NZ, Australian passport holders"'), embellished with additional ideas, such as:

'Key words: visibility, harmonisation, simple'

'Include international comparison for context, incl, NZ [sic] island advantage and biosecurity requirements.'

'Stakeholders crucial'

'Articulate a benefit story, why is it better, how does it benefit the economy?' 'Highlight the opportunities the TT²³¹ provides: similar quarantine processes, can trial both sides of the Tasman'

And highlights concerns:

'Are there barriers and what are they?'

'Our proposal will not eliminate queues'

'... we lack coordination – we need to paint a picture of a problem under control – and that would benefit from other work'.²³²

What we see here is a record of the DPMC 'directives' translated into officials' own terms.²³³ Of

²³⁰ Border Secretariat, 'Future State – paragraph agreed at Trans-Tasman Travel workshop 17 March 2009'.

²³¹ Trans-Tasman.

²³² Ibid.

²³³ The last point could be interpreted as "bureaucracy-maximising". This is a term developed by William A. Niskanen in his seminal 1971 book, *Bureaucracy and Representative Government*, in which he argued that bureaucrats maximise their own interests in expenditure of their organisation's discretionary budget which contributes to the growth of the state (Blais & Dion, 1991). In the situation above, officials are not dealing with a budget, but they are dealing with others' likely perceptions of their behaviour and results.

particular interest is the continued language of possibility. The Border Secretariat translated the progress to senior officials from the border sector agencies²³⁴ into a positive story, but with a caution: 'Agencies will need to clearly identify what is doable in the short term, medium, long term. This could be a risk from a cohesive sector approach'.²³⁵

From the workshop material, the Border Secretariat quickly developed and circulated draft options and recommendations for the draft paper for the BSGG. Rather than starting with the barriers and saying how to get over them, the options focused on what was possible and what would be needed to implement the options.

The records show a version of the collated comments, with each agency's input showing as a different colour.²³⁶ Here, technology (the word processing programme) was an actant, as the Border Secretariat used it to show all the participants how the Border Secretariat had incorporated their comments. It also created transparency for the agencies about what one another had said.²³⁷

On 27 March, the Chair of the BSGG signed off and sent the paper²³⁸ to the Chief Executive of DPMC in preparation for a discussion with him and his officials on 2 April. Key messages from DPMC picked up in the paper were that there would be substantial progress that year, for announcement in August 2009, resulting in changes that would be akin to a domestic travel experience. In building the case for the proposals, the paper drew on '... the importance of "reducing the impact of borders"' (para. 5) as a part of the SEM, and the role of the ANZLF in that, as well as the Prime Minister Key's interest in the US/Canada border model.

Translations by officials expanded on those ideas with 'reducing interventions where possible, "hiding"²³⁹ processes where possible, and ultimately working towards greater harmonisation with Australia, followed by a possible common border' (para. 7). This was the first overt mention of a

²³⁴ The Sector Coordination and Advisory Group (SCAG).

²³⁵ Border Secretariat. (18 March 2009). 'Final Minutes, SCAG'.

²³⁶ Border Secretariat, 'Options and Recommendations Section for SCAG Review as at 200309, Trans-Tasman Travel'.

²³⁷ I recall appreciating the usefulness of the different colours at the time.

²³⁸ BSGG. (27 March 2009). "Trans-Tasman Travel" [Report to Chief Executive, DPMC].

²³⁹ This means carrying out activities behind the scenes, e.g. checking bona fides electronically ahead of passengers' arrival instead of face to face when they arrive at the airport.

common border. Embellishments were seen in details such as ‘a TTT²⁴⁰ proposal which accelerates existing passenger facilitation initiatives and proposes some new initiatives’ (para. 2) and ‘the existing Border Sector Governance Group work programme provides a solid platform for trans-Tasman travel developments’ (para. 13).

The paper presented three options, the third and most extreme option being ‘a step change’ (para. 20), ‘a dramatically different passenger experience coupled with enhanced government risk assessment and response capability’ (para. 21) and ‘multiple elements’ that would need, among other things, ‘to be supported by new information systems’ (para. 22).

The paper signalled areas needing further attention, including alignment with Australia and engagement with MFAT, and engagement with stakeholders. At the meeting of the BSGG and the Chief Executive of DPMC on 2 April, the latter commented that ‘the paper responds well to the issue the Prime Minister had raised’ (i.e. officials had translated it well). Chief Executives noted the need for more detail, building on the ideas in the paper, ‘and what the likely dividend would be for New Zealand’.²⁴¹

The BSGG’s endorsement of this paper and its subsequent acceptance by the recipient was the first major stabilising point for the work. However, as the events following will illustrate, the narrative was by no means stable.

Throughout April, and as we shall see, also May, officials had been expressing varying degrees of concern about the risks from working so fast, given the number of unknowns and uncertainties.²⁴² In an update on the outcome of a New Zealand Customs workshop I had facilitated, I noted ‘. . . another important conclusion was confirming that what we are proposing for TT is complex – we won’t really know the effect of changing our processes so dramatically, so need to be able to test our assumptions as we go’.²⁴³

There were also tensions, such as the artificial separation of the SmartGate stream of work from

²⁴⁰ Trans-Tasman Travel.

²⁴¹ ‘BSGG Meeting, Final Minutes 2 April 2009’.

²⁴² Emails.

²⁴³ Email, 18 April 2009.

the longer term work, and the dynamics between officials in the longer term work that saw New Zealand Customs officials having to be mindful of how they referred to SmartGate.²⁴⁴ Another point of tension was disagreement on how agencies were representing their different roles, and most of all, the very tight timeframes – one day to provide feedback on a paper for a meeting of the Officials Committee for Strategy Cabinet Committee (OSTR), and five hours for the Border Secretariat to incorporate those comments and send the paper to OSTR before the meeting the next afternoon. The Border Secretariat then had to incorporate OSTR comments for submission to the Cabinet Office three working days later. This timeframe provided little time for review or reflection.²⁴⁵

On 30 April, the New Zealand officials on the working group held their first meeting with Australian officials, in which each country's initiatives were shared and discussed. The minutes highlight that an unknown for Australian senior officials was what the Australian Prime Minister's wish for further trans-Tasman travel developments meant in practical terms.²⁴⁶ There were two 'Agreed next steps' from the meeting – to agree on shared messages for communication with industry (both Customs Chief Executives were due to meet with their respective industry representatives over the following few weeks), and to gather more information to inform an upcoming HLSG meeting.

On 4 May, the Minister of Customs introduced the trans-Tasman travel paper to the Strategy Cabinet Committee.²⁴⁷ Notable was the use of an A3-sized paper covered with diagrams and minimal text as the main communication device. This was one of the early public service examples of this form of briefing. The first page distinguishes between a common border and an inter-border, an inter-border being 'a practical first step towards a common border' (phase 2 on page 2 of the briefing).²⁴⁸ The second page sets out a two-phased representation of proposed changes to trans-Tasman border flows. An aide memoire I wrote for the Minister noted that with Phase 2, 'significantly increased numbers of passengers are able to experience the near domestic

²⁴⁴ Personal involvement.

²⁴⁵ Emails.

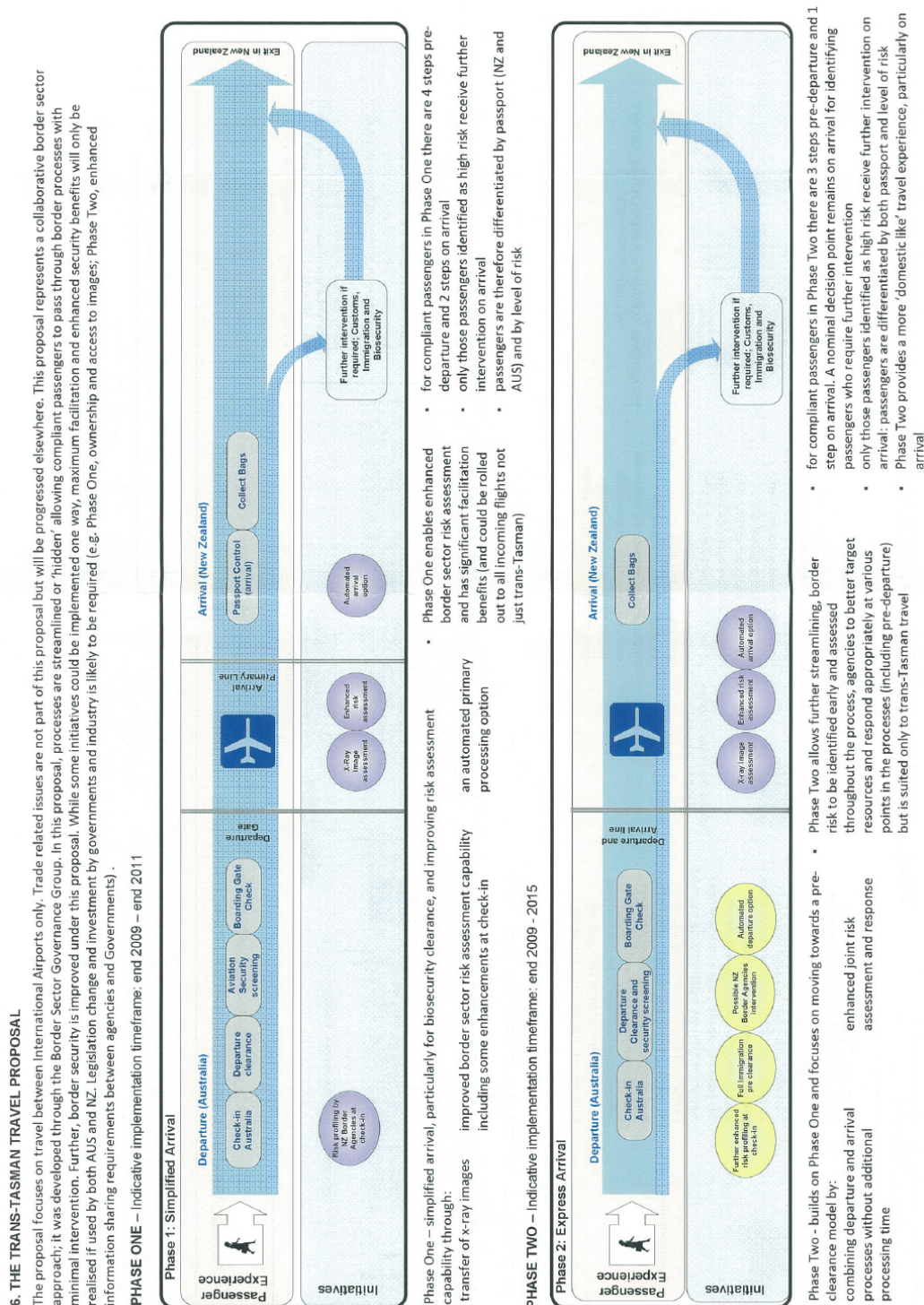
²⁴⁶ 'Trans-Tasman Passenger Facilitation Meeting Thursday 30 April 2009' (Final, 13 May 2009).

²⁴⁷ Office of the Minister for Biosecurity, Office of the Minister of Customs, Office of the Minister of Immigration (4 May. 2009). 'Trans-Tasman Travel - Interim Report', STR (09)12.

²⁴⁸ The need for this explanation was made clear at the meeting between the BSGG and DPMC on 2 April.

experience'.²⁴⁹ Page 2 of the A3 is reproduced below.

Figure 11. Options proposed for changes to trans-Tasman travel flows



²⁴⁹ New Zealand Customs, 'Aide Memoire OR/062, Strategy Cabinet Committee Meeting 4 May 2009: Trans-Tasman Travel'.

Ministers decided that officials should work on the Phase Two model and asked for a further report on details, costings and timings of the initiatives to achieve this. The timing of this report was set for 6 July.²⁵⁰

The Border Secretariat continued to coordinate activity with New Zealand border agencies, and also kept in contact with the ACBPS lead for the Australian border agencies.²⁵¹ On 21 May, the Border Secretariat held a workshop to flesh out the content of the detailed Cabinet paper. The minutes from this workshop note a number of issues, assumptions and unknowns, reports from DoL and MAF officials on their Australian counterpart agencies' thinking about the work, and a list of action points.²⁵²

In early June, New Zealand received a formal paper from Australia on options for trans-Tasman passenger facilitation. New Zealand's response was to be communicated from New Zealand's DPMC to Australia's PM&C, and would inform the Border Ministers' paper to Cabinet (now scheduled for 22 July). Trans-Tasman discussions on options were to have been assisted in early July by talks between the two Ministers responsible for Customs, but the dates were no longer suitable.

By late June, the timeframe for completing the detailed Cabinet paper was getting very tight. The Border Secretariat distributed a timeline that required 13 steps to be taken between 24 June and 27 July.²⁵³ In parallel to this paper, MAF officials were preparing a paper on streamlining biosecurity processes at airports, on which they consulted with the other border agencies.²⁵⁴ Both papers cross-referenced each other and Cabinet was asked to associate the two papers.

The papers were duly submitted on 22 July, and Cabinet approved the 'announceables' for the 20 August Australia-New Zealand Prime Ministerial meeting.²⁵⁵ The Joint Statement issued on 20

²⁵⁰ New Zealand Cabinet. (4 May 2009). 'Trans-Tasman Travel - Interim Report', STR (Min) (09) 7/1.

²⁵¹ Between March and August, DPMC had delegated their lead to the Border Secretariat in practical terms, reflecting the high level of confidence DPMC had in the way the Border Sector was operating, and the role of the Border Secretariat in that.

²⁵² Border Secretariat. (21 May 2009). 'Trans-Tasman Workshop – Working Towards July Cabinet Paper Key Issues/Points'.

²⁵³ Email communication.

²⁵⁴ Email communications. I provided detailed comments to MAF on their paper.

²⁵⁵ New Zealand Cabinet. (22 July, 2009). 'Streamlined Trans-Tasman Travel', EGI Min (09) 14/1.

August 2009 read ‘The Prime Ministers also agreed to a joint plan to streamline trans-Tasman travel, with improvements to be seen as early as next year’,²⁵⁶ and:

both governments would bring sustained focus to making new progress in:

- further streamlining of trans-Tasman travel, working towards full implementation of a new trans-Tasman passenger clearance model; and work on streamlining trans-Tasman goods trade (Key & Rudd, 2009b).

6.5.1 Narratives

This story contains three narratives – one about ‘what’ was to be produced, another about ‘how’ it was produced and the third about ‘why’ it was produced.

The ‘what’ narrative is straight-forward. New Zealand’s DPMC asked for a paper, it was delivered, and then developed further for Cabinet to decide on. Cabinet chose a model, and asked for more detail in a report. Officials developed the report, and the Prime Ministers announced some deliverables. There were some tensions and uncertainties along the way, but DPMC kept the pressure on border agencies, and they delivered on time and met expectations. Contact with Australia was limited, but enough for the deliverables to be jointly agreed.

The ‘how’ narrative has three key components that affected action – the role of the Border Secretariat as a mediator, the role of translations and inscriptions in creating shared meaning and providing a visible depiction of the future vision.

The ‘why’ narrative is about providing visible improvement for Australian and New Zealand passport holders by the end of the year through streamlining trans-Tasman travel. This was to

²⁵⁶ With further detail:

‘The plan includes roll out of the automated SmartGate passenger clearance system in New Zealand, and improvements to screening and processing for low risk passengers on both sides of the Tasman. They also agreed to trials of direct exit paths for passengers and the transfer between Australia and New Zealand of x-ray images for more efficient biosecurity screening. To foster long-term improvements, Australia and New Zealand will explore further streamlining passenger processing through studies on pre-clearing passengers at point of departure and through expanding and integrating SmartGate systems’ (para. 4).

provide a path to a common border, as a contribution to the trans-Tasman SEM. A secondary narrative linked the trans-Tasman travel work to pacification of people flows more generally.

6.5.1.1 *Uncertainties across the narratives affecting action*

The uncertainties during this stage of the work created many instabilities. Officials experienced doubts and uncertainty about what the long term model would be comprised of, how the different parts of it would work and what the long term effects would be – despite the apparent confidence of words in the reports such as ‘a dramatically different passenger experience coupled with enhanced government risk assessment and response capability’. The uncertainties affected the actions of officials:

. . . often what happens is you have that broad political statement, like the 2009 statement, and so officials get excited, try to come up with solutions to match that, and the solutions are a bit vague and unclear, and therefore in discussion we were never really sure between the two countries what we were actually trying to do (Official 8, lines 176-180).

Tight timeframes meant officials were not confident about the assumptions they were making about how things would work in the new design, or that the risks were manageable. Dates were unstable – dates for papers to be discussed by Cabinet; dates of Ministers’ meetings. In the former case, this had a positive effect by providing more time to develop the required detail; in the latter, it removed an opportunity to test New Zealand’s thinking with Australia at the ministerial level. This would have reduced one area of uncertainty.

The intersections between the actor-network that was implementing SmartGate and the actor-network that was designing the Trans-Tasman Travel model and producing ‘announceables’ for the Prime Ministerial meeting on 20 August created instability in relationships, in terminology and in the material being produced for the longer term work.

Uncertainty was present in Australia, when, by the end of April, neither the expression of the Prime Minister’s desire for further trans-Tasman travel developments was clear in a practical sense, nor the willingness of the Government to provide funding.²⁵⁷ This uncertainty ensured that

²⁵⁷ ACBPS.

this stage of the work would not be joint, though the New Zealand remit was to look for opportunities for joint work.²⁵⁸

6.5.1.2 *The 'how' narrative*

The New Zealand working group set up to design the new model was the physical manifestation of what became a new actor-network that was set up to build another actor-network clustered around the concept of a new trans-Tasman model. As for the SmartGate story, the actor-network linked to the Prime Minister, but in this group, that link was mediated by DPMC, who provided strong direction that the New Zealand Prime Minister wanted a new model, and who translated the Prime Minister's intent into a different name from the one chosen by officials. The officials' name was connected to the IATA 'simplified travel' work; the DPMC name connected to trans-Tasman.

The new actor-network drew on the existing connections created by the Border Sector – its governance structure for decision-making, its work programme and, most significantly, the Border Secretariat – and on New Zealand Customs' connections with ACBPS. The connection of the New Zealand border agency actor-network with Australia occurred via the Border Secretariat – a connection that was made easier by New Zealand Customs hosting the Border Secretariat and having established connections into the ACBPS, which was the lead agency for the Australian border agencies.

In this first stage of the work, the trans-Tasman actor-network comprised the connection between the Border Secretariat and the nominated person in ACBPS. There were other connections, such as the bilateral connections between the respective Customs, Immigration and Biosecurity agencies, but they were more an intersection than a part of it, except, perhaps, the Customs connection.

The Border Secretariat played a crucial role in getting to action, ensuring a consistent and single message from New Zealand, but also gatekeeping the primary objective of translating the 2 March political statement into action and translating the many comments on the draft papers that occurred during this period, as a kind of final arbiter:

And when we took it [the draft paper] there, it was like, well – I mean, not in a vacuum,

²⁵⁸ Emails.

obviously. It was like, well 'this is can't be reconciled' . . . "So actually, I know more about this than they do, right now" and I'd worked with [the Australian official] . . . [we] had had a number of pre-conversations, so in a way, we worked out the detail of the final, and then this was the sort of . . . playout of that process, and then an agreement (Official 16, lines 407-412).

The Border Secretariat was more than a coordinating body. It developed or provided the definitive version of documents and artefacts that helped stabilise the work enough to enable decisions to be made and the next steps to be identified. It played a key mediation role in ensuring deadlines were met, messages from DPMC were correctly incorporated into the discussions and reports, and in connecting with Australia. The Border Secretariat's role changed the way in which trans-Tasman work was undertaken:

An interesting point that stands out to me about that particular announcement – the 2009 PMs' announcement – is that a lot of that activity was done by the border sector. So – especially post that 2009 announcement – where we would have previously had individual dialogues with Customs and the various agencies – MAF for example would have dialogue with its counterpart. Post-2009, a lot of that was actually done by the Secretariat, in particular the travel work that was announced in that statement (Official 7, lines 36-41).

The unique qualities of the staff of the Border Secretariat contributed to its ability to carry out this role:

And I think one thing I would say from a policy point of view, this wasn't a typical 'of the time' policy process. It wasn't perfect, it wasn't all consulted . . . It was a mix of sort of pragmatic strategy and operational delivery and it was sort of more of a hodgepodge of things – "get something moving" – which is why I think the Secretariat in the end turned out to be a good place to do it, because we weren't a policy shop at all. You know, we wouldn't be at risk of not doing the normal process or doing our standard or whatever, 'cause we didn't have one. We didn't have a norm or a standard (Official 16, lines 337-344).

6.5.1.2.1 How officials' translations affect their actions

A series of translations occurred after the release of the Prime Ministers' joint statement. Information provided by the Chief Executive of DPMC and the senior DPMC official assigned to

oversee the ‘new model’ work indicate they were working from a brief from the New Zealand Prime Minister. Border sector officials then set about translating that intention into action: ‘I guess the thing that happened in 2009 was we all of a sudden had a deadline or a report. There was some momentum, and the structures came around that. So there was much greater coordination’ (Official 7, lines 56-58).

The task of officials was to translate the 2 March 2009 political statement into action. The formal and informal documents present part of how that was done; the interviews fleshed out the way in which the translations occurred. One official described how the first task for the working group was to ‘get collective buy-in that there was a task here which actually had substance to it’, since ‘aspects of this have all been tried before’ (Official 16). The minutes of the first working group workshop show how the participants explored that task from many angles. The official continued:

. . . so despite advice twenty five years ago, actually it was a new thing, so I think part of what we were doing was just reconnecting on the current task, and the fact that there was new political lead interest in achieving something. So kind of clarifying the instruction (Official 16, lines 132-135).

Here, Official 16 separated the current task from the past. The ‘aspects of this have all been tried before’ was a kind of fact, particularly for the officials involved who had experienced these earlier attempts.²⁵⁹ What is significant about Official 16’s statement is that they translated this ‘fact’ back into a matter of concern by producing new evidence.

One-day turnarounds for feedback, and sometimes less, challenged the ability of the Border Secretariat in particular to meet those deadlines. In this respect, the very tight timeframes were an actant – they made officials act in certain ways and they sped up the processes of translation.

Translation of the intent of the Prime Ministerial statement did occur with Australian officials:

Yes, we did talk to Australia, but what does a common border actually mean and the factors that would have to be considered and what are the types of things that we might be able to do. So that was more . . . “Yeah, we do have a job to do. Yes, but also what are the parameters of that job?” (Official 16, lines 311-315).

²⁵⁹ Including myself.

6.5.1.2.2 Inscriptions leading to action

The narratives of the trans-Tasman travel work are embedded in the records – in the minutes of meetings and formal papers; in the diagrams; in the email exchanges; and in the memories of the people involved.

The way the meeting minutes were recorded played a very important role in turning narrative into action. As Border Secretariat minutes tended to record the discussions as well as the actions required and next steps, it was possible to trace the narrative attached to the actions that were to be taken. Not all minutes do this - some contain only the actions coming out of the meeting. For example, the HLSG meeting records evolved into a list of the action items, sometimes with commentary on what was discussed, and sometimes with no commentary.

The power of inscriptions to trigger an experience of the past and the future was more overt in this story than in the SmartGate story. First was the power of an historical inscription to implant itself in a person's memory. An official described the effect an old document had on them. It was not the content but the physical look of a typewritten document that captured their attention. The interviewee was quite animated when recalling '[an official] at that meeting tabled a 1980 Cabinet paper. I can still see the type – you know, the Times New Roman – that typewriter sort of Cabinet paper' (Official 16, lines 125-126). For this person, the type-face evoked the experience of an earlier time before computers, when there were only typewriters. Seeing this document was so much more than the content of an old paper. It transported this person back to another time.

Another type of inscription was the A3. This was a new communication tool for officials in 2009. By using an A3 sized sheet of paper, it was possible to present a whole proposal on one sheet of paper (one or both sides) by way of boxes of text, pictures, graphs and diagrams. One interviewee fondly remembered the A3 presented to the Strategy Cabinet Committee: 'our lovely A3 - I can remember the light blue bits and a map of New Zealand and some arrows and the flow numbers' (Official 16, lines 316-317). Again, the interviewee remarked on the form of the A3, not the content. It was the visual effect that was remembered.

Coloured diagrams were a way of making the future visible, and thus helped Ministers' decision-making. At the Strategy Cabinet Committee, the diagrams helped Ministers transform the Prime Minister's political goal (reduce remaining barriers at the two borders) into a choice – between a

common border and an intra-border and between a staged model and an advanced model; the diagrammatic form for the latter was carried into the July Cabinet paper, providing a connection between what had been decided and what was to be decided. These diagrams couldn't have the same impact as a SmartGate in providing an experience, but as Official 16 indicated, they could create a memorable visual effect that helped decision-making.

6.5.2 Different realities leading to different matters of concern

Sitting beneath the above narratives were the same sorts of different realities identified coming out of Story 2. This part of the longer term story revealed several matters of concern, not many directly related to the Prime Ministerial statement. That statement was a call to action that had yet to occur. In applying Latour's distinction between matters of concern and matters of fact to this sort of future-focused initiative, we would expect matters of concern to be much more prevalent than matters of fact.

In New Zealand, the different matters of concern between the border agencies made it difficult for the Border Secretariat to develop a cohesive view: 'So a really big challenge was how to see this as a whole in a collective New Zealand Inc. way and not as us as different agencies trying to protect or advance our bit of it' (Official 16, lines 172-174).

There were different matters of concern even within one organisation. The Comptroller of Customs' matter of concern was turning SmartGate into a fact; the New Zealand Customs senior leadership were concerned about the effect of the trans-Tasman travel work on border agency relationships²⁶⁰; New Zealand Customs' officials' matters of concern were to not mislead Ministers (i.e. to tell an accurate story, not a 'fudged' story, particularly in terms of agency functions and how the model would work in practice), and to not expose the organisation to risks just because there were tight timeframes; Australia's matters of concern (as reported) were that New Zealand might want them to open up their borders, and their overall matters of concern about people smuggling and protecting the border.

Rather than a joint matter of concern between Australian and New Zealand border agencies, there was a dual process:

²⁶⁰ Email.

You know, it was a combined process, Australia-New Zealand, but some early engagement on the Australian side realised ok . . . we're not going to be developing this in tandem really. We're going to be developing up our thinking with checking in from time to time so we're not totally off the planet, but actually then lining up once we're more developed (Official 16, lines 234-238).

And one where it was not initially clear to New Zealand officials whether it was yet a matter of concern for the Australian border agencies:

So we'd sort of said "we think this could be the scope of our work, and that we obviously need to work up detail, engaging with you" and to be [sigh] frank, like they were just happy to let us go ahead and do it, because I think they were still working out whether it was serious or not (Official 16, lines 255-257).

6.6 Story 4: Delivering on the 20 August announcements - September 2009 to February 2012

After this intensive March to August period, the border agencies on both sides of the Tasman worked on delivering the initiatives announced on 20 August. The character of the delivery work was quite different from the initial period, which had been very politically-driven. In New Zealand, DPMC was much less involved, the work progressed at a slower pace and the joint initiatives implied a more trans-Tasman effort. One official explained how people operated in this post-August 2009 period:

But the heat came off big time. I mean, people were still prepared to be engaged but unlike prior to that, after August – for the next few months, that's when on the New Zealand side, people started to not be available for meetings, and other priorities had come up, where before, it didn't happen so much (Official 16, lines 416-419).

And 'certainly explicitly it was never said "oh, you can relax a bit now" but that's definitely the message people got, or took, or whatever. And also because I think the study/research was less immediate' (Official 16, lines 421-423).

A progress report on trans-Tasman travel presented on 13 October 2009 as part of the Programme Update to the BSGG records what was underway.²⁶¹ The BSGG also discussed a paper on Trans-Tasman trade, which, at two months after the 20 August announcements, had yet to be addressed.²⁶² On the face of it, work was being done, or so it seemed. A closer examination reveals that some of this supposed 'progress' was the result of work already in train prior to the August 2009 announcements. The truly new work was the two joint studies – Australia had provided a draft Terms of Reference for the joint SmartGate integration study and the pre-clearance study, and a joint New Zealand response was underway.

These two studies ran in parallel, but as they tell two different stories, they have been described separately, starting with the SmartGate integration study.

6.6.1 The SmartGate integration study

The joint SmartGate integration study involved the two Customs administrations, the technology provider Morpho, and the Gold Coast International Airport. The terms of reference (TOR) for the study were agreed at a trans-Tasman teleconference held on 13 November 2009.²⁶³ Officials agreed to start the feasibility study by January-February 2010.²⁶⁴ New Zealand had provided comments on Australia's draft prior to the meeting. The minutes indicate there was no debate about content and that a clear driver for action was the next meeting of the Prime Ministers planned for the following February.

A related action was for the Australian and New Zealand border agencies to confirm the TOR at the face-to-face meeting planned for 4 December, and 'develop a project plan with clear tasks, timings and milestones',²⁶⁵ also to be finalised at that 4 December meeting. On 1 December 2009, the Border Secretariat reported to MFAT²⁶⁶ that the SmartGate integration study was on track and advised border agencies of a proposed Cabinet paper early the following year.²⁶⁷

²⁶¹ Border Secretariat. (13 October 2009). 'Programme Update for the BSGG Meeting' [Report].

²⁶² BSGG. (13 October 2009). 'Streamlining Trans-Tasman Goods Trade' [Report].

²⁶³ The pre-clearance study was also discussed at this teleconference.

²⁶⁴ 'Trans-Tasman Passenger Facilitation Teleconference, Minutes', 13 November 2009.

²⁶⁵ Ibid.

²⁶⁶ Border Secretariat, 'Streamlined_Trans_Tasman_travel from Secretariat with agency input', e-file: '091201.

²⁶⁷ Email from Border Secretariat, 1 December 2009, sent to border sector contacts.

I participated in the meeting in Auckland on 4 December 2009 – held the day after the official opening of SmartGate at Auckland International Airport at which a number of Australian officials were present. A total of 18 officials from five New Zealand agencies and the Border Secretariat, and four Australian agencies attended the meeting. I recall that the SmartGate integration actions were quickly agreed, with most of the discussion focused on the joint ‘pre-clearance’ study.²⁶⁸

On 6 May 2010, at the first meeting of the New Zealand Border Sector Ministerial Group, Ministers discussed the Border Sector work programme. The A3 prepared by the Border Secretariat for that meeting identified the ‘Process Deliverable’ for the SmartGate integration study as an ‘options interim report back to BSGG due June 2010, final report December 2010.’²⁶⁹

On 8 June, the Australian and New Zealand Ministers responsible for customs matters met to discuss trans-Tasman passenger facilitation among other topics. The two administrations aimed to get Ministerial support for the direction of the joint work, and thus exchanged briefing material to ensure the messaging was consistent for both Ministers. The Talking Points in the New Zealand brief included ‘Integrating our SmartGate systems: progressing well, but need to maintain momentum’, and suggested that the Rugby World Cup in 2011 would be a ‘good deadline for the first visible milestone – integrating SmartGate in New Zealand with SmartGate at one Australian airport’. This was intended as a one-way pilot. The brief indicates, however, that New Zealand wanted a two-way trial.²⁷⁰

The Australian brief states that good progress was being made on all the initiatives announced on 20 August 2009. The joint feasibility study was positioned as part of more detailed information on the further rollout of SmartGate in Australia. It included a section on the value of an outwards SmartGate capability which would require a budget proposal, and advises a proposed outward trial in the 2010-11 financial year.²⁷¹

One action to come out of that Ministerial meeting was for each Minister to send a letter to their Prime Minister seeking endorsement for the agreed next steps. During June, ACBPS and New

²⁶⁸ See Chapter 6.6.2.

²⁶⁹ ‘BSGG Working together to secure our borders and strengthen our economy’ (A3).

²⁷⁰ New Zealand Customs Service, ‘Meetings with Hon Brendan O’Connor, 8 June 2010’.

²⁷¹ ACBPS, ‘Australia-New Zealand Ministerial Talks – Tuesday 8 June 2010’.

Zealand Customs officials drafted and exchanged their versions of the letters to ensure they told the same story.²⁷² The wording of the opening sentence was indeed the same in both letters, though the way in which the body of the letters was worded quite differently reflected the different issues of importance to each Minister. For Australia, the issue was the need for an injection of funds if it was to implement SmartGate outwards; for New Zealand the agreement at the meeting for a two-way trial²⁷³ was considered worth announcing at the next Prime Ministerial meeting.

The BSGG Deputies Group in New Zealand noted that the Prime Ministers would announce the SmartGate integration trial (at their meeting planned for February the following year).²⁷⁴ On 29 November 2010, New Zealand Customs reported to the Minister of Customs the outcomes of discussions at a four-way Customs-Quarantine meeting in Melbourne on 21 October 2010.²⁷⁵ A key section of the report highlights and explains the reasons for a change in scope of the SmartGate integration trial from that discussed by the two Ministers in June.

Over the course of the study and subsequent trial, officials from both countries met regularly to work through the operational practicalities of setting up and running the trial.²⁷⁶ In parallel with this operational activity, a policy programme was underway, covering a privacy impact assessment (which each country was required to carry out and which needed to be consistent with each other), governance and operational protocols, an interagency protocol for New Zealand agencies, and a Gazette Notice as required by New Zealand's Customs and Excise Act 1996.²⁷⁷ This work drew on the existing Customs Cooperative Arrangement and accompanying Second Protocol.

²⁷² I did this for New Zealand and was involved in the exchange of versions. The letters were from the Australian Minister for Home Affairs to Prime Minister Gillard, and from the New Zealand Minister of Customs to Prime Minister Key.

²⁷³ Note the change of terminology from 'study' to 'trial'.

²⁷⁴ 'Border Sector Deputies Group Meeting, Record of Key Discussion Points/Agreements/Actions', 9 July 2010.

²⁷⁵ New Zealand Customs. (2010). 'Australia-New Zealand High Level Steering Group and Customs-Quarantine Meetings', OR 10/220.

²⁷⁶ Personal knowledge.

²⁷⁷ New Zealand Customs. (23 November, 2010). 'SmartGate Integration governance and operational protocol requirements – summary of meeting'.

Figure 12. A mini-case study: Coordination meeting

On 23 February 2011, I recorded a regular meeting of two policy people (one of whom was me), and one operations person, the purpose of which was to coordinate operations and policy work for SmartGate integration. However, the discussion at this meeting was wider.

The meeting was focused on deliverables – an interagency agreement, a privacy impact assessment, a report-back to Cabinet, and the work needed to prepare for that, and planning for future projects, as well as discussion on SmartGate integration plans – and for a meeting with an Australian colleague the next day. The report-back to Cabinet involved discussion on a passenger survey, and referenced a range of related current and future work in the trans-Tasman passenger processing space.

There were many references to near-future initiatives, how some would be implemented, what other agencies were doing with their initiatives (which were to be referred to in the report-back), and how the inter-agency requirements would be managed post-implementation. Discussions referred frequently to the passenger experience, e.g. the usability of screens for integration, of passports at the gate, privacy, communication about the integrated system. The SmartGate work with Australia was being viewed with the passenger in mind. One official referred several times to ‘usability’ and ‘flow’.

The Privacy Commissioner was talked about several times, in relation to the Privacy Impact Assessment, and obviously had some influence.

The previous report to Cabinet on SmartGate implementation included a reference to other agencies’ projects contributing to streamlined trans-Tasman travel, and so the report-back being talked about clearly needed to refer to these projects as well. Participants seemed to have a good knowledge of these projects, which were being treated quite separately from one another.

There was lots of laughter during this meeting. While the matters being discussed were practical, there were obviously lots of little contextual jokes. For example, I said ‘Or do you think that the implementation in a sense will *never* finish?’ at which one official laughed and which I clearly thought funny also, as I continued on ‘because it’s always developing into something else’ with laughter in my voice (lines 33-35). Then the official answered seriously ‘It’s evolving and it *will* evolve for a while.’ (Line 36)

There was a recognition that the SmartGate report-back needed to be presented in the wider context of initiatives for trans-Tasman travel also being implemented by MAF and Immigration New Zealand.

A Border Secretariat brief provided to MFAT for the trans-Tasman Prime Ministerial meeting to be held on 15-16 February notes the good progress being made, the agreement of the Customs Ministers to the SmartGate integration study (one-way, for passengers travelling from New

Zealand to Australia) and a comment on what would be needed to make it two-way.²⁷⁸ The usual joint statement following the Prime Ministerial meeting did not refer specifically to the integration trial, stating only: 'The Prime Ministers further welcomed the positive steps aimed at making travel across the Tasman a domestic-like experience, including the roll-out of SmartGate and joint studies looking at further improvements to trans-Tasman travel' (Key & Gillard, 2011, para. 10).

The trial involved passengers being cleared through both Australian and New Zealand border processes in one step, when undertaking the departure process in New Zealand. It had three objectives:

- a. to successfully facilitate trans-Tasman travellers through the SmartGate automated border processing system
- b. to integrate SmartGate departure kiosks in Wellington, Christchurch and Auckland with the SmartGate arrivals facility in the Gold Coast; and
- c. To determine the feasibility of introducing a permanent capability to other Australian and New Zealand airports.²⁷⁹

The governance document containing these objectives reveals the many areas that had to be clarified and managed in this truly integrated solution – the roles of each agency, the roles of governance committees and groups, ownership, handling, storage and transfer of information, change control, communication processes, and protocols for managing issues.

A New Zealand Customs briefing for the Prime Ministerial talks planned for 28 January 2012²⁸⁰ states that the SmartGate integration trial was underway between Auckland and Christchurch and the Gold Coast Airport, and notes 'currently no plans for the Australian Customs and Border Protection Service to expand this trial further'.²⁸¹

²⁷⁸ 'Australia-New Zealand Prime Ministers' Talks, New Zealand, 15-16 February 2011, Streamlining Trans-Tasman Travel'.

²⁷⁹ 'SmartGate Integration Arrangement between the New Zealand Customs Service and ACBPS', p. 2.

²⁸⁰ These talks did not occur.

²⁸¹ 'Australia-New Zealand Prime Ministers' Talks, Melbourne Australia, 28 January 2012, Update on Streamlining trans-Tasman Travel', para. 4.

In total, the trial ran from August 2011 to July 2012,²⁸² after which it was closed down.²⁸³ In assessing the results of the trial, officials noted that the technology worked:

It was never a trans-Tasman system. It's an Australian system and it's a New Zealand system that talk to each other – or they don't talk to each other. They sort of operate in harmony with each other. They can be made to talk to each other. The integration trial showed that (Official 5, lines 218-221).

However, the passengers behaved differently from expected - they were confused by the range of choices they were faced with:

It was approached on three bases, I guess. One was technical, one was the communication issues/security and the third was the passenger experience. We mastered the first two around the technical innovation and that took a little while, but the passenger experience effectively derailed the whole project on the basis that – I think at the end of the trial, something like 95% of the passengers who used SmartGate on departure from New Zealand answered the Australian arrival questions at the kiosk, but when they got to the Gold Coast, I think the highest uptake was in the vicinity of 35% that went straight to the gate . . . there were a number of reasons for that but basically, when it broke down, the passengers didn't understand what they were doing . . . basically what they did when they got to the Gold Coast was just follow whoever was in front of them . . . So on that basis, the grand plan of trans-Tasman integration using an automated process was put on hold (Official 3, lines 31-40, 59-63).

I remember being surprised about these results when told about them at the time. My observation of the preparation for the trial was an expectation from officials that travellers would get a better experience, not a worse one. A complementary view of the trial was that it 'presented a number of challenges to integrating' (Official 18, lines 259-260). What seemed conceptually logical was found not to play out in practice. The aspect of choice created the problems, not only for the passengers themselves, but also for the performativity of the border:

²⁸² Joint Ministerial press release. Retrieved on 11 March 2015 from <https://www.national.org.nz/news/news/media-releases/detail/2011/08/01/smartgate-trial-to-streamline-trans-tasman-travel> .

²⁸³ At the time of writing, the two systems continued to operate separately, although it is possible some other integrated option could be considered in the future.

Interviewee: What the Gold Coast trial showed was that if it was a selection environment that you opted to do it, you created another tier of travellers that became very difficult to sort. So trying to identify visually, or even by documentation, who had elected to use the kiosk and answer questions at the New Zealand end became very difficult, and as a result you had a big increase of referrals at the primary line that ultimately saw reduced efficiency as opposed to the increased efficiency that was obviously an objective. And different marketing efforts were tried to try and communicate that across, but ultimately it still became very difficult to stream. And that was in a Gold Coast airport environment. If you were transferring that to Sydney or Melbourne or one of the bigger centres,

Interviewer: it would be a nightmare.

Interviewee: So there's challenges there (Official 18, lines 265-273).

This official pondered on the opportunities of streamlining other aspects of the travel process, and concluded that differentiating trans-Tasman passengers from passengers who might be just transiting Australia on the way to somewhere else would create a range of complexities in the border process:

What if you end up having too many differentiated models for the number of people that are on the aircraft, do you actually start working against your objective in that you start confusing people around what they're doing? Is it in fact easier just to have a blanket "Just fill all these in" even if you didn't need them from everybody? Because if you'd said in one flight they don't and another flight they do, you just end up creating too many inefficiencies. And I think a lot of that mirrors the sort of what we've seen in the Gold Coast, and presents I think the biggest challenge in terms of next steps in the trans-Tasman travel space – is what can you do that you can apply across the board without difficult differentiation having to be done, because every time you have to stream a particular type of passenger in the airport environment, you introduce inefficiencies to a border flow and you introduce resource requirements for the agency to stream them (Official 18, lines 285-295).

This trial therefore showed how policy is a part of the performativity of border processes and that passengers are part of the actor-network that makes up those processes.

6.6.2 Phase one of the ‘pre-clearance feasibility study’

As noted in the previous section, on 13 November 2009, Australian and New Zealand officials held the teleconference, chaired by Australia’s Department of Prime Minister and Cabinet, to discuss the two joint studies – the SmartGate integration study, and the pre-clearance study.

An email to me from the Border Secretariat on the day of the meeting (I was called in to attend at the last minute) provided five documents for the teleconference – two draft Terms of Reference and three memos from New Zealand to Australia providing New Zealand’s responses to the draft Terms of Reference documents. An accompanying email from DPMC suggested to Australia that a face to face meeting would be a good next step, which the Australia and New Zealand border agency coordinators should work with each other to arrange.

My handwritten notes on the Agenda show the negotiation areas for New Zealand.²⁸⁴ I recall being called to a ‘pre-meeting’ of border agency officials immediately prior to the teleconference, where we worked through New Zealand’s position on the agenda items, led by the Border Secretariat.²⁸⁵

The minutes²⁸⁶ make it possible to trace the two countries’ different matters of concern at the start, and the movement to agreement to progress an independent scoping study. This was agreed as a first phase of the ‘pre-clearance study’ and would require contracting a consultant. At the end of the meeting, officials agreed to a face-to-face trans-Tasman meeting on 4 December 2009 to finalise arrangements.

The 4 December meeting occurred, and minutes were agreed via email. After much finessing of the wording back and forth between Australian and New Zealand officials, a Work Order was agreed and ACBPS asked for proposals for the work from two of its preferred consultants.²⁸⁷ The Work Order had two parts – Part A (Phase One) was:

To provide the Governments of Australia and New Zealand with a suite of practical options

²⁸⁴ ‘Trans-Tasman Passenger Facilitation Teleconference between Australia and New Zealand officials, Friday 13 November 2009, Agenda’.

²⁸⁵ The countries are in different time zones, providing an additional element to factor into trans-Tasman contact.

²⁸⁶ Footnote 264.

²⁸⁷ ACBPS had a system of pre-approved contractors that enabled them to invite proposals. This sped up the process considerably.

for further streamlining of trans-Tasman travel, that would achieve or contribute substantially to a seamless traveller experience for trans-Tasman travel in line with our joint Prime Ministers statements.²⁸⁸

In January, the officials from the two countries agreed evaluation criteria (again by email) for assessing the two consultants' submissions. The Border Secretariat coordinated New Zealand input, and in the week of 18 January 2010, a teleconference was held with Australia to agree on the preferred contractor, Capgemini.²⁸⁹ ACPBS managed the contract and hired Capgemini to conduct the study.

The study was to involve interviews with border agencies on both sides of the Tasman and with major industry stakeholders. On 10 February, the Chair of the BSGG sent to the industry stakeholders a letter²⁹⁰ advising them of the study and that Capgemini would be contacting them. Interviews of industry stakeholders and border officials began at the end of February 2010.

On Thursday 1 April, 12 weeks after the Work Order was signed, New Zealand border agencies met to discuss the initial draft report from Capgemini in preparation for a discussion the Border Secretariat was to have with ACBPS the following Wednesday. MAF and Customs representatives were not able to attend, so the Border Secretariat had to get their input by email. On Tuesday 6 April, the Border Secretariat sent a summary of the meeting to the border agency representatives, giving MAF and Customs less than a day to provide their comments. Those comments were provided shortly before 5pm, with both agencies noting the need to be pragmatic.²⁹¹

Five weeks later, on 10 May, the first 'final' draft was completed. This was the date of the first version in the revised history in the report, which shows a further seven versions until the final report was submitted on 9 June,²⁹² four of which were prompted by feedback from the Australian

²⁸⁸ ACBPS. (2010). 'Schedule 9 – Work Order 091887, Trans-Tasman Travel – Streamlining Passenger Processing Project', p. 5. The document also indicated that this was Phase 1 of a two-phase piece of work, but the two governments had not decided whether to progress to Phase 2.

²⁸⁹ 'Australia-New Zealand Trans-Tasman Travel Teleconference Agenda', 18 January 2010. The New Zealand Customs paper file contains my handwritten record of the ratings.

²⁹⁰ Untitled, dated 10 February 2010.

²⁹¹ Email communications.

²⁹² Capgemini. (2010), 'Streamlining Trans-Tasman Passenger Travel Terms of Reference'.

and New Zealand agencies. Documents show the internal debate within the ACBPS at senior levels and that Australia's PM&C department had become involved.

On 19 May, the Border Secretariat set up an urgent phone call with their Australian contact. They updated their manager at 2:10 pm with the good news that Australian officials were positive about being able to accept the current draft as final. These two officials had reached agreement that both countries would accept the report with several caveats.

The memo to the Senior Officials Group (SOG) on the same day reflects this change and also sets out the next steps, with Australian agencies meeting on Friday 21 May to consider the final draft, and a trans-Tasman video conference scheduled for Friday 28 May to confirm sign off of the report and to discuss an approach to Phase 2 for the PMs' meeting due to take place in late June. It also summarised how New Zealand feedback had been addressed in the attached version.²⁹³

Two days later, the picture changed, with the Border Secretariat indicating more deliberations were happening at the Australian end and '[i]t is a long and winding road, but Aus [sic] is very engaged and I think we aren't too far off a final Phase 1'.²⁹⁴

An email from the Border Secretariat to New Zealand officials on the day of the 28 May video-conference stated: 'Striking a balance of aspiration with **pragmatic progress** – here is the New Zealand plan going into the video-conference today' [emphasis in original]. This plan signalled New Zealand's wish for 'some additional joint work . . . to proceed urgently'.²⁹⁵ [Original emphasis.]

The Secretariat draft minutes of this meeting begin with: 'This has been an interesting and complex study'.²⁹⁶ It appears the sign off of the Phase 1 report was quickly confirmed. The 56-page report detailed the possible models with their pros and cons, as well as setting out the terms for a scoping study that would define a vision for trans-Tasman travel, review and assess the existing end to end trans-Tasman passenger process against that vision and develop a roadmap and business case. It identified a number of potential risks that could be expected in progressing

²⁹³ Email communications.

²⁹⁴ Email, 21 May 2010.

²⁹⁵ Email, 28 May 2010.

²⁹⁶ 'NZ/Australia Video Conference – 28 May 2010 Streamlining Trans-Tasman Passenger Travel, Minutes'.

the study, such as not meeting political or stakeholder expectations, and a much larger number of considerations covering 14 topics such as biosecurity, collection of information, revenue, and legislation. It estimated the costs of carrying out this scoping study at between \$3-4 million.²⁹⁷

Most of that 28 May video-conference was focused on next steps, including some new initiatives and a joint investment:

. . . in a short further study which will deliver an agreed future state vision; an assessment of how far our joint package of initiatives will go toward meeting this vision; and an identification of any remaining gaps which could form the basis of agreed future action.²⁹⁸

A suggested timeframe for the work was 3-4 weeks. A meeting of the two Customs Ministers on 8 June was confirmed 'as a mechanism for confirming the agreed the [sic] future steps and communicating upwards to Prime Ministers'.²⁹⁹ Officials agreed to coordinate messaging to the two Prime Ministers, and engagement with industry.³⁰⁰

New Zealand officials took the next steps agreed at this meeting to the BSGG on 1 June 2010 for executive level confirmation. The Chair's talking points note 'The Department of Prime Minister and Cabinet is comfortable with the approach that has been agreed'.³⁰¹

The final version of the Phase 1 report (entitled 'Streamlining trans-Tasman Passenger Travel: Terms of Reference') is dated 9 June 2010. Originally planned to take four weeks, the work took almost five months to complete. Most of the delay was caused by officials working with Capgemini to finalise the content of the report.

²⁹⁷ The genesis of the 'short further study' mentioned in the next paragraph, was, I recall, officials' concern on both sides of the Tasman that the price-tag was too high, requiring a more cost-effective option.

²⁹⁸ Ibid., p. 2.

²⁹⁹ Ibid., p. 3.

³⁰⁰ Along with the SmartGate integration study.

³⁰¹ 'BSGG Meeting 1 June 2010, Chair's Talking Points, Agenda Item 2: Streamlining Trans Tasman Travel Joint Study'.

6.6.3 Designing a ‘domestic-like experience’

On 3 June 2010, the Border Secretariat sent to their contact point in ACBPS the briefing for the New Zealand Minister of Customs for the 8 June Customs Ministers meeting and commented ‘It aligns with your one’.³⁰² The New Zealand briefing notes the New Zealand Minister of Customs’ actions in the meeting, as Chair of the Border Sector Ministerial Group, to endorse officials’ proposals to further streamline trans-Tasman travel, and for the two Ministers to write to their respective Prime Ministers advising them of these agreements.³⁰³

This briefing uses the term ‘domestic-like experience’ in conjunction with ‘a new streamlined passenger model’. It presents the work of officials in a proactive light: ‘Rather than having the next steps as a further joint study only, New Zealand and Australian senior officials have agreed to proceed concurrently with a two-pronged approach’.³⁰⁴ ‘Prong one’ of the approach was to implement the existing and some additional initiatives; ‘Prong two’ was to conduct a study to develop a future state vision.

The Australian brief also seeks their Minister’s agreement for the proposals (New Zealand’s ‘two-pronged approach’) and notes benefits to trans-Tasman travel were already being seen out of the 20 August initiatives. In relation to the joint study just completed, it notes ‘while it was agreed that a common border could continue to be a joint aspirational goal, there are significant hurdles to overcome that would prevent this being achieved in the short to medium term’.³⁰⁵ It also sets out constraints on other models in the study.

On file, a draft Work Order to Capgemini for the further short study to develop a model that would deliver a ‘domestic-like experience’, and assess existing initiatives against it, contained New Zealand comments dated 2 July 2010.³⁰⁶

³⁰² Email, 3 June 2010.

³⁰³ These letters were drafted and sent to the respective Prime Ministers in late June/early July 2010.

³⁰⁴ Footnote 270.

³⁰⁵ Footnote 271, p. 5.

³⁰⁶ ACBPS. (xx September 2010). ‘For the Provision of Trans-Tasman Travel – Streamlining Passenger Processing Project’.

The July 2010 Prime Ministers' meeting was cancelled because of Australia's governing Labour Party leadership change and the calling of the snap election for 21 August 2010. The subsequent delay in progressing the second Capgemini study was later attributed to these political events.³⁰⁷

In December 2010, ACBPS finally issued the Work Order for the study.³⁰⁸ The Border Secretariat provided advice for a meeting of Border Sector Deputies on 6 December that a briefing for the Prime Minister for his meeting with the Australian Prime Minister in February 2011 would be 'a high priority for border Ministers'.³⁰⁹ At the next meeting of Border Sector Deputies on 8 February 2011, the Border Secretariat advised attendees that the key messages in the brief included 'We will continue to assess how far the package of joint initiatives takes us toward a 'domestic-like' experience and identify any remaining gaps for future action'.³¹⁰

On 16 February 2011, Australian and New Zealand officials had a teleconference with Capgemini to provide the project leader 'an opportunity to provide New Zealand and Australia a common understanding of how Capgemini would undertake the short study to define "domestic-like" travel between Australia and New Zealand'.³¹¹ The minutes outline previous issues encountered in trans-Tasman work, notes key reference documents, and that Capgemini would seek any model they developed to 'look to have benefits' in security, service and savings.

The joint Prime Ministerial statement from the trans-Tasman Prime Ministers' meeting on the same day included:

The Prime Ministers further welcomed the positive steps aimed at making travel across the Tasman a domestic-like experience, including the roll-out of SmartGate **and joint studies looking at further improvements to trans-Tasman travel** (Key & Gillard, 2011, p. para 10).
[My emphasis]

³⁰⁷ BSGG, 'Border Sector Work Programme: Period ending 28 February 2011' [Report to Border Ministers].

³⁰⁸ ACBPS, 'Schedule 9 - Work Order 103463'.

³⁰⁹ 'Border Sector Deputies Group Talking Points for [Official] 6 December 2010'.

³¹⁰ 'Border Sector Deputies Group Agenda Item 4 – Brief for Australia'- New Zealand Prime Ministers' talks: New Zealand – 15-16 February 2011'.

³¹¹ BSGG 'Teleconference Minutes –Streamlining Trans-Tasman Travel Short Study', 16 February 2011.

And in her address to the New Zealand Parliament, also on 16 February, Australian Prime Minister Julia Gillard stated

During my visit, I've been pleased to discuss with Prime Minister Key the excellent progress being achieved on the SmartGate project to create borderless travel between our two countries. **A joint study will commence this month to examine how we create a truly 'domestic-like' aviation³¹² experience** (Gillard, 2011). [My emphasis]

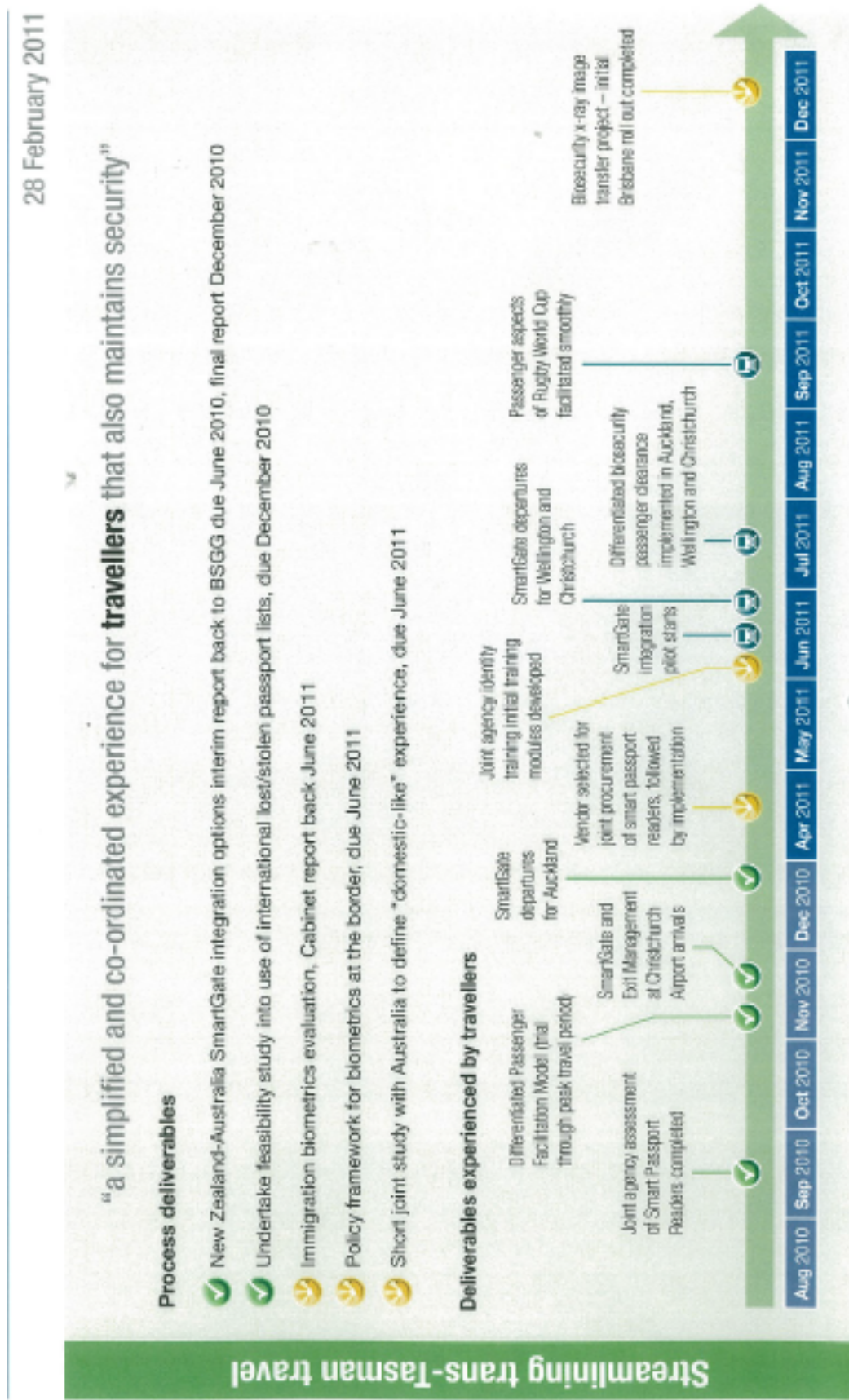
The BSGG report for the Border Sector Ministerial meeting in March 2011 advises that the short joint study would be finished in June 2011, and that it would guide next steps.³¹³ This study was one of many work items on the New Zealand border sector work programme for streamlining trans-Tasman travel, as set out in Figure 13 overleaf:³¹⁴

³¹² I assume PM Gillard meant air travel experience.

³¹³ "Agenda Item 3, Border Sector Work Programme: Period Ending 28 February 2011", para. 12.

³¹⁴ 'Border sector work programme update' (undated A3). A similar timeline covered streamlining trade, including some trans-Tasman activities.

Figure 13. Border Sector Travel Work Programme 2010-201



On 28 March 2011, Capgemini signed the Work Order³¹⁵ – three months after ACBPS had issued it – and by 6 April, work was underway. A New Zealand official spent 1 ½ days in Canberra, including a half-day focus group meeting at ACBPS and meetings with the (then) Australian Department of Immigration and Citizenship and Australian Quarantine and Inspection Service. This was followed by a day in Melbourne, where they attended the Australian National Passenger Facilitation Committee meeting. These activities were all related to the joint short study.³¹⁶ The following week, an ACBPS official spent a week in New Zealand, mostly participating in the joint short study work.³¹⁷ Official 10 indicated New Zealand officials used the ACBPS official as a touchstone – ‘I wonder what the Australians are going to think’³¹⁸ – reflecting the work was not really joint in nature:

Interviewer: Did New Zealand and Australian officials ever get together in the same room, around a whiteboard, and kind of work on that ‘togetherness’<stuff> together?

Interviewee: Only kind of virtually, except when we started the Capgemini research. We did allow a token person to go across the ditch, so [an official] went across as the token New Zealander with the Australians, and [Australian official] came over to us for a week so we did have that but no, we never really did have much engagement (lines 277-282).

On 23 May, a meeting of New Zealand border sector senior officials was provided with an update on the Capgemini work. The Border Secretariat note indicates the study was progressing well. Senior officials were informed that the following outcome statement for the definition of ‘domestic-like’ was agreed:³¹⁹

Trans-Tasman passengers are able to complete all international travel processes prior to departure. On arrival these passengers can pick up their bags and leave, unless authorities need to intervene.³²⁰

³¹⁵ Footnote 308.

³¹⁶ Interview; Border Secretariat, ‘[Official] To Canberra & Melbourne 6-8 April 2011’.

³¹⁷ ACBPS, ‘[Official] – ACBPS Trans-Tasman Travel Joint Short Study (with Capgemini)’. Personal involvement, also.

³¹⁸ Line 307.

³¹⁹ That the agreement was trans-Tasman was implied.

³²⁰ BSGG, ‘Talking points for [Official] – for SOG meeting Monday, 23 May 2011’.

In the six months between 8 July and 9 December 2011, respective meetings held by the trans-Tasman Travel Officials Working Group (TTTWG), border sector senior officials and the BSGG were as follows:³²¹

- 8 meetings of the TTTWG
- 2 SOG meetings
- 3 BSGG meetings
- 3 meetings on the Joint Border Management System
- 1 stakeholder meeting
- 1 video conference with Australian officials
- 1 meeting with MFAT
- A series of meetings on current initiatives

The BSGG agencies were actively engaged at all levels in considering how to use and communicate the second Capgemini report. Senior officials accepted the report on 19 July,³²² and by 27 July, the Secretariat had developed a diagrammatic version of the report, as an aid for communication:

I still think that A3 cutesy little diagram that we did was bloody great, 'cause that was kind of where we could get to? And yet I think in some regards, there was a feeling that it just maybe was potentially too hard (Official 10, lines 467-469).

And

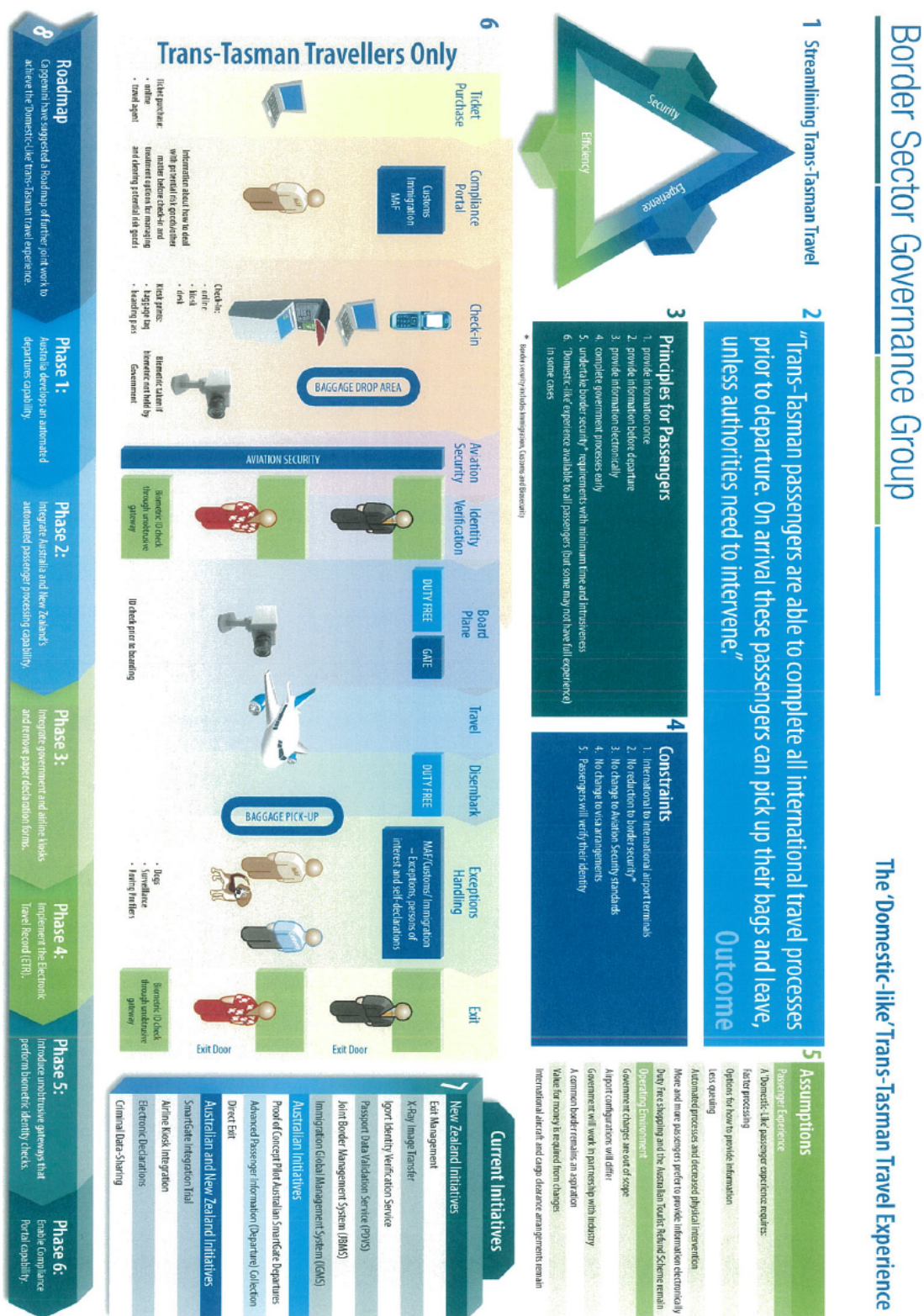
I know that it went to Ministers, and Ministers really liked it – they wanted more. I know A3s were sort of de rigueur at the time – probably old hat now, but it was just a simple way of being able to tell that story quite succinctly (Official 10, lines 478-482).

This official's earlier comment about the 'cutesy A3' reveals an emotional connection with the document (Figure 14 overleaf).

³²¹ Border Secretariat, (undated). 'Post Capgemini Meetings'.

³²² Ibid., p. 1.

Figure 14. The Border Secretariat's diagrammatic representation of the Capgemini work translated for presentation to the BSGG³²³



³²³ Border Secretariat, for BSGG meeting 27 July 2011.

On Tuesday 6 September, the New Zealand TTTWG appears to have discussed a timeline of 'next steps' from the next BSGG meeting on 27 September to the Joint Prime Ministers' meeting planned (but unconfirmed) for 26-28 January 2012. The notes prepared in advance of the meeting contain many questions, designed to clarify what was to be prepared for the Prime Ministers' meeting and to manage any risks, and for engagement with stakeholders.³²⁴

On Friday 23 September, I sought urgent input from within New Zealand Customs on a brief for the Comptroller (for the BSSG meeting on 27 September) on the Capgemini 'domestic-like experience'. The input was provided less than two hours later.³²⁵ The brief expresses concern about the lack of Australian mandate to progress SmartGate integration from Australia to New Zealand, and the conflict that the definition of 'domestic-like experience' would potentially have on New Zealand Customs' existing priorities for SmartGate.³²⁶

On 27 September 2011, the BSGG met 'to discuss the next steps following last meeting's brief on the Capgemini report on Trans-Tasman Travel'.³²⁷ They agreed that New Zealand officials would work with Australian officials and key stakeholders on a programme of work based on the Capgemini model ('as a starting point'), 'subject to support from the Chair of the Border Sector Ministerial Group'. They also asked for some analytical work on 'the risks, implications, indicative costs and benefits of potential elements of a programme of work based on the model in the Capgemini report' and a draft paper outlining the plans for the next steps.³²⁸

On 28 September, the Border Secretariat circulated minutes from a 22 September TTTWG meeting held to 'discuss the definition of the common border'. The minutes note 'further work is needed to reach a definition . . .', with an action point for the Border Secretariat to write 'a one page brief summarising why we need a definition, what it would be used for, the elements of a common border, and how it would be framed for our current project (and how it aligns with work being

³²⁴ Border Secretariat, 'Next Steps for TTT work – for Discussion at the TTTWG Meeting on Tuesday 6 September 2011'.

³²⁵ Email exchange.

³²⁶ 'Customs Brief: Agenda Item 2 Briefing on 'domestic-like' trans-Tasman travel' [draft].

³²⁷ BSGG, 'Meeting Minutes – BSGG', 27 September 2011.

³²⁸ Ibid.

done by MFAT’.³²⁹ The email trail reveals significant contention about the wording of the purpose of the meeting in those minutes.

On 26 October, the Border Secretariat attempted to clarify further contention from an official over the level of advice officials should provide the New Zealand Prime Minister before seeking his (or joint) agreement to the ‘domestic-like’ definition. The Border Secretariat stated that more analysis would be needed on the report before seeking agreement for anything.³³⁰ This was to be discussed at a video-conference with Australian officials – an event that occurred on 9 November 2011. As well as the Prime Ministerial briefing (which New Zealand was to develop and share with Australian officials), the action points were about the release of the Capgemini report to stakeholders. Each country indicated they would approach the release differently.³³¹

By the 14 December BSGG meeting, New Zealand officials had developed a Draft Preliminary Project Plan.³³² As well as providing a timetable of work to be done, this plan traced the background of the work from March 2009, related the work to the SEM principles, summarised Australia’s actions and engagement with their Minister of Home Affairs and updated the BSGG on the Capgemini study. In short, it told the story of the development of the model, including the future-focused aspect, which comprised two work-streams and 10 tasks, situating that story firmly in the SEM frame. The decision on the release of the draft plan to Australian officials was deferred until the following BSGG meeting on 20 January 2012.³³³ The primary purpose of that January BSGG meeting was to discuss, in a closed session of Chief Executives and their Deputies, the future of the New Zealand border sector. Trans-Tasman travel was discussed in the open section of the meeting, which also included representatives from border sector senior officials and the Border Secretariat. The minutes record that the BSGG ‘agreed to engage with airports and airlines in mid February 2012 following announcements from Ministers on the future of the border sector’. The purpose was to have been to gauge these stakeholders’ views ‘on realising a ‘domestic-like’ travel

³²⁹ BSGG, ‘Meeting Minutes – The definition of common border’, 22 September 2011, p. 2.

³³⁰ Email exchange.

³³¹ BSGG, ‘Meeting Minutes – *Video conference with Australian officials*’, 9 November 2011.

³³² Border Secretariat, ‘Draft Preliminary Project Plan Trans-Tasman Travel: “Domestic-like Experience” Project, 5 December 2011, Version 1.3’.

³³³ ‘Meeting Minutes – BSGG’, 20 January 2012.

experience for trans-Tasman travellers', as long as it was done in a way that aligned with Australia.³³⁴

At this time, the New Zealand Biosecurity and Immigration agencies were undergoing structural change and New Zealand Customs was focusing on the new computer system it was building jointly with MAF. Engagement with industry therefore didn't happen and decisions on the Capgemini Phase 2 report were deferred until after decisions were made about Future Directions. One official recalled how this occurred:

CEs³³⁵ asked us to go away and do some further thinking about "what are the implications". We did some work on the implications, and then that was handed over to MPI, and essentially, the consideration of that was put on hold because of the future of the border . . . [then]we provided that Capgemini report back out to those airlines that had fed information into that report. So we had engaged with the airlines and the airports on that report, and they provided information into that report, and then we provided them with a copy and asked for comments on that. And so we got that far, and that's where I think it was left (Official 10, lines 365-67, 377-381).

Another official described the continued interest from their agency's stakeholders':

[O]ur group had consulted with a range of stakeholders about the Capgemini work and the likes of Federated Farmers and Hort³³⁶ New Zealand had expressed concerns about facilitation without carefully managing risk at the border, and wanted to make sure that any initiatives weren't going to lessen risk management at the border. So there'd just been a long silence. I think they had contacted us, asking "so what's going on?" and we engage with those stakeholders in various fora anyway all the time, so I think it had come up and was like flicked to me "what's happening?" (Official 4, lines 139-144).

ACBPS did not object to putting a hold on the trans-Tasman travel work. That organisation was facing increasing pressure from illegal entry by sea ('boat people') facilitated by people

³³⁴ Ibid.

³³⁵ Chief Executives.

³³⁶ Horticulture.

smugglers.³³⁷ In addition, officials involved on both sides of the Tasman were questioning the value to be gained from the significant financial investment that would be necessary to implement the consultant's model, given that the SmartGate and biosecurity changes had already delivered most of the benefits, and that, as for goods processes, the real bottlenecks were not caused by government. One Australian official remarked: 'I think realities of cost came into it, and what was the overall . . . in terms of the total size of the issues we were dealing with at the airport, did it justify the costs for that market?' (Official A7, lines 114-116).

The update for the Prime Ministers' meeting on 28 January 2012 was never used, as the meeting was cancelled. That update highlighted the progress since the announcements on 20 August 2009, highlighted the analysis being done 'on the risks, benefits, costs and implications of realising [the] desired future state',³³⁸ that is, the 'domestic-like' experience, and noted a number of other initiatives.

No further border-wide trans-Tasman engagement occurred until 2 November 2012, when there was another trans-Tasman video-conference, in which 'Recap on trans-Tasman initiatives including Cap Gemini [sic]' was one of four agenda items.³³⁹ New Zealand border agencies provided Australia with an update on their 'Future Directions' work, including a copy of the Cabinet paper. There were two references in this paper to trans-Tasman:

Government expectations of improved service delivery are also reflected in its vision statement for future trans-Tasman passenger processing:

"The ideal future state for passenger processing would be designed to simplify the travel experience for passengers without compromising security and border control. It would require cooperation between governments and their agencies as well as travel industry stakeholders in both countries." [CAB Min (09) 16/2 refers].

This vision was articulated by the Prime Ministers of New Zealand and Australia as an expectation that both countries will work towards a "domestic-like" experience for trans-

³³⁷ 'Irregular movement of people – maritime', ACBPS Annual Report 2011-12. Retrieved from http://www.customs.gov.au/aboutus/annualreports/2012/part03/1_7_irregular_movement_of_people_maritime.html.

³³⁸ Border Secretariat, (28 January 2012). 'Update on Streamlining Trans-Tasman Travel' [Briefing].

³³⁹ MPI, 'Agenda, Trans-Tasman Videoconference 2 November 2012'.

Tasman travellers (Office of the Minister for Primary Industries, Office of the Minister of Immigration, & Office of the Minister of Customs, 2012, para 18, p.4).

And in the section 'New Initiatives: What Will Be Delivered':

These new initiatives will improve service delivery through the following changes . . .

1. There will be one primary line for most Australian and New Zealand passport holders for immigration, customs and biosecurity purposes, and two for other passport holders . . .

(Office of the Minister for Primary Industries et al., 2012, p. para 24, p.5)

This was followed by a recommendation that Cabinet note the point above.

6.6.4 Industry stakeholder interventions

While not a focus of this research, the role of industry stakeholders has been ever-present in the documents and interviews, though the view we get is primarily through officials' eyes rather than directly from the stakeholders themselves. Stakeholders appear first via the organised space of the ANZLF, created in 2004; they appear in interviewees' stories about SmartGate, they appear in the stories of the two joint studies and they continue to appear in the media from time to time.

Several officials noted that the drivers for streamlining travel and trade came from industry more than from the governments:

I guess what I'm thinking is that we have a clear role to play, we have an opportunity to do things differently without compromise, but most of the influencing is done by – the drivers of change, in my view anyway, are managed by industry or business (Official 3, lines 378-381).

More specifically, New Zealand officials recounted connections and influence the Government had with industry and the influence of those connections on the introduction of SmartGate in New Zealand:

Business people are connected into the Government; they are people who travel across the Tasman and back maybe in the same day or overnight – they don't have too many bags, they can get through Customs and get out. They ring up [the Minister of Customs] and telling him

[sic] “Good job mate – I’m in and out of the airport in five minutes flat” (Official 22, lines 326-330).

Official 2 commented on Australian industry interest and influence in both studies:

I was there at the Ministerial meetings and the meetings with their senior executive that was their deputy CE level, with the industry players and there were some strong lobby groups in Australia, with the airline and the airport companies’ interest trying to push their own agendas with the senior officials in Australia at that government to government level (Official 2, lines 431-434).

Industry stakeholders were directly involved in the first study and continued to let border agencies on both sides of the Tasman know that they were interested in what progress was being made on the new trans-Tasman model. Some industry stakeholders produced documents arguing for changes to trans-Tasman travel, and proposing their own solutions, both at the time and more recently and there have been media announcements from industry groups throughout the period of study.³⁴⁰ This is one official’s view of their ‘putting pen to paper’:

Qantas and the travel industry over in Australia . . . certainly got their views down on paper and threw them off to all and sundry. It was interesting to see their perspective. Their perspective’s purely in terms of facilities and the costs of travel. I think their assumption was just common external border with basically no internal border for Australian and New Zealand citizens. That sort of thing (Official 5, lines 366-371).

The minutes of the meeting between Australian and New Zealand border agency officials on 30 April 2009³⁴¹ sets out those officials’ ‘take’ on New Zealand and Australian industry attitudes. New Zealand industry stakeholders were generally positive about the trans-Tasman work; Australian airlines were interested in reducing costs, including a model that precluded border agency

³⁴⁰ Examples of reports are: 1. Jetstar’s “Access Economics” report released in August 2010, as reported on the news in Australia. Retrieved on 11 March 2015 from <http://www.news.com.au/travel/travel-updates/jetstars-call-to-drop-passenger-checks-for-new-zealand-bound-traffic/story-e6frfq80-1225900315938> This report was sent to politicians and Chief Executives. It is not publicly available. 2. & 3.:The Tourism and Transport Forum Australia wrote two reports - “Special Treatment for a Special Relationship” August 2013 and “Bringing Our Neighbour Closer” August 2014. Retrieved from <http://www.ttf.org.au/Content/aviation.aspx> . Examples of media items are found at (Creedy, 2009), retrieved on 11 March 2015 from <http://www.scoop.co.nz/stories/BU0905/S00097.htm> and (‘Push for passport-free travel’, 2012).

³⁴¹ Footnote 246.

intervention on arrival into Australia. Officials noted the 'go ahead' attitude of Brisbane Airport and the opportunities for the trans-Tasman work from its Airports in the Future project.

On Friday 6 August 2010, ACBPS senior executives met with representatives of Qantas/Jetstar, who were advocating a model that was different from that chosen by Australian and New Zealand officials. The New Zealand Customs Counsellor, present at the meeting, reported to New Zealand that industry would be engaged in the further work.³⁴²

On Monday 14 February 2011, the Border Secretariat sought feedback from New Zealand agencies on Australia and New Zealand's proposal to release the summary paper based on the Capgemini Terms of Reference report. Customs noted there were implications that needed to be worked through.³⁴³ By 1 April 2011, the summary had still not been released.³⁴⁴ I had a particular interest in that I was writing a report to the Minister of Customs seeking approval for a low-level release of this and other information to industry stakeholders. One official's comment on industry's reaction in Australia to the postponing of the work in 2011-12 was:

The only feedback I've been given on that was I heard . . . that there was push-back from industry around the cost of achieving that, and that was the reason given – the level of investment required wasn't commensurate with the outcomes that would have been achieved. And I think that goes back to my earlier point about . . . the level of interest that industry had in investing in some of the changes that would need to be made, noting that . . . again that issue of them all wanting a solution for *them*, which would give them a competitive advantage; and the other factor being that the Passenger Movement Charge was non-negotiable. Yeah, so it sort of, in my view, took the wind out of the sails; or the heat out of the argument, or however you want to phrase it (Official A5, lines 217-226).

Interviewees had a lot to say about industry influence and involvement:

On the industry side of things, I think the biggest issue came down to competition between different players in industry, and while they would all as a body talk about the issues that governments brought or caused . . . we had a lot of difficulty getting true consensus among

³⁴² New Zealand Customs, 'Meeting with Qantas and Jetstar – Friday 6 August 2010' [Report].

³⁴³ Email exchange.

³⁴⁴ New Zealand Customs. (created 8 April 2011). 'Streamlining trans-Tasman travel events and initiatives' [File note].

the different industry players on the solution because there's such a competitive edge between them that it was never really truly collaborative (Official A5, lines 64-69).

And a surprise:

Yeah. I think I was a bit taken aback by the extent to which they were keen to try and . . . do *something* with the trans-Tasman; but . . . to some extent I thought they were a bit naive, too; in the fact that it took them a long time to read the politics around the Passenger Movement Charge in Australia in particular. You know, when they were fighting over trying to reduce air fares below \$150, when \$47 at the time of that was the Passenger Movement Charge, -you really wondered what else they could do with that margin. So that sort of took me back a fair bit. And of course they did a lot of lobbying within government, and that meant that we sort of had to tell the other side of the story . . . I would have thought that there's other markets out there that would have been more important to them – that was probably my biggest surprise (Official A5, lines 392-400, 417-19).

One New Zealand official reflected on the different agendas for each country in the second study, which:

. . . was an exercise in getting an independent body to show how tricky it might be – that how long term it would be, how much it might cost. From New Zealand's point of view, I think we had a slightly more purist attitude that something independent would be a genuine basis to engage with the industry, because industry had its own ideas about what passport-free or borderless travel, or removing the remaining barriers looked like. Of course, the Australian industry, funnily enough, concentrated on their taxation regime over there . . . I think both countries had their sort of different agendas for it (Official 5, lines 460-467).

There was some sensitivity about stakeholder involvement in the longer term work, given officials' knowledge of the positions of some key players. Selected stakeholders were invited in, but in a controlled way, and the information that was passed back to them was also controlled. Were they part of the actor-networks of the longer term work? Indirectly, yes, in that officials translated industry views into their work but not directly, in that the translations undertaken by industry were directed into reports and speeches and media releases that did not really have much direct effect on the work of officials.

6.6.5 Discussion on the Phase 1 and 2 studies

Designing a future model is an uncertain and therefore unstable endeavour. The stories of the two studies reveal the mechanisms officials used to reduce that uncertainty – meetings and mediators to enable officials to translate the announcement into meaning, purpose and form; inscriptions to stabilise meaning, purpose and form. For example, the work started with translating the intention of the work as set out in the political statements into a description in the work orders for the two joint studies; once the contractor was selected, officials worked with them to translate their proposal into an agreed approach and a plan. This involved many discussions and adjustments for both studies before agreement was reached. We can therefore see that translation in public policy can be a very practical process. The biggest areas of debate for both studies were the reports. Figure 15 below documents the steps the officials took to implement the deliverables coming out of 20 August 2009 joint Prime Ministerial statement. It shows also where the debates and translations occurred.

Figure 15. Performativity of the longer term work (Aug 09-Feb 12)

Steps to Implement deliverables	Actions to carry out that step	Effect
Develop TOR for joint studies	<i>Translate description to intention</i>	Agree approach, timing,
Issue work order	<i>Assess best submission</i>	
Contract consultant	<i>Lots of debates over translation of WO to plan</i>	Translation
Conduct interviews		
Submit report	<i>Officials debates on content - both sides</i>	Translation
	<i>BS Ministerial visibility (NZ)</i>	
	<i>Contactor translates feedback</i>	
Revise report	<i>TT agencies telcon</i>	
Report complete	<i>Submission to NZ & Aus CEs</i>	
Approval	<i>Officials consider implications</i>	Translation
Joint decisions		Aus-NZ Customs Mins
	<i>New study & new initiatives approved</i>	
	<i>Agreed wording in letters to PMs</i>	
Commission new study		same consultant
	<i>Long delay from Aus election</i>	called early
	<i>Lots of debates over plan</i>	Translation
	<i>PMs meeting</i>	
		Request to release TOR to industry
Work order signed		
"Joint" workshops	<i>1 rep from each country attended the other's workshops</i>	
Draft definition	<i>Much debate in NZ</i>	Translation
Agree definition	<i>Officials working groups only</i>	
Draft model	<i>Much debate by officials</i>	Translation
Draft report	<i>Much debate by officials</i>	Translation
NZ/Aus sign off	<i>Submission to BSGG for next steps</i>	
Direction/further work		
	<i>Officials debate meanings and approach</i>	Translation
	<i>V-C with Aus re approach to engaging with industry</i>	
Draft NZ project plan		Translation
Direction on industry engagement	<i>Prime Ministers' meeting</i>	Story

6.6.5.1 *Narratives*

The narratives of the SmartGate integration trial and the ‘domestic-like’ model were both similar and different.

The similarity came from the lead provided by the joint Prime Ministerial statements of 2009 and 2011. The sustained focus on the original remit from the first period led by the two Departments of Prime Minister and Cabinet was striking. The two 2009 joint statements provided ongoing intent and the 2011 statement provided a refreshed focus on a ‘domestic-like experience’. These trans-Tasman narratives continued to shape the vision and commitment to delivery, and meetings and workshops both provided the means for turning these narratives into action and were in themselves part of that action.

However, the details on action differed between the SmartGate integration trial and the new trans-Tasman model. For the former, officials from both countries had to work together on the technical requirements, as they were trying to create an integrated system. This was a perhaps the only truly joint action in all of the trans-Tasman stories in this thesis, and was akin to an EU-type of integration where policy and design was joint and delivery was carried out by the relevant member countries. Officials drew on trans-Tasman Customs-to-Customs mechanisms to provide structure to the joint aspects of the trial.

In comparison, the other joint studies were conducted severally more than jointly, with each set of border agencies developing a ‘country position’ before combining to negotiate an agreed trans-Tasman position. Each country brought different capabilities to bear, with Australia providing access to its preferred contractor system, and New Zealand contributing significant intellectual effort through the coordinating mechanism of the Border Secretariat. This way of operating was more like two sovereign nations working together than of regional integration, even though the output was a ‘joint’ model. The data has shown that developing a comprehensive future-focused ‘domestic-like’ model was hard work with no easy solutions.

There were also interesting nuances. Domestic-like was not solely about regional integration. Unlike the different experience provided to EU and non-EU passport-holders, the new trans-Tasman model aimed at creating a domestic-like experience for *all* travellers. This potentially created a downgrading of the experience for Australian and New Zealand travellers:

[T]here will be a dilutionary effect on the experience for the New Zealanders and Australians that the channels that were available solely to them before will increasingly be filled with other travellers, which will therefore make their process less streamlined, the feel of it being less targeted and being a special ‘tier’ of traveller, which it will be interesting to see whether that will stimulate a demand for “well, what’s next in the trans-*Tasman* travel market? What are you going to do and deliver for me next to make *my* travel experience better than these other nationals?” (Official 18, lines 220-226).

The other narrative that played out in these stories was a matter of concern relating to the pacification of border flows which emerged near the end of 2011. Around that time, the focus for the Australians shifted from the trans-Tasman to the increasing passenger volumes:

All of this work falls into the broader Traveller Processing of the Future programme of work that they have been operating within Australian Customs. That piece of work is very broad. It’s not solely in a trans-Tasman context. And ultimately I think you have to take it right back to what is its driver, and its driver again has been “how are we going to manage the volumes that are going to be coming through these airport environments with no further resourcing, or declining resourcing?” And so as a result, its focus in the trans-Tasman space is probably fairly minimal, and again, these are concepts that could well be trialled, and I think that’s the ultimate view in Australia is that New Zealand remains a trial test-bed environment for, you know, advances in this space, which would then be extended to other markets once they’ve been tested out, and that’s probably where it will stay, I think, for quite a while (Official 18, lines 248-258).

Industry narratives, as lived out in officials’ heads, had some effect on officials’ actions through specific matters of concern. For example, Australian officials were deeply aware of their aviation industry’s narrative about user charges through the work of the National Passenger Facilitation Committee, which was a forum that involved officials and industry representatives. This official saw the approach taken by officials as appropriate in light of that narrative:

I think that it was good that our Prime Ministers didn’t over-commit, because that could have had, you know, some interesting outcomes; about what was . . . trying to identify what *could* be realistically achieved. Sure, if, if the decision of the government was to drop the Passenger Movement Charge, then we would have had a whole different equation; but that

didn't happen; and, I guess, was one of the things but I think we worked very well within the government agencies; I mean, I think it was very important that we all understood . . . what our constraints were, and to communicate that with each other, and with the airlines; and eventually, I think, the airlines, and to a lesser degree the airports; they took longer to accept those messages. But they did eventually (Official A5, lines 405-315).

New Zealand's MAF (now MPI) officials were constantly checking the work on the domestic-like model against the likely reactions of the most vocal of their stakeholders, and included them in the consultation on the draft model:

A key consideration for MPI is providing assurance to our primary industry stakeholders that we are managing risk and they don't want to see any real or perceived lessening of border protection. *We have* to take their concerns into account, and so some key industry bodies were consulted and involved and they expressed the concerns you would expect them to express (Official 9, lines 275-280).

6.6.5.2 *Revealing the future through reference points*

Dotted throughout the Phase 1 & 2 studies are points at which officials agreed on terminology and descriptions, for example, the agreed description of 'domestic-like'. These activities stabilised part of the picture of the future, enabling officials to move on to the next stage of the design. But even when agreed, these reference points were still unstable. One Australian official commented on the terminology used for the second study:

I think there's a lot of confusion at that time caused by the use of the term 'domestic-like experience' . . . It couldn't be a domestic experience as long as you've got two sovereign states; it couldn't be the same as a domestic travel experience. It could be domestic-like (Official A5, lines 138-142).

Documents provided the same sort of reference points. Officials were intent on the two study reports being signed off, often by Chief Executives; meeting minutes were circulated for comment, and were sometimes hotly debated before becoming 'final'; 'next steps' within those minutes set out what officials had agreed to do next – they were a path to action.

These observations highlight that the concept of a 'future state' is invisible until it is revealed, and while it is being revealed, it is unstable. At the same time, through the policy process, each part is stabilised, albeit temporarily, as it is revealed. The inscriptions were the end results of all the meetings, phone calls, emails and other translation mechanisms that gradually revealed the 'streamlined trans-Tasman travel' future state, part by part. Czarniawska indicates how inscriptions are narrative:

A practice or an institution cannot travel; it must be simplified and abstracted into an idea, or at least approximated in a narrative permitting a vicarious experience, therefore converted into words or images. Neither can words or images travel until they have materialized, until they are embodied or objectified (Czarniawska, 2009, p. 425).

She is highlighting the fact that inscriptions embodying an idea make a story portable so that others can experience something of what is meant by it. Until the picture was finalised, it was difficult for officials to enrol others outside their actor-network in that future state. Official 10 described how the A3 diagram that the Border Sector translated on to one page out of the second Capgemini study enabled officials to do this:

And ok, so we had the dogs and the Hawaiian shirts and things, but you could just see "ok, this is what we're talking about here", you know? Even though probably . . . there was a whole lot of water to go under the bridge to say what it was actually going to look like, right? So it was our stab, "based on what we think and what we'd want, this is what we reckon". So it was – yeah, it was cheeky but it told a good story, so I think we got away with it (Official 10, lines 523-529).

6.6.5.3 Difficulties with translating intent into shared meaning

The close connection with DPMC that enabled New Zealand agencies to get clear on the Prime Ministerial intent in the initial stages of 2009 was largely absent for the Phase 1 and Phase 2 studies that developed the new model for trans-Tasman travel. Interviewees from the three New Zealand border agencies commented on the lack of clarity around what else the Prime Minister wanted delivered, aside from automated passenger processing and simplified biosecurity screening, even though they felt they understood his broad intent: ' . . . everyone on the group

seemed to have a slightly different perspective about what it meant, and especially what it meant in a doing sense – like what our role was to contribute to that’ (Official 4, lines 44-46).

The trans-Tasman did not have a supranational body for the joint work that could act as the mediating body between participants, as it would have had in an EU sort of arrangement. Instead, there were three mediators who took on this role. The first was the Capgemini consultants who mediated between Australian and New Zealand officials; the second was the Border Secretariat, which spoke on behalf of New Zealand border agencies; the third was the ACBPS lead official, who spoke on behalf of Australian border agencies.

These mediators created strong connections between Australian and New Zealand border agencies, albeit quite narrow in reach and short-lived. They also set up meetings both within each country and between the two countries that provided a vehicle for concentrated ‘translation sessions’. Their roles meant they were also the final stabilising point for meaning and for documentation.³⁴⁵

Supporting my assessment of the Border Secretariat as an actant, the disestablishment of the Border Secretariat in 2011 created a gap that interfered with action, according to one official:

Look, these are concept discussions that I’ve had, but where we are – this is where we are probably missing something like a strong secretariat to drive forward – is to take these conceptual viewpoints and to package them for greater acceptance within both the CEO and government levels (Official 18, lines 238-240).

The Capgemini consultants travelled between the two countries, translating the stories they heard on each side of the Tasman into one consolidated story (in the first study, through interviews; in the second, through workshops). Capgemini provided the only human actors to have a joint picture in this work. There was clearly a lot of border agency translation occurring throughout the process also.³⁴⁶

So we had these initial workshops, which the consultants ran on both sides of the Tasman,

³⁴⁵ As far as it applies to Australia, this statement is based on the ACBPS role in speaking for the other agencies.

³⁴⁶ The Border Secretariat e-files provide a picture of many translations throughout the process.

and then the consultants took away the information that they got from the officials on both sides, and then turned it into a kind of draft – initially the draft definition. And then we had, as I was saying before, 20 working days to provide that feedback back on that draft . . . and essentially it was an agreed definition in 20 working days, so they corralled us together, and they took that and turned it into something, and then we spent quite a bit of time working through to develop up something that we kind of liked. So I think, if I remember correctly, actually New Zealand provided quite a lot of feedback on that in that draft. The Australians not so much. But we really took it apart and added bits as we saw fit so it was quite different, I think, by the time we'd finished with it (Official 10, lines 354-363).

The short timeframes allotted to the work – four weeks for the first study and 12 weeks for the second – indicate everyone thought this would be a straightforward process. However, it was not. Even with the mediators, the Phase 1 study took five months to complete, and Phase 2 took seven. Examination of the primary data revealed that the delays resulted from the debates, within New Zealand in particular, between officials over meanings, both in meetings and afterwards as discussions were inscribed into minutes and papers. It wasn't as if there was some underlying issue that needed to be resolved. In both cases, the debates were what one would expect from any work in which individuals worked together to agree the wording of an idea or approach. The concept of circulating meanings helps us see why translation can take time before a meaning or expression is able to be stabilised. Individuals bring to the table all their own connections and associations not just with their own organisations, but also with their personal histories and matters of concern.

Once meaning was agreed, two particular mechanisms appeared to enable action – inscriptions, and the minutes of meetings, especially the 'next steps'.

6.7 Story 5: Streamlining trans-Tasman trade

As described in the Section 6.3, the HLSG completed a number of initiatives to streamline trade prior to March 2009 including some scoping studies. The messages coming from the Prime Minister via DPMC were also focused initially on travel.

However, at the end of April 2009, New Zealand Customs was given a reminder ‘don’t forget about goods’.³⁴⁷ In response to the joint Prime Ministerial statement, work on streamlining trans-Tasman trade began in May 2009, with a report³⁴⁸ prepared for the BSGG and the HLSG. The report drew on international comparative data on trading efficiency. It noted the prevalence of small and medium-sized traders, who often use the trans-Tasman market as a first experience of exporting. It also noted the business *perceptions* of high barriers to trans-Tasman trade as opposed to the *actual* low level of barriers to trade, that the barriers spanned the players in the whole supply chain, while also noting that there were improvements the two Customs administrations could undertake.

A July 2009 New Zealand Customs briefing for upcoming trans-Tasman Prime Ministerial talks³⁴⁹ addressed Trade in Goods. It identified the opportunity presented by each country’s development of its own trade single window³⁵⁰ and signalled the joint time release study (planned by the HLSG in 2008). In the same month, New Zealand Customs developed a simplified trans-Tasman trade supply chain as an action from the HLSG.³⁵¹ This diagram (Figure 16 below) shows the estimated length of time for each stage in the trans-Tasman sea cargo supply chain if the supply chain was simplified.

Figure 16. Simplified trans-Tasman Sea Cargo Supply Chain



Source: New Zealand Customs

³⁴⁷ Email, 28 April 2009.

³⁴⁸ New Zealand Customs. (27 May 2009). ‘Background Paper: Streamlining Trans-Tasman Trade: Where are the Barriers’.

³⁴⁹ New Zealand Customs. (July 2009). ‘Trans Tasman Trade in Goods’.

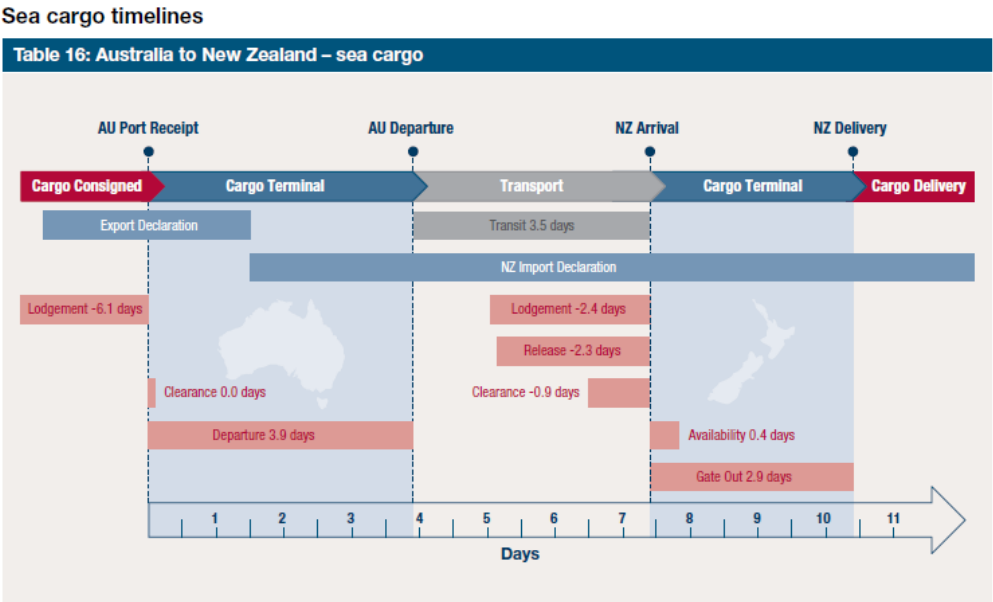
³⁵⁰ A trade single window is a place where “trade-related information and/or documents need only be submitted once at a single entry point to fulfil all import, export, and transit-related regulatory requirements” (United Nations Centre for Trade Facilitation and Electronic Business, 2005, p. iv).

³⁵¹ Email, 26 June 2009.

A New Zealand Customs paper³⁵² sets out some ‘blue skies’ thoughts on where trans-Tasman goods trade could be streamlined. Three of the ideas in this paper were presented as ‘blue skies initiatives’ in the ‘Streamlining Trans-Tasman Goods Trade’ paper³⁵³, going beyond the results of the stocktake of New Zealand border agency trade initiatives, which alone would have fulfilled the requirements of the New Zealand Prime Minister’s Action Plan.³⁵⁴ The paper sought BSGG’s agreement to explore further opportunities for streamlining trans-Tasman goods trade, and report-back in early 2010.

In the same month, the Australian and New Zealand Customs administrations conducted the first cross-jurisdictional time release study in the world, using the WCO TRS tool. The results confirmed that the release time was very competitive in global terms, with almost all goods entering New Zealand being cleared before they reached the New Zealand border. Figure 17 below shows the sea cargo clearance times from one country to the other (Australian Customs and Border Protection Service & New Zealand Customs Service, 2010, p. 20).

Figure 17. Trans-Tasman goods clearance times



³⁵² New Zealand Customs, ‘Streamlining Trans Tasman goods trade September 2009’ [Report].

³⁵³ BSGG, Agenda Item 2B ‘Streamlining Trans-Tasman Goods Trade’, October 2009, p4.

³⁵⁴ This Action Plan was MFAT’s way of monitoring progress on the many initiatives announced in the 2 March Joint Prime Ministerial Statement.

Most of the barriers identified occurred on the Australian side and related to business practices such as port and carrier operating hours, as well as from Australia not having the deferred payment facility of New Zealand:

I can remember sitting around the table with the industry, and we put it [the time release study] out, and all of a sudden they just said “Yeah, well that’s right, you’re not the barrier”. And yet you know, before then they’d all felt comfortable in us believing that we were the barrier. So it did, it quietened – and it’s the old, the old story: a little bit of fact helps to deal with emotion at times (Official A7, lines 262-267).

On 1 December 2009, the first of four interagency workshops to discuss potential areas for further work in the trans-Tasman trade space was held, involving representatives from MAF, New Zealand Food Safety Authority (NZFSA), New Zealand Customs, and the Border Secretariat. This was the first time this particular group of officials had met to discuss this topic, although many were known to one another. In the section ‘Problem Definition’, the record of the meeting stated:

Trans-Tasman trade is difficult to define and separate from the other trade that New Zealand has. Trade from Australia does not necessarily originate in Australia, but could be transhipped. It could prove difficult to streamline trans-Tasman trade in isolation of other trade.³⁵⁵

The notes included a table of current, proposed and ‘horizon’ initiatives. My handwritten notes on the New Zealand Customs file copy provided added information about the status, including two initiatives completed, and one deleted as not a focus for 2010.

An update prepared by the Border Secretariat about the workshop for the Australia-New Zealand Prime Ministers’ Action Plan progress report (requested by MFAT) stated:

The group felt a wider view of the New Zealand supply chain is required, including global trade, to help the sector identify more clearly where barriers to trade are and where the sector would best focus its collective resource to facilitate trade. Senior sector officials are meeting pre-Christmas to decide how to progress this work.³⁵⁶

³⁵⁵ Border Secretariat, ‘Notes on Trans-Tasman Trade Workshop, Tuesday 1 December 2009’, p. 3.

³⁵⁶ ‘Australia-New Zealand Prime Ministers’ Action Plan: Progress Report [1 December 2009], dated 091202’.

On 17 December 2009, the BSGG met for a 'Way Forward' discussion. The record of the meeting noted Trade as one of five focus areas for the Border Sector for 2010, and also noted 'that there will be a particular (but not exclusive) focus on trans-Tasman trade'.³⁵⁷

The second workshop was held on 14 January 2010.³⁵⁸ Next steps included further research on material available to help develop a conceptual model, a plan of potential actions, clarify governance, have another workshop and report to the BSGG.

The third workshop was held on 18 February 2010. The notes from the meeting record substantive discussion on the topic of a Trans-Tasman Trusted Trader Scheme. It was noted that New Zealand could implement it unilaterally but 'the benefit of such a scheme would be higher should Australia also implement it'.³⁵⁹ The next steps would include identifying 'potential companies that may benefit'.³⁶⁰ Customs, NZFSA and biosecurity managers were to attend the next (trans-Tasman) Consultative Group on Biosecurity Cooperation (CGBC). A further workshop was to be organised by the Border Secretariat for April 2010.

This fourth workshop was held on 15 April 2010. The notes from the workshop record the disappointing results of analysis using information held by the agencies. The participants decided they needed to go direct to importers and ask them.³⁶¹ One official described the search for a matter of concern:

. . . towards the end of probably 2011, where I think the questions had been asked for quite a while around "well what do we do next in the trade space?" and there really wasn't very clear direction on what to do next in that space. I do remember working on some activity with other agencies, where a number of agencies were brought together and everybody was proposing "well, could we do this? Could we do that?" and I remember at one of those meetings highlighting "well, why are we second-guessing what we need to do? Why don't we ask industry what they want, rather than coming up with pieces of work that could be of

³⁵⁷ BSGG Meeting 'Way Forward' discussion continued, 17 December 2009 Key Agreements & Actions', p. 5.

³⁵⁸ Border Secretariat. ('14 January 2009' - given the content, the year clearly should be 2010). 'Streamlining Trans-Tasman Trade: Next Steps'.

³⁵⁹ Border Secretariat, 'Notes on Trans-Tasman Trade Workshop – Thursday 18 February 2010, p. 2.

³⁶⁰ Ibid.

³⁶¹ Border Secretariat, 'Notes on Trans-Tasman Trade Workshop – Thursday 15 April 2010.

questionable value?” And I know that there were some workshops I believe Food Safety took a lead on, which were to bring together a number of traders to solicit their views, and I believe the indications of attendance were so poor, I believe it may have even been called off (Official 18, lines 158-167).

A border sector approach to the CGBC meeting was also agreed. A draft ‘Streamlining Trade’ timeline of initiatives that integrated trans-Tasman trade with domestic trade initiatives was updated. Trans-Tasman Trade was no longer a specific focus area, demonstrating a set of connections created for a specific purpose falling away when that purpose was shown to no longer be a matter of concern.

However, trade work between the Australian and New Zealand Customs administrations was proceeding via the HLSG. The two countries have different types of exports – Australia exports bulk commodities like minerals and coal; New Zealand does not. This means that information needed to export the goods is more detailed in New Zealand than Australia. The implications of this were discovered when, as part of the HLSG work programme in 2010,³⁶² the two Customs administrations assessed the feasibility of a trans-Tasman trade single window:

The long term aspiration was the ability to take messaging at – a single point of export, where reporting was provided to the export Customs administration. I should say “export country”, because that should be a single portal for *all* of the domestic agencies on one side of the Tasman – and for that data to be also provided to the importing country so that the traders basically get the advantage of being able to report once for all New Zealand agencies and all Australian agencies, with consequent savings that they would have (Official 18, lines 25-30).

The outcomes of that work were not quite what either agency expected:

I worked with the Australians who came over and had a look at the data capture we did in New Zealand Customs in terms of how closely the data elements that Australia captured on departure and importation married up with the New Zealand data elements. The outcomes of that work were probably quite surprising for both parties in that we actually had a less of

³⁶² An action item at the HLSG of 21-22 October, 2010. Footnote 182.

an alignment with the Australian data sets – between Australian and New Zealand data sets – than Australia had with, for instance, I think it was Korea, Japan and a number of other Asian economies. The correlation was very low. I think around thirty per cent, or something like that (Official 18, lines 36-43).

Aspirations for export data from one country being used as import data for the other were therefore unable to be realised at that time. However, Official 18 did not consider the book was closed on that aspiration:

So I think the opportunity still sits there, but the reality is it hasn't been moved very far. We did have a teleconference with the Australian Customs executive in approximately 2010 to talk about opportunities in that space, and I believe the offer at the time was particularly for someone in Australian Customs to come over and participate in the development of the business case, but I think from both parties, it wasn't very explicit or clear how that was going to work, what the invitation was, and in particular the cost-benefit equation that existed. And as a result, it didn't get a lot of traction and hasn't progressed since (Official 18, lines 66-73).

A 2011 Border Secretariat document lists nine goals and 16 initiatives.³⁶³ The only reference to Australia is under the initiative 'Bilateral Engagements' where Australia is noted as New Zealand's key trading partner. These initiatives included both joint and individual agency activities.

In 2013, the trans-Tasman Customs trade discussion had moved again. It was occurring between the two senior Customs managers responsible for Australian and New Zealand goods/cargo flows. In frequent phone contact, they discussed issues common to both countries, such as revenue risk, internet trading and data in supply chains. Their focus was responding to new business practices and understanding what facilitating the whole supply chain means, of which trans-Tasman is a part:

My view would be that the preponderance of evidence based on the absence of "heat in the kitchen" is that the trans-Tasman supply chain doesn't need to go any faster for the majority of businesses, and certainly in a business sense, I don't see companies coming to us and

³⁶³ 'Border Sector Initiatives to Streamline Trade', 6 April 2011.

saying “We want to save ourselves a day in the supply chain. What do we need you to help us to do?” In fact, their focus is often on different trades – the Chinese trade, it's the Americas trade – you know, it's not in the trans-Tasman space (Official 17, lines 104-108).

One Australian official acknowledged that if ACBPS developed a trusted trader programme, New Zealand would be near the top of countries they would want to develop a mutual recognition agreement with ‘because we know what your standards are, we know what your compliance regime is like, so we would be able to feel that we had the trust in the assurance that you were providing through that secure export scheme’ (Official A6, lines 52-54).

On the New Zealand side, the lack of drive from industry for improved trans-Tasman processes is surprising, given the traders who find it hard to break into the Australian market and therefore probably need some assistance are the small and medium sized enterprises: ‘the real issue for me is how we collectively in government – and we particularly – can facilitate ease of access to that single economic market, in theory for them, because most multinational companies, they've conquered the single economic market (Official 17, lines 208-210).

Some interviewees considered the benefit from cooperating in the trade space was not from making up joint projects but from ‘sharing best practice ideas, and learning from one another . . . as far as I’m aware, there’s not a lot of demand from traders for much trade work to happen’ (Official 7, lines 89-90, 93-94). Another official described the lack of clarity around objectives in relation to barriers, and refers to the ANZLF and the HLSG as mechanisms used to try and solve this unclarified problem:

On the trade front, the drive came from the Australia-New Zealand Leaders Forum and a kind of mythical concern that customs was still a barrier to the fast and efficient clearance of goods, and that concern was based around the time it took for goods to get through the processes and across the Tasman and so on. So the Time Release Studies were very important in showing that actually there is a story here, but it's not about customs and biosecurity. It's about the things that we thought it was. It's logistics control, how when you book your ships and book the containers to go on the ships, it's the Australian port and how they operate and New Zealand port and how that operates as well. But there had been a real drive from at least the time since we started working with – on the HLSG in 2005/2006 from the Australia-New Zealand Leaders Forum for that – for the barriers to trade to be

overcome from a border perspective, without an acknowledgement that “Actually, do we know what we're talking about?” (Official 8, lines 95-105).

6.7.1 Trans-Tasman Trade Narratives

6.7.1.1 *SEM/ trans-Tasman trade*

The trans-Tasman goods trade narrative started with examining ways to simplify the customs part of the supply chain. A key idea was the trade single window concept promoted by the WCO; another idea was to measure the efficiency of trans-Tasman customs processes by way of a WCO TRS tool. So here we can see specifics of the global narrative being brought into the regional border narrative.

6.7.1.2 *Matters of concern*

While officials had been working on trade facilitation prior to the March 2009 joint statement, they could have stopped once they had fulfilled the minimum requirement of a stocktake of initiatives. Something prompted them to do more, even after the effectiveness of trans-Tasman border processes was established through the TRS. It was as though another narrative was playing out – one that drove border agencies to think they should be doing something to improve what the absence of industry complaints indicated was already an easy trans-Tasman trading environment. By 2010 the connections needed to progress the suggested activities fell away, indicating that while narrative might drive action for a while, without a matter of concern important to either group of border agencies, whether internally or externally driven, it couldn't do so for long. The interviews support this interpretation.

One official thought the lack of attention to trans-Tasman trade came from the effects of the global financial crisis:

The reality was that was the global financial crisis environment. If not, was underway, was certainly building through that period and traders were very focused on, you know, bottom lines in key – core aspects of their business, and probably weren't interested in focusing on more undefined sort of programmes of work. So there certainly wasn't any drive coming from industry. I remember [the Chief Executive of ACBPS] saying something similar at the time at one of the meetings I attended, where he indicated that he wasn't getting any comments from traders on this side of the Tasman that said they – that there were problems

in that space, in terms of their clearance times. The Time Release Studies supported that. So in the trade space, I think that, if you like, we were asking the question around what we could do when actually there was nobody really from the industry side of the agenda asking for anything (Official 18, lines 172-181).

But lack of action wasn't just from a lack of matters of concern. The structural differences in each country's customs data arose from the different nature of each country's exports – differences that even the global trading system couldn't address. Without the data able to be harmonised, there could not be an integrated trans-Tasman trade portal, unless the border requirements were to be removed altogether. This was a technical problem that the Customs administrations were not going to drive on their own to solve. The lack of industry or political push indicated that again, the matter of concern was not big enough to drive some types of action (the big, challenging types).

A matter of concern that came through in the interviews was where the trade discussions are really occurring – looking out to other markets such as ASEAN and the US.³⁶⁴

6.7.1.3 The problem that wasn't a problem and the fact-making that put it to bed

This lack of matters of concern led officials to question the problem they were meant to be solving. Unclear objectives led to an unclear narrative – something that emerged from several interviews. Border agencies responded in part by providing evidence to industry that trans-Tasman border agencies were neither causing supply chain delays nor creating barriers to trans-Tasman trade. Official 8's comment 'there is a story here, but it's not about customs and biosecurity It's logistics control, how when you book your ships and book the containers to go on the ships, it's the Australian port and how they operate and New Zealand port and how that operates as well'³⁶⁵ captures this point well.

By accepting the border agencies' evidence, industry stakeholders helped create the 'fact' that border agencies are not creating barriers to trans-Tasman trade.

³⁶⁴ Interviews, particularly Official 8, quoted on p. 122.

³⁶⁵ Lines 99-102.

6.8 Insights and conclusions about the performativity of the policy processes for managing the trans-Tasman border/s

Before discussing the findings on the research question, it is necessary to capture some of the insights about the performativity of policy processes used to help manage the trans-Tasman borders. As will be seen in the next Chapter, these insights have their part to play in the overall findings.

The political statement of the two Prime Ministers appears to have had several effects on the performativity of trans-Tasman border policy processes. First, it temporarily generated a level of focused activity on both sides of the Tasman but not particularly 'joint' activity. Existing connections were put to new purposes and new actor-networks started to develop. However, in the trans-Tasman travel space, these new actor-networks gradually unravelled as the intense focus of the first few months eased off, or as senior officials' attention moved elsewhere, so that a more 'business as usual' set of relationships resumed.

In the streamlining trans-Tasman trade workstream, the actor-network in New Zealand had hardly started to form before it fell away – it was not connected to a significant enough matter of concern. The clearance times for goods were not a concern for traders; the opportunities and areas of possible improvement were not a matter of concern for politicians or senior officials – not in either country, nor in bilateral discussions. There were no debates or issues to be resolved. There was nothing to trace. As for travel, trans-Tasman connections quickly reverted to 'business as usual' agency-specific relationships.

6.8.1 The trans-Tasman policy process

This section examines in more detail what ANT performativity tells us about the trans-Tasman policy process for managing borders. A simple view is that performativity comes from the action, the action comes from the translation and the translation comes from unresolved debates. What was striking in the interviews was the lack of visible areas of policy debate. This was in part because the contentious policy areas – biosecurity and immigration – were excluded from consideration. In this sense, the policy arena was truly border management,³⁶⁶ rather than policy that is implemented at the border.

³⁶⁶ See discussion in Chapter 2.2.

The lack of debate wasn't because there was nothing to debate, for example, the technical problems of developing a trans-Tasman single trade window in Story 5; interviewees talked about *potential* areas of debate such as the problems caused by using different cost-benefit frameworks, which the following interchange exposes:

Interviewer: I've not heard it *really* talked about in the New Zealand context. It sounds to me like an actual area of debate that hasn't been debated is what's made up of getting a really good understanding of one another's cost-benefit um frames.

Official: I think that's important to understand, because I think at the moment there's probably very *different* perspectives that come into play when cost-benefit analysis is being considered.

Interviewer: And basically people – they're all talking past each other.

Official: They're either talking past each other, or they're talking ineffectually to each other, because one person's just not putting the same impetus on something that the other party is. So, I certainly think that's an area that could be – needs to be looked at probably further. I think there's a useful discussion point as a minimum there, for what do you put your value on when you're looking at a cost benefit decision in that context (Official 18, lines 331-341).

Rather than matters of contention that needed to be debated, officials were working with a range of matters of concern that were different for different groups, as drawn out in each of the five stories. What these stories appear to be showing is that unless *both* countries have a matter of concern relating to each other's country, there is no translation occurring between them. It doesn't have to be the *same* matter of concern, but there has to be one, as described by one official: 'So we didn't all have the same reason, but we did all have a strong enough reason' (Official 16, lines 161-2).³⁶⁷

Border management policy actor-networks thus appear to blink in and out of existence as matters of concern connect and activate and then disconnect and deactivate them. In other words, it is only performative if there are matters of concern and translations are occurring about those matters of concern. This intermittency brings to mind Anni Dugdale's insights about the oscillating effect of assemblages moving from stability to instability in her research on policy-making about

³⁶⁷ This comment related to the New Zealand border agencies, but can equally be applied more generally.

intra-uterine devices in Australia (Anni Dugdale in Law & Hassard, 1999).

Many actions officials took were focused on working through the different matters of concern to reach a point where there was only one matter of concern. These actions were akin to Latour's 'fact-making' in science, manifesting through actions like evidence-gathering (IATA model, TRS), and developing a definitive record of events through meeting minutes that became a fixed reference point for the future, especially if they were government Cabinet minutes (Latour, 1987).

There was even a question about whether the processes officials were performing were policy at all:

We did achieve some good things, but it wasn't *policy*. It was sort of operational activities that we could deliver quickly within a policy context – because the *real* policy discussions were actually so complex and not lending themselves to a big suite of rolling workshops between April and May essentially. So then it became “What can we operationally deliver and frame up as having some bigger policy meaning?” which possibly they did (Official 16, lines 323-327).

There was rarely any recognisable policy discussion and there were not many Cabinet papers on either side. There were briefings to Ministers and Prime Ministers for the regular Prime Ministerial meetings, and meetings between the two Ministers responsible for Customs and the respective border sectors. The numerous meetings and workshops focused on making the future visible, as for the first phase of activity from March to August 2009. However, the work was focused on providing advice to and delivering results for Government, and in that respect can be argued to fall within the realm of policy practice.

In their Chapter 'Policy in Practice', Laws and Hajer argue that concept of practice 'highlights the *negotiated character* of public policy and does so in a way that relates individual action to institutional contexts . . . [and] actually helps understand how to conceive of public policy making in an unstable world' (Moran et al., 2006, Chapter 19, p. 421). Colebatch calls policy practice 'an exercise in social construction' that occurs in 'an arena for action' (Colebatch, 2005, p. 21). An ANT way of expressing policy practice could be policy-in-performance.

What this thesis does point to is that the arena for action in this thesis may be specific to the trans-Tasman border environment. Chapters 5.3 and 5.4 reveal that the matters of concern in EU

and trans-Tasman border management policy are different in terms of integration, and the different institutional arrangements mean border management policy is more overt and deliberate in the EU than for the trans-Tasman. Chapter 6 highlights that officials approach their work with a pragmatic and adaptive attitude, for example, one official implied once the decision is made, you move on and don't angst over it: 'Look, I mean it's like this in any bureaucracy to some degree – you make your point, you make it clear and then the decision is made by someone else and that's fine' (Official 10, lines 498-99). Another thought that to reach the goal for streamlining trans-Tasman trade and travel, Australian and New Zealand agencies should work together when it made sense to do so, not to force the issue:

I think if we keep focusing on continuous improvement over time, then we'll get closer to that goal. I think that when we need to work with the Australians, we definitely should, but maybe we don't need to create artificial reasons for working with them that takes up time for all of us (Official 9, lines 192-196).

6.8.2 Performativity of trans-Tasman border management policy practice

While interviewees had experience of one or two of the five stories, no one had experience across all five, except perhaps the New Zealand Minister of Customs. However, there were many consistent and sometimes common elements in the performativity of trans-Tasman border policy practices. Latour describes the benefit of defining the performativity of social groupings: 'it draws attention to the means necessary to ceaselessly upkeep the groups and to the key contributions made by the analysts' own resources' (Latour, 2007, p. 35).

Digging into the make-up of the assemblages in the trans-Tasman border policy environment reveals some actants that are hidden 'in full view'. Recalling that actor-networks are assemblages of actors/actants and actions connected through translation, in this section I discuss what those assemblages were made up of and how the different types of actors/actants acted on the actor-networks.

6.8.2.1 *The assemblages and their interconnections*

The assemblages in the trans-Tasman stories were not necessarily the same as the formal structures, and the main actors were not all the most senior officials or Ministers.

The HLSG was an assemblage of senior officials who were supported by the structure of the HLSG meetings and its associated minutes and action points, and by their officials. In this case, the structure was an actant, as discussed earlier in this Chapter, but only while there was a suitable matter of concern, after which the group dissolved organically.

The trade work generated a very short-lived assemblage as discussed earlier in this Chapter. Its main connection was with the work already done in the HLSG.

The assemblage for the longer term work was gathered around the Border Secretariat in New Zealand and the ACBPS representative in Australia. The senior levels of the agencies were not part of the network in the way they were for SmartGate. Senior officials were part of the reporting structure but didn't appear to do much translating. The primary senior level connection was with DPMC in both countries, and in the pre-August 2009 work, to Cabinet in New Zealand. After 20 August 2009, the formal structure of the BSGG and its subcommittees kept the progress of the trans-Tasman work on the agenda, but the assemblage really included the working group of officials, the consultants and the industry representatives involved in the work. Politicians were called on to approve or note progress and this translated into a joint Prime Ministerial statement about the work in 2011 that shows the Prime Ministers' continuing interest. However, as discussed earlier in this Chapter, this assemblage dissolved once senior officials deferred further action. At that point, New Zealand and Australian officials talked about their respective concerns over the cost-benefit of the model. For New Zealand, the officials questioned whether the benefits would be worth the investment that would have been required; for Australia, industry did also.³⁶⁸ As a result, the actor-network that was built around the 'Streamlined trans-Tasman Travel' objective appeared to fall away. Longstanding connections between the respective pairs of border agencies remained, but the cross-agency trans-Tasman actor-network seemed to disappear. Interestingly, because of the ongoing agency connections, it has shown it can be quickly reactivated, as it was in November 2012 for a video-conference meeting. This suggests this particular actor-network is hibernating, rather than having disintegrated. The individual actors may change, but the institutional linkages remain: 'We do have a positive relationship which has a

³⁶⁸ Australian officials.

high degree of trust and even with the change in personnel, I don't think that changes' (Official 6, lines 231-232).

In March 2014, a reactivation of this actor-network appeared imminent, involving some of the same actors and many new ones, with a focus on 2015 as the centenary of the Australian and New Zealand forces (ANZAC) who battled alongside each other at Gallipoli in 1915.³⁶⁹ The term 'Streamlining trans-Tasman Travel' was still being used. However, with the announcement in May 2014 of the disestablishment of the ACBPS in June 2015, and the creation of the new merged Border Force to become operational on 1 July 2015, any further moves over the next two years to streamline trans-Tasman travel beyond current plans became uncertain.

The SmartGate story revealed SmartGate as a key actant in an assemblage gathered around it. Human actors spoke on behalf of the Prime Minister and SmartGate. The other main actant was the Cabinet paper, which was the 'obligatory point' of passage for the delivery of SmartGate. New Zealand Customs was the pivotal 'macro-actor' in connecting and translating between these components of the assemblage.

The SmartGate integration trial was one of the deliverables announced on 20 August 2009 but was never part of the longer term work even though announced at the same time. The officials who assembled around the concept of SmartGate integration had little connection with the longer term work. I was one of the few connectors in New Zealand Customs. The only other connection to that work was in reporting to MFAT in New Zealand, in preparation for the Prime Ministers' meetings.

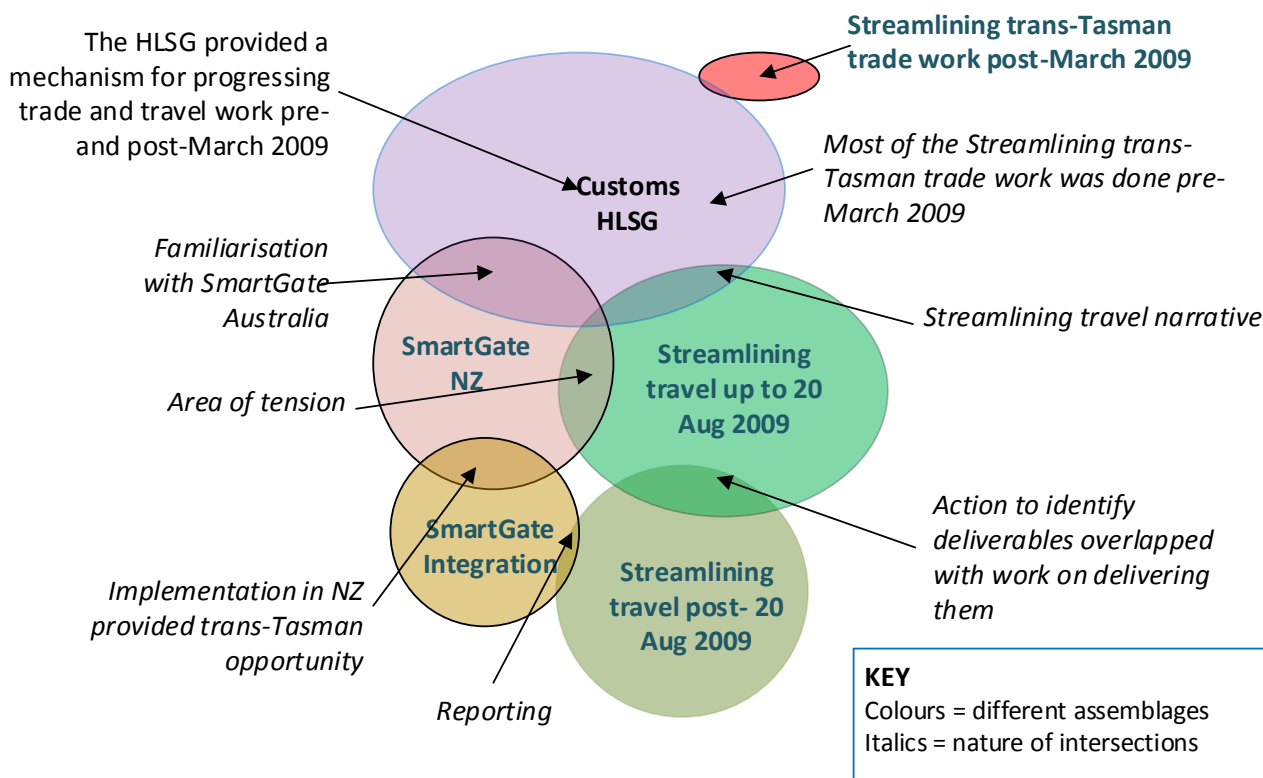
Assemblages from the non-Customs border agencies affected their contribution to the five assemblages above. For example, DoL's engagement with DIAC and MPI's engagement with DAFF continued alongside the five border stories in this Chapter, informed their input into the work and influenced their views on its relevance. In New Zealand, the non-trans-Tasman aspects of the BSGG work programme and in Australia, the political priority to address maritime people smuggling were competing matters of concern.

³⁶⁹ The Chief Executives of the two Customs administrations were interested in the symbolic possibilities of marrying the narrative of this centenary with further development in streamlining trans-Tasman travel during 2015 (personal knowledge).

The five assemblages described above intersected and overlapped in different ways. The HLSG provided a key platform for SmartGate and carried out much of the work that would have been done in the trade work stream if it hadn't already been done. The HLSG also provided a 'streamlining trade and travel' cooperative narrative frame and a mechanism for adapting that to the joint Prime Ministerial statement of March 2009. Once the work began, we saw initial tensions between the SmartGate and the longer term work. After SmartGate New Zealand was approved, that tension disappeared, leaving the only connection between the SmartGate integration work and the joint study (the longer term work) in the form of reporting on progress. The SmartGate New Zealand work opened the door for SmartGate integration. The seeds of the integration trial and its narrative were therefore contained within and depended on the SmartGate New Zealand work. Likewise, the longer term work up to 20 August 2009 provided the thinking and framing that helped progress the longer term work after 20 August 2009.

These connections are depicted diagrammatically in Figure 18 below. This diagram highlights the nature of the overlaps and intersections between the assemblages and the actions.

Figure 18. Connections between trans-Tasman border assemblages



Officials and sometimes Ministers were the main human actors in the assemblages. Members of industry appeared sometimes, but not often. One interesting observation about some trans-Tasman connections was that individual connections that didn't necessarily form part of the trans-Tasman assemblages under study could on occasions be called on to act on the assemblage. For example:

On the trade space, I've got a really good friend at DFAT and good friends within Australia Customs who, even though they've moved around as well, and you do create those relationships because you're away, talking to people, and offshore and . . . you build that rapport over time (Official 8, lines 216-219).

Despite decisions to forestall implementing the new trans-Tasman model, travel programme connections continued between Australia and New Zealand Customs administrations beyond the closing down of the work on the 'domestic-like' model in early 2012. For example, the personal connections a New Zealand Customs policy manager had with their Australian counterparts enabled a senior policy staff member to be looped in:

My manager . . . [has] good *personal* contacts into there [Australia], and tend[s] to exploit those routes rather than formal sort of discussions. I mean, things'll be elevated where necessary but there's a lot of informal to-ing and fro-ing, and [they're] encouraging that in the staff in their team, so we have those things in – it's getting a little *harder* now because there's so much chopping and changing within ACS [sic] – a lot of [their] contacts are being shuffled into other positions (Official 5, lines 319-324).

These connections were strengthened through reciprocal joint visits, after which the two administrations came up with a joint approach. These sorts of connections were disrupted, however, when personnel on either side of the Tasman left their organisation or were moved to another area of responsibility.

6.8.2.2 *Everyday mechanisms and technologies as tools and actants*

Two mechanisms were present in all stories – mechanisms that swung between being tools that were enablers but that didn't change anything in and of themselves and being actants that caused actors to act/translate. These mechanisms were meetings and workshops, and the electronic communications that supported them.

Meetings and workshops were important mechanisms for enabling the debate and translations necessary for moving officials from one stage to the next, and thus were actants that had a positive effect on the desired outcomes. When one of these mechanism failed, as with the SOG in the longer term work part 2, action slowed and was in danger of stopping. In that case, they were also actants, but with a negative effect.

Emails, electronic files, electronic filing systems, agendas, and electronically created and stored minutes of meetings were all ubiquitous electronic communications. In many cases, the electronic communication method was a tool. For example, when meeting invitations were sent by email, email was a tool. However, in certain situations, the tool became an actant, such as the Border Secretariat use of 'Track Changes' in Microsoft Word to make the changes visible in colour. As noted in Chapter 6.5, this created transparency that helped build the trust and confidence of the participating agencies that the Border Secretariat was representing their interests fairly.

In all the stories, meeting minutes played an active part in the proceedings. A human wrote them, but when they were finalised, they became separate entities that acted on the network. Those that contained 'next steps' created the impetus for work to be done before the next meeting. Those that contained a full record of the discussion or output of a workshop were debated by participating officials, until the holder of the pen translated their comments into a form that they could all agree on. Thus the finalising of the minutes was an event in itself. The naming of the electronic document was important for keeping track of versions. For example, minutes that were still under debate were annotated Draft x; minutes that were agreed were annotated Final.

Another example of technology as an actant was large video-screens in meeting rooms, which New Zealand officials used as a large computer screen so they could collectively work on the wording of a document. Official 10 described it thus: 'I think we were far better at "group-think" than they [Australia] were. I mean, if you look at the definition [of domestic-like], we had it up on – didn't we? – we had it up on a screen, we had a computer going, you know. We could actually do group edit document stuff' (Official 10, lines 303-306). In this example, the debates about wording were facilitated by the technology. I recall doing this group editing, and while it was at times slow and tedious, what was produced was an agreed version. It still had to be circulated within each agency for wider comment, but the starting point was one of cross-agency agreement. The technology in this situation was an actant because it made people behave in a particular way. I

remember that working in this way revealed, and enabled working through, the different ways in which words were interpreted not only by different people, but because of different agency uses.

Email usually functioned as a tool – a tool that almost replicated a conversation when emails occurred in a burst only minutes apart. Emails were also often copied to many people, or were forwarded on. Emails had effects if something went wrong in the transmission, or from not being able to transport the intended tone or intention of an email to the recipient. I experienced this in feedback I gave to MAF on their biosecurity paper, in which different understandings could have been sorted more effectively by voice or face-to-face contact.

Other mechanisms used to make connections were video-conferencing and telephoning. The former proved to be quite challenging between Australia and New Zealand. One official explained:

[T]he working group spent quite a lot of time together and a lot of time on video conferencing, which ironically proved to be quite difficult getting the bloody video-conferencing to work properly. Our telecoms service provider just couldn't make it work. We ended up having to by-pass them and go elsewhere. But still the video link pictures would freeze. It used to drive us spare. Also our Australian counterparts operate out of both Canberra and Melbourne, so we needed three-way video-conferencing, which complicated things even further (Official 13, lines 308-315).

I also remember problems with technical connections on several occasions, such as having audio but no picture, or picture and no audio, or the picture being fuzzy. Video conferencing was therefore a cause of uncertainty, and interfered with the trans-Tasman discussions between officials.

The telephone was a major connection tool for the Border Secretariat and ACBPS: 'I spent quite a bit of time talking with, and discussing things through with them [ACBPS], and . . . feeling the pulse of where they were at' (Official 10, lines 115-117). In this example, because the telephone was taken for granted, it was not even mentioned as the communication mechanism. If the telephone had malfunctioned, that would have created effects that would have seen it as an actant.

Another connection mechanism that was directly related to the trans-Tasman travel experience was the travel of officials by air from one country to the other. Compared with the other types of interactions, the physical travel was infrequent, even when there were formal meeting

mechanisms, such as the HLSG. One of the surprises was that there was barely a trace in the records or the interviews of this travel. However, I recall New Zealand officials discussing the need to get a passenger view of the longer term work, and concluding that, as we all travelled internationally, we experienced border processes ourselves. The most oft-mentioned barrier by these officials was the speed of baggage handling, which wasn't a government process at all. The New Zealand Minister of Customs gave a vivid description of his trans-Tasman experience of this very problem:

I can tell you about a time we went through Melbourne. We were facilitated by their Customs man, who took us straight to the front of the line, stamped our passports, took us down to the baggage hall, and we were waiting at the carousel within seven minutes of the door of the aeroplane opening out at the gate way out on the end of one of the fingers. Three quarters of an hour later, the baggage carousel turned on and bags started coming down the chute. So what was the point of the facilitation of all the Customs? In that case I was given *ultra*-special treatment, and it made no difference (lines 29—36).

These mechanisms and actants are barely visible to officials operating in the policy environment, but they help create the specific character of the different assemblages. For example, a major difference between trans-Tasman and domestic policy processes is the difference in the frequency of face-to-face meetings. The telephones, emails and video-conferences are technologies that enable other ways of connecting, but they also shape the behaviours of the officials who are using them, and thus act on the process.

Anni Dugdale also talks about the role of materials such as flight tickets, buildings and letterheads in translating participants from one role to another. She calls this 'bureaucratic performance' (Dugdale in Law & Hassard, 1999, p. 118). This was implicit throughout the stories in that materials such as meeting invitations, policy papers and briefing papers played a part in translating officials from representatives of their organisations to members of working groups; from a coordinating role to a policy leadership role (the Border Secretariat); from a Chief Executive to the chair of the BSGG.

6.8.2.3 *The trans-Tasman relationship as macro-actor*

The New Zealand-Australia relationship, particularly between the two Customs administrations, exists in people's minds as a concept. In part created by the types of connections and actants described above, it is also something that both sides refer to as an enabler. The relationship between the two Chief Executives is nicely illustrated in this story from the New Zealand Comptroller of Customs about the inclusion of New Zealand in the Australian passport lane:

It was really the relationship between Lionel and myself that forced that change. Because when I said to him, "Hey, why can't we have a [sic] Australia/New Zealand Passport queue in Australia – we've got one in New Zealand - you could just – Aussies come through, and . . . " so he said, "Oh, I'll check it out", and when he checked it out he came back to me a couple of times and said, "Oh, it's because our process is different"; and I actually went to Sydney airport and got them to illustrate why it was so difficult. And they said, "Oh, we have to stamp Australian passports, and therefore it would hold Australians up in the queue". And I said, "But you read the passports, don't you?" "Yes, we do." Ok, so I said to them – in fact jokingly said "I'm sure Aussies can do two things at once, stamp the passport and read it in the same process." Ho, ho, ho. He came to New Zealand on a visit, and we met formally – reasonably formally – and I said to him, "Look . . . " – he'd got the message also through the ANZLF, the Australian/New Zealand Leadership Forum, at that stage; and I said to him, "Look, why is it so difficult?" So he said, "Look, actually I want to go back and check this out". So he went back to Australia and – this is in 2005 – he rang me up and said, "I just thought I'd give you a ring; as of the 25th of November" - I think I've got the date right- "we're going to put up the signs for Australia/New Zealand passport-holders only". And that's how it happened (lines 37-54).

Another official commented on the closeness as enabling the trans-Tasman to be a test bed:

Interviewer: is there such a thing as a New Zealand - Australian Customs relationship, and if so, what does that mean to you?

Official: Yeah, ok. I guess there are a couple of levels. One is because we're so close –but not just in terms of proximity but in terms of culturally and everything else; we used to say "If we can't make it work with New Zealand, we can't make it work with anyone" <laughs>. So it's a perfect test-bed to try broader ideas or concepts out, and the other thing is that the systems

of government are very similar (Official A5, lines 253-259).

Which this official also noted as well as referring to the 'strong links':

Official: I think it's just an accepted element that there is a strong relationship in this environment, that there are strong links at all levels, that the single economic arrangement, you know, is part of a context in terms of having set a benchmark at a point in the future, but that things have moved on and determinants were going to be made around things just being logical to do.

Interviewer: Logical to do because . . . ?

Official: Because, you know, here was an environment in which there were trusted relationships. I think that is probably the biggest piece. Here is an environment of trusted relationships where things can be tested and put in place and where there is an acceptance that we're a strong linkage environment (Official 18, lines 366-373).

But interviewees also talked about what was needed to keep the trust in the relationship – that it wasn't automatic, and for New Zealand in particular, there were risks from assuming it was:

Well, reinforcing networks is going to be very important, and just continually, you know, not taking each other for granted. I think that's one of the biggest risks of the trans-Tasman environment. New Zealand will always have to work probably harder than Australia to maintain its relevance and to ensure that their – their focus continues to glance south every now and again. I think accepted standards of service delivery is probably something that would be useful to document while the trusted relations exist. That might not be necessary, but if you like they will provide perhaps a benchmark in the relationship that you know becomes important in the years to come where you might look at outsourcing services to another country (Official 18, lines 375-382).

However, 'the trans-Tasman relationship' is not a single entity. It is made up of a multiplicity – of agencies, of officials at different levels, and of the assemblages discussed above. It also involves international linkages, and the ways in which Australia and New Zealand work together in international forums:

You'll get the attachés turn up and you'll see they've been briefed by the policy sections too. Yeah, so it's a fairly broad engagement. And I think [the New Zealand attaché] now sitting on

the. . . API/PNR . . . group in the WCO, which is good, and I think the rep. in Washington gets up to the ICAO meetings in Montreal, and supports the position there (Official A5, lines 360-364).

My experience of the Customs-to-Customs relationship³⁷⁰ is that it is impossible to control all of the interactions occurring between the two organisations, and no single person has visibility of it all. In this sense, the trans-Tasman relationship is a collection of multiplicities and it is an actor-network. What does this mean? As we have seen in the 'streamlining trans-Tasman travel' area, the ebbs and flows of the work – through the HLSG, through the 'domestic-like' model, through the outcomes of the SmartGate integration trial – don't stop the relationship. Interviewees revealed how easily particular connections in the trans-Tasman relationship can be severed, through events such as the movement of staff to other areas or roles or from staff leaving the organisation. On the other hand, their stories revealed that particular connections can enable rapid responses to events and can springboard the creation of new actor-networks as part of that response, as with the DPMC-led work. These then become 'black boxed' as part of the relationship, as with SmartGate, or fall away, depending on whether they are able to stabilise themselves or not. Law and Singleton identify that multiplicity and incoherence are sources of power:

Instead, through an ANT sensibility to multiplicity, power emerges as an effect of masses of little overlapping and variably successful practices. We can get this out of Foucault. Or Butler. But what we also learn is that these practices aren't very coherent either. And this is crucial. Because it means that if one fails, it doesn't undermine all the others (Law & Singleton, 2013, p. 499).

One could infer from Law and Singleton that a collection of assemblages of different practises is much stronger than a single set of practices. The many levels of webby relations in the trans-Tasman relationship span a whole range of interests and activities, some of which succeed and some of which fall away. However, as illustrated in Chapter 5.3 in relation to the EU, failure of some practices in a network does not necessarily mean the whole network fails. Rather than being just an actor-network, the data suggests that the trans-Tasman relationship made up of officials

³⁷⁰ From when I led the International team (responsible for the Australia customs relationship) – 2002-2005 and 2011-2014 – as well as from my time as Principal Advisor, Border Sector Development.

and politicians is a macro-actor. It is a collection of actor-networks kept together with a range of stabilising devices and practices. As such, it has a greater effect on policy practice than if it were just the individual linkages at the agency level.

6.8.2.4 *Differences between Australia and New Zealand*

The interviews revealed that under the surface of the trans-Tasman relationship were a number of differences that impacted silently on the performativity of the trans-Tasman process. In other words, they were generally not overt but existed in officials' minds. A key area of difference was in matters of concern:

I don't think New Zealand officials really put themselves in the shoes of Australians very well. I don't think we understand their motivations very well. Even though we speak very similar languages I think we forget, or fail to understand the things that Australians find important and reasons why, and I think there's a little bit of that the other way too (Official 5, lines 517-521).

However, even different matters of concern for Australian and New Zealand border officials didn't translate into the sorts of bitter debates that had existed for years in the area of food safety.

Different priorities between Australia and New Zealand appeared frequently in interviewees' narratives. New Zealand officials often referred to Australia's focus on security and ACBPS's attention on people smuggling, as opposed to New Zealand's focus on the economy and New Zealand Customs' attention on facilitation. One New Zealand official reflected on the risks of not understanding the dynamics of Australia's priorities:

And I think the big risk in terms of managing those relationships, it's when the priorities get out of synch, and people don't see it as priorities getting out of synch – that it can be interpreted as a disengagement or no longer interested and that hasn't been communicated. Whereas in actual fact, they could still have the same longer term interests, but they've got more pressing priorities, just as our priorities may change (Official 2, lines 411-415).

These different priorities manifested as different lines of sight – New Zealand looking west to Australia; Australia looking north to Indonesia (in relation to security) and north east to the Americas: 'But yeah, in general, Australia tends to look to North America. I don't see their focus go

to a lot of other places. Certainly not to Europe, not to Asia, and not to New Zealand' (Official 18, lines 356-7).

Another difference was the way in which the two Customs administrations worked on trans-Tasman matters cooperatively rather than jointly.

So we attend to New Zealanders and Australians – we look at it from New Zealand's perspective, Australians look at it from the Australian perspective. You know, what's the trans-Tasman – is there scope to develop a trans-Tasman view of the world? I don't know. Maybe there should be. But if you're really, really working well with another agency in trying to find some common outcomes, then you tend to actually pick up looking at it from a broader view than just your own little part of the world. And we haven't done that, I don't think, trans-Tasman (Official 8, lines 273-279).

One official comments on the differences in processes and terms that could create a risk if not seen and acknowledged:

Obviously we do have a *trusted* relationship, but how much do we actually understand any *differences* in our respective processes, and if you ended up in a *disputed* environment around that, what would you point to around what was agreed? (Official 18, lines 397-400).

Differences in approach were also identified. Australian projects associated with Canberra were subject either to a long federal funding process or a very politically-driven injection of funds after which ACBPS carried out a long scoping phase. By comparison, New Zealand was able to build things very quickly, and though the funding cycle was quicker, the availability of funds was much less.

Officials frequently noted the impact of the structural differences between the two countries on trans-Tasman work, particularly the federal-unitary government difference. Another structural difference of relevance to policy practice was the different roles of DMPC. Official 13 explained:

I think the other thing that's different about working with Australia is understanding that their Department of Prime Minister and Cabinet is much bigger and more influential than ours. They have 300-odd people on board in their equivalent of our DPMC Policy Advisory Group. Something of that order? So it really is a centralised policy capability. That means that the line agencies around the outside are much more likely to be taking their lead from DPMC

rather than shaping policy positions themselves. So they become much more the implementers and conduits, rather than the shapers of public policy. We need to understand that when we are engaging with them as well (Official 13, lines 371-377).

Structural differences create uncertainties that are mitigated by the physical presence of New Zealand officials in Canberra, by New Zealand's formal membership of COAG and other Australian government forums, by formal meetings and agreed processes. These mechanisms create some of the stability of the macro-actor that is the 'trans-Tasman relationship'. The effects of this macro-actor will feature in answering the research question in the next Chapter.

6.8.3 Impediments and enablers of action

Some effects of the performativity of trans-Tasman border policy practices hindered or interfered with the action of networks and others assisted. This sub-section discusses the most significant of these different effects, starting with the impediments.

One of the features of the streamlining trans-Tasman travel work was the uncertainty for officials created by lack of clarity from political statements:

Often what happens is you have that broad political statement, like the 2009 statement, and so officials get excited, try to come up with solutions to match that, and the solutions are a bit vague and unclear, and therefore in a discussion we were never really sure between the two countries what we were actually trying to do (Official 8, lines 176-180).

One of the effects of uncertainty is the length of time it takes to come to an agreed position – much translation was evident in the stories where the end state was uncertain. We know collaboration is time-consuming but do we know why and what the dynamics are? These studies shed light on the effects of uncertainty on action, and one of the reasons why collaborative work can be time-consuming (Koliba, Meek, & Zia, 2010; Parish, 2014).³⁷¹

By comparison, a clear, decisive political statement enabled officials to speak on behalf of their politicians, and thus get things done:

Travel has been like that, but it took – you know, it took our PM and it must have been Rudd

³⁷¹ Parish's account of the effects of the Canterbury earthquake on the connectedness of government agencies is an excellent illustration of this point.

at the time to go “Ok, New Zealand will implement SmartGate. Let's take it from there.” And that firm, clear decision, decisive kind of political policy statement gave us a lot more clarity at that time (Official 8, lines 180-183).

Anne Marie Slaughter outlines the role of meetings in trans-national networks: ‘. . . the simple fact of a meeting drives a desire to have some notable outcome, which in turn forces the "sherpas"³⁷² to figure out what initiatives might be ripe for action and what actions might usefully be initiated’ (Slaughter, 2005, p. 37). The HLSG minutes appear to support that dynamic, and yet, as a mechanism, the HLSG faded away, and no other mechanisms for joint work were created. Official 10 described how, if there were joint objectives, a joint committee was needed to make them happen:

We had talks about forming the need – if we were going to be serious about this stuff, actually forming these joint committees, actually getting these people in the room. If you’re really going to have a joint system, then . . . it can’t be just us talking to them occasionally. It kind of has to start getting a bit of a “we” thing happening, and we never did kind of get to that (Official 10, lines 471-476).

Official 2 described how system processes create stability by enabling the work to continue even though personnel change. Part of that stability comes from a narrative from within New Zealand Customs about finding out what Australia is doing in case there is something useful there for New Zealand:

Official: It's a combination of personal relationships, as well as systems. I think it's really important, where you can, to get a systematic solution put in place that supports the personal relationships because there is change of movement, and people have different roles.

Interviewer: So what do you mean by a system? How do you describe a system in this context?

Official: A specific example I'd use just to illustrate that point would be – I talked before that information exchange happens, and there's the flow there. By a systems thing I mean you actually embed it as your business as usual and the processes that are followed by the

³⁷² An American term for the officials organising the meeting and pulling the agenda together.

business when you're conducting work. So when people change, the work still continues and it continues in an uninterrupted way so . . . it's really that. And then you can support that by putting it into your reporting functions on both sides. So it actually becomes part of the process you'd follow.

Interviewer: Is that happening at a policy level as well?

Official: Yeah. I was going to say it's the same sort of thing. I give an example where we had individual pieces of policy that have been developed, and then on occasion it was “Oh, let's think about what Australia's doing so we can inform our thinking” – not to copy them, but just to inform our position. That has now been set as part of our process to develop the policy – that it's a thing that happens automatically, it's part of the considerations that's been given in developing any policy or strategy, so it happens as a business as usual, rather than leaving it to an individual to think of and then perhaps know somebody (Official 2, lines 375-396).

The New Zealand Customs' Counsellor in Canberra is another stabilising mechanism through the connections that are able to be developed and maintained. This is one of the few ways that overcomes the physical separation of the Tasman Sea. The value of the Counsellor is expressed by one official:

One thing I should highlight is the move to Canberra did benefit us *enormously* at making much better personal connections across a range of levels. I mean, [the Counsellor] worked really, really hard at that, and I think he did a good job over that time, and he's got some very, very good connections into quite important decision-makers there (Official 8, lines 222-225).

Another is optimising opportunities where officials are physically present together such as the margins of international meetings:

Well, so much is worked out in the margins of an international meeting. You don't want to do stuff *too* much at the table. You want to have it organised, and it is better to do it in an environment that you find – both find – workable, so for Australians and New Zealanders, that's often a bit more casual – you know, dinner, or whatever it is. And I think that works (Official 8, lines 229-232).

The New Zealand Border Sector was seen as a stabilising mechanism as well as helpful in leading to action (an actant). The following official compared this mechanism with Australia, which didn't have such a mechanism:

The Secretariat, which was sort of worked as a sort of glue or conduit for all those different connections between the different agencies, we had quite a well-functioning working group, which had representation from the kind of core border agencies, as it were, you know, the top three being Immigration, Customs and MPI, as well as representation from Transport and Internal Affairs, who obviously have significant interest in the border as well. So those are the five agencies that make up the border sector, but we also had Tourism involvement as well, and particularly because of the Prime Ministerial-led nature of this work, we also had DPMC – Department of Prime Minister and Cabinet – involved in that at a kind of “as needs” basis. The Australians don't have a formal sector approach, and so theirs was led out of Customs, with the other agencies kind of invited in, and to be honest, I think – it was harder for them to take a coordinated approach than we had because I think we had the real benefit of that sort of sector-ingrained sector approach, and that made things, I think, a lot easier, for us (Official 10, lines 100-112).

Another official's observation that stabilisation didn't last coincides with the dismantling of the Border Secretariat:

Official: the very programmed work of the border sector, I think, was very good in keeping a very clear focus on key areas and providing very clear incentive and driver for activity to be undertaken.

Interviewer: Was that in both directions, do you think?

Official: Yeah, it was, because there was a need for the progress against those tasks or objectives to be regularly reported back all the way to the Prime Ministers on both sides ahead of, you know, meetings or fora between them, so that provided a very strong *spur* for agencies to do it, and I think it provided a clear mandate for agencies on both sides of the Tasman to lead that work and to bring other agencies who might have been more reluctant to engage in activity to participate as well, and I think that really ended around the end of 2011 (Official 18, lines 135-144).

That the Border Secretariat was shown to be such a pivotal actor in the early parts of the work and yet was dismantled later in the work warrants examination. The dismantling occurred at a time when the matters of concern were changing, implying officials in New Zealand thought there was no longer a need for a unit to speak on behalf of New Zealand border agencies in engagements with Australia. As it transpired, there was subsequently very little engagement with Australia from a border sector perspective, which could either be seen as evidence supporting the wisdom of this move or the consequence of it. The extent to which engagement would have been different had the Border Secretariat continued can only be speculated on. What can confidently be concluded is that the changing matters of concern that moved Australian and New Zealand senior officials away from the trans-Tasman focus of the previous three years resulted in the destabilisation of those particular trans-Tasman connections related to the 'domestic-like' model.

6.8.4 Black boxing and institutional memory

Once the New Zealand Cabinet made its decision on SmartGate, the debates were black-boxed as they were no longer needed – there was an official, definitive record. However, it was clear from the interviews that for some people the lid is still not closed on the black box. Some interviewees had a long association with New Zealand Customs involving many interactions – public servants would call this 'institutional memory'. Perhaps 'institutional memory' is useful because for the people who have it, the history of a policy or organisational initiative hasn't ever been black-boxed. These are the people we rely on to find out what happened, what the rationale was for a particular outcome. And when asked, these are the people who can often recall the debates and uncertainties surrounding that policy or initiative.³⁷³

They are also the people who can potentially upset a set of stable associations, through resurfacing old debates. The extent to which this is likely will depend on whether the debate is picked up by others. We cannot know this for future actions, but we can gauge the effectiveness of past action. For example, Latour advises the researcher not to look at 'the intrinsic qualities of

³⁷³ This is potentially a way to mitigate risk and manage change. Managers can use these stories to positive effect: '...managers use stories not only to gain and pass on information and to inspire involvement, but also as the repository of the organization's institutional memory' (Rhodes in Moran et al., 2006b, p. 441).

any given statement but [to] look instead for all the transformations it undergoes later in other hands.’ (Latour, 1987, p. 59).

6.8.5 Conclusions

The discussion above has drawn out elements of the performativity of policy practice for border management both within and between Australian and New Zealand officials. It has also raised the question about whether the performativity of policy practice revealed in this thesis is specific to the trans-Tasman. A preliminary assessment is that it is specific to trans-Tasman border management at the detailed level, but that any official involved in policy practice in other domains would recognise the experiences and observations within these pages as similar to their own.

Some of these elements are the assemblages that make up policy practice, and the interrelationships of narratives and practice; what helped create stability in the assemblages, such as the role of tools and mechanisms, and what interfered with the performance of the actor-networks. Elements specific to the trans-Tasman are the macro-actor that is the trans-Tasman relationship, and the trans-Tasman narratives of separation and connectedness.

These elements will be discussed further in Chapters 7 and 8.

Chapter 7

Findings: The Role of Narrative in Translating the trans-Tasman SEM Objective into Action

7.1 Introduction

This Chapter provides a preliminary answer to the research question:

What role did narrative play in the way border policy officials translated the political goal of a single trans-Tasman economic market into action after the Joint Prime Ministerial meeting of 1-2 March 2009?

Recapping on the significance of the Prime Ministerial meeting of 1-2 March 2009, the discussion summarises what was delivered to politicians, and then traces how policy officials translated the political goal into action. This then paves the way for revealing the relationship between the different narratives and the actions that resulted, and a preliminary answer to the research question.

7.2 What has been established so far

As set out in Chapter 1, the joint Prime Ministerial statement resulting from the meeting of the Australian and New Zealand Prime Ministers on 1-2 March 2009 was significant for the trans-Tasman border agencies because it was the first joint Prime Ministerial commitment to activity in the border domain for over a decade. It was also one in which the New Zealand Prime Minister had a personal interest and relevant portfolio, which gave it higher political visibility than it might otherwise have had.

With ANT as an underpinning theoretical base for both trans-Tasman regional economic integration and policy narrative (Chapter 3), I established border management as part of the global trading system, demonstrated how the performance of border management in trans-Tasman regional integration differs from border management in EU regional integration (Chapter 5), and identified the narrative implications.

I then described the connections between border agencies in Australia and New Zealand, and told and reflected on five stories relating to activity that occurred after 2 March 2009 (Chapter 6). From these stories, we learned how policy over this period was performed, and that policy-in-

performance might be a good definition of policy practice; we learned that this performativity involved translation, matters of concern, and different assemblages that experienced uncertainty and instability; that everyday materials were actants that could help stabilise or disrupt those assemblages; we learned that the Australia-New Zealand relationship for border agencies was a macro-actor that, despite differences, was not subject to divisive debates.

The next two sub-sections summarise the action that occurred as part of that performativity.

7.2.1 What was delivered

The trans-Tasman border stories illustrate how politicians, and therefore policy practice, in New Zealand in particular, are focused on 'deliverables'.³⁷⁴ I will therefore start this discussion by summarising what was delivered.

For trade, border agency officials were able to demonstrate that from Australian and New Zealand Government perspectives, there weren't any barriers that mattered and that therefore needed removing. What officials delivered was evidence that customs and biosecurity processes were not causing delays in the movement of goods trans-Tasman, and industry appeared to accept that evidence. In other words, a matter of concern was successfully translated into a matter of fact (Latour, 1987).

For travel, New Zealand introduced SmartGate and streamlined biosecurity screening processes in 2009 and 2010. These changes were visible to travellers, and SmartGate was favourably written about by the media on a number of occasions.

Through the longer term work, officials from the New Zealand border sector delivered a conceptual model to the New Zealand Cabinet that was approved in principle. Trans-Tasman officials delivered the SmartGate integration trial, and proved it was technically feasible but not practicable for passengers under current settings. Another group of trans-Tasman officials conducted two studies to deliver on the announcements of 20 August 2009. In the second of these, the 'domestic-like' model work, officials had identified by the end of 2011 that further streamlining could be done, but that investment was likely to be very expensive and probably not

³⁷⁴ Refer to Chapter 6.5 (Story 3), for examples.

cost-effective. This was not explicitly reflected in documents at senior levels, but was evident from interviews.

What this thesis has revealed is the performance of actions by officials required to achieve these deliverables. These actions are usually invisible to politicians, and become matters of concern only if something goes wrong. But an essential part of these actions which is even more invisible is the translations that occur along the way, and through them, the creation of actor-networks that have a particular effect on the world in which they operate. These actor-networks are shown to be made up of people, technologies, materials and processes. In other words, the deliverables discussed above were made possible through the performativity of trans-Tasman and domestic policy practice.

7.2.2 How policy officials translated the political goal

The performativity of trans-Tasman and domestic policy practice was centred around officials' translations of the political goal in the joint Prime Ministerial statement, and how much that statement was the primary matter of concern for officials.

In translating that political goal, officials didn't limit themselves to 'barriers'. As traced in Chapter 6, officials translated the words in the joint Prime Ministerial statement into two more positive objectives - 'streamlined trans-Tasman travel' and 'streamlined trans-Tasman trade'. Streamlining trans-Tasman travel appears to be an enduring objective. It appeared first in the HLSG, was picked up in the March 2009 work and continues to characterise trans-Tasman aspirations to this day. 'Streamlining' was still compatible with the frame of the SEM, but at the same time opened up an opportunity space. This opportunity space was overtly created for New Zealand border officials out of the guidance from DPMC officials, who were in turn translating the wishes of their Prime Minister.

However, the opportunity space created room for more than creative thinking. It also created room for confusion in the longer term work – confusion that we saw appearing and reappearing in Chapter 6, and specifically in Stories 3 and 4. Once SmartGate and biosecurity improvements were implemented in New Zealand, officials on either side were not clear about the further barriers the two Governments wanted to be reduced, even though the airline and tourism industries in Australia were vocal about what they wanted changed.

One official viewed the joint Prime Ministerial statement as a shopping list:

The Prime Ministers' statement was just a shopping list, basically – an outcome list. You know, these are the things I want – “I really want a nice new car” without being specific about what colour the car was going to be, or the engine size, or the budget you were going to have to spend on, so officials had to go away and do a certain amount of translation (Official 5, lines 428-432).

Nevertheless, this confusion was not present at the beginning of the longer term work. Officials started by translating the words in the joint Prime Ministerial Statement into shared meanings. The construction of these shared meanings through translation, as recorded in the minutes of the meetings and workshops, was one of officials' actions. The matter of concern (to develop a new model, for New Zealand officials in the first instance) as communicated by DPMC officials was sufficiently compelling for all involved to be able to construct that shared meaning early in the work. This *enabled* officials to then translate that shared meaning into the action points and plans and workshops and inscriptions that followed. As revealed in Chapter 6.8, the translations were stabilised by a number of actants, such as workshops and meeting minutes that created an agreed record.³⁷⁵ This process of translation and stabilisation was a feature of the performativity of the HLSG (Chapter 6.3) and the longer term work (Chapters 6.5, 6.6), both of which were exploratory and iterative, though to differing degrees.

However, as described in Chapter 6.6.5.3, the shared meaning established at the start of the longer term work was somewhat different, and, by the end in 2012, arguably not shared. As noted earlier, once SmartGate and the streamlining of biosecurity processes had been delivered in New Zealand, there were no further 'easy wins'. Officials continued to be driven to deliver on the political goal up to the point a new 'domestic-like' model was delivered, prompted in part by the biannual Prime Ministerial meetings and the related MFAT requests for update reports. When it came to implementation, however, the Chief Executives translated the matter of concern from developing a new model into a question about the feasibility of implementing it.

Another dynamic of the longer term work was that the 'domestic-like' model involved creating something out of nothing. The story of that 'something' developed gradually, emerging out of the

³⁷⁵ This is consistent with the approach argued by Hannah Arendt and Paul Ricoeur. See Chapter 3.5.1.1.

performativity of the policy process in the form of many little actions that were formed into diagrams (A3s) and word pictures. Until the ‘something’ was substantial enough, the use of an evaluative framework (i.e. the feasibility of implementing the model) was not employed. Whether it could have been employed earlier is difficult to predict. There was no suggestion in the interviews or meeting records of any attempt or desire to do so.

By comparison, the translations of the joint Prime Ministerial statement of 2 March 2009 by officials in New Zealand into the delivery of SmartGate (Chapter 6.4.2) played out differently, with questions of cost-benefit and value of the investment being debated at the beginning. It then took some time and a lot of effort for border officials from the different agencies to get to a single version of the proposal that they were willing to let become the authoritative version. The translations involved here were multiple and overlapping.

Connections from the past, particularly those described in Chapters 6.3 and 6.4.1, played an important part in the inclusion and the actual wording of the border objective in the 2 March 2009 joint Prime Ministerial statement. However, the wording of that statement was not pre-scripted by officials, at least from the New Zealand end. The officials who were involved in the HLSG work and in briefings for the Prime Minister were in the main not involved in the translating of that political statement into action. While SmartGate was mentioned by New Zealand Customs in a briefing to the New Zealand Prime Minister for the meeting in March 2009, the request for a new trans-Tasman model for travel was new and unexpected. As such, officials had to start afresh in translating the joint Prime Ministerial statement for that particular piece of work.

The following example illustrates this translation also occurred at a political level:

I also talked to the Prime Minister very early on, and he basically said he was even *more* enamoured with the idea of us having a borderless arrangement. Now I was able to give him a bit of background on that almost straight away that we’d thought about that in the ‘90s, and in fact we’d looked to go into a – well, first of all a one-nation with the airline operation, so you could fly within, between and beyond any airlines from either country doing it. The moment we began looking at taking it further – that if you entered at one point into New Zealand, it would allow you to go domestically into Australia, and vice-versa – it just became problematic. . . So what we then got was the Prime Minister’s rhetoric a little bit quickly – it

altered to “as near as possible domestic experience”³⁷⁶ because, quite frankly, if you’re travelling to Australia, you’ll normally have suitcases. Business people won’t. They might have a carry-on bag, but most families and people going for a holiday and that will have a suitcase. So if indeed you can process them through all of our processing while their bags are getting to the carousel, then you’re not putting a hold-up on top of it (Minister of Customs, lines 14-20, 24-29).

The Minister of Customs drew on his past experience and depicted travellers moving through the border process to illustrate to the Prime Minister why some options for trans-Tasman travel were not appropriate. The Prime Minister modified his aspiration from ‘borderless travel’ to ‘domestic-like’, which is what officials then acted on.

One official set out how they would translate the Prime Ministerial statement into action, and articulated the value from that:

So I think your second point about the strategic narratives, it's about first, as you say, generating those strategic narratives and then translating them into action. You translate them into action by empowering people. You know. “I've given you this direction as a Chief Executive. I'm quite happy to wear a bit of slack in one area so that you just resolve the trans-Tasman situation, and once *that* is resolved, you then will free up mental space, resources to deal with much bigger and uglier issues that we've got coming down the pipeline.” I mean this is not being condescending, but the trans-Tasman thing is essentially low hanging fruit. You know, you'd think – this is the bit that you get faintly caught up in – you would think dealing with New Zealand administrations is going to get us a lot further much more quickly than dealing with Chinese administrations. Surely. Part of you says “This is almost the citizen speaking” and part of you says “Haven't we got all that sorted by now?” I mean, they're honorary Australians, we're honorary New Zealanders, we're completely indistinguishable. We've got [that is, Australia and New Zealand] a different sort of . . . interrelationship with the trade world, but step up a level from that to the general practices and the general risk management – why aren't we identical now? Part of you says “That's

³⁷⁶ He is referring to the Prime Minister initially talking about a ‘common border’, and it being modified to ‘near as possible domestic experience’ through the Minister’s intervention.

really weird” (Official A1, lines 415-429).

An underlying dynamic occurring throughout the processes of translation was the performance of power. The ANT understanding of power draws heavily on the work of Michel Foucault, who conceived of ‘productive power’. Rather than being exerted as ‘will’, Foucault saw the exercise of power as ‘a process that is always open to resistance, transformation and renegotiation’ (Tikkanen & Peltonen, 2005, p. 9). The transformation and renegotiation speaks of translation in ANT. Tikannen and Peltonen go on to say:

Foucault’s conception leads to a relational view, where power as fixed and imposed is always secondary to the prior dialogue and interaction between two or more actors. . . For Foucault, once a particular construction gets (tentatively) stabilized, the actions of the participants can be channelled towards the goals of the framers (Ibid.).

By becoming aware of the potential for dialogue and interaction, there is potential to influence power, as suggested by Law and Singleton: ‘[t]o the extent that ANT explores the contingencies of power, it also generates tools for undoing the inevitability of that power’ (Law & Singleton, 2013, p. 500). This is because dialogue and interaction bring with them uncertainty, and where there is uncertainty, there is room for something different to occur. It is therefore unsurprising that in the five border stories, power manifested in different ways. In the SmartGate story, we saw the translation and renegotiation between border agencies moving to a focusing on the goal, once border agencies agreed to the language in the SmartGate Cabinet paper of July 2009. Less obvious were the everyday negotiations – the content of agendas, the wording of minutes in official documents, the setting and negotiation of changes to timeframes. We also saw agency representatives translating multiple voices within their organisations into a single organisational voice.

As can be seen from this discussion, translation is intimately connected with action. This is entirely consistent with and expected from using an ANT approach.

7.3 Narratives and their relationship to action

Narratives do not result in action on their own. As discussed above, it is the performativity of the border policy process that led to the deliverables. However, in this section I demonstrate that narrative was part of officials’ translating the strategic goal into action. They had to be able to tell

a story that would generate action (Hajer and Laws in Hajer & Laws, 2006; Polkinghorne, 1988; White, 1999) through the performativity of actor-networks.

In Chapter 6, I told the stories about and drew out the narratives of each trans-Tasman border story. The 'stories about' were sequential narratives. They each had a beginning, a middle and an end. They told the story of what happened and what was done. I didn't use many direct quotes in these 'stories about' because they were *my* narratives rather than those of the officials involved. I needed to tell the stories in order to get to the 'drawn out' narratives.

7.3.1 Narratives and actions relating to the joint Prime Ministerial statement of 2 March 2009

There are two main types of 'drawn out' narratives – those centred on the matters of concern in the work, and those about action. In this section, I examine these narratives as they relate to the political goal of a trans-Tasman SEM. As indicated in Chapter 1, I am taking the joint Prime Ministerial statement of 2 March 2009 to be part of delivering on the SEM.

The five stories in Chapter 6 each had narratives running through the work of officials that related to and contributed to the objectives in the joint statement, including the HLSG, which did some of the groundwork. Even though the HLSG narrative was stated as not being about the SEM, we have seen from the discussion in Chapters 5 and 6.3.1, the work of the HLSG was **never** not about SEM. The connections of trade and travel facilitation to global economic theory which in turn connect to regional economic integration theory make any work on trans-Tasman border flows connected to the SEM. The HLSG narrative therefore included and maintained the story of the pacification (and overflowing – I was surprised that this wasn't addressed more overtly³⁷⁷) of goods and people in a regional setting of the global trading system.

As we saw in Chapter 6.3, the purpose narrative of the HLSG caused Australian and New Zealand Customs officials to act and to deliver some products together, and on four occasions, to meet with their Biosecurity colleagues. These actions and deliverables focused on streamlining trans-Tasman trade and travel, along with improving intelligence links and working together in the Pacific.

³⁷⁷ One interviewee stated that the gains the HLSG made in intelligence cooperation were understated.

In effect, the work of the HLSG was a prequel to the trans-Tasman working groups that followed the 2 March 2009 joint statement. Surprisingly, not long after the joint statement, the HLSG narrative gradually diverged from a collective narrative into one of separation and tension – a narrative that connected to the trans-Tasman history rather than the HLSG itself. It was as though the working groups and project teams set up to deliver on the joint statement picked up the narratives about streamlining trade and travel and left the HLSG with no matters of concern worth acting on, indicating a relationship between narrative and matters of concern. However, up to the end of 2009, the HLSG acted on two narratives centred on the matters of concern arising from the joint Prime Ministerial statement. These were the need to continue to improve trans-Tasman passenger facilitation and to streamline trans-Tasman trade.

The relevant matter of concern in the SmartGate narrative was about making the trans-Tasman experience for Australian and New Zealand passport holders travelling to and from New Zealand the same as travelling to Australia. This directly addressed the political commitment to reduce the remaining barriers to the movement of people across the Tasman. Australia had SmartGate, New Zealand did not. New Zealand's lack of SmartGate was an observable barrier that could be removed, and that story was easy to tell, not least because Smartgate was an existing actant.

As shown in Chapter 6.4.1, the SmartGate story was underpinned by all the discussions and debates that preceded the SEM goal, in the form not only of CER, but also the subsequent extensions of CER. Even though leading up to the joint statement there were many actors in this story who wanted different types of action on trans-Tasman trade and travel, their matters of concern converged into a single representation in the joint statement – a convergence that the New Zealand Comptroller of Customs was able to work with, as he was able to speak on behalf of all of these different interests through the Prime Ministers' intent, assisted by the compelling 'voice' of SmartGate. It wasn't, however, a full convergence in New Zealand. The other border agencies had different matters of concern that cut across Customs' narrative and that they tried to get to prevail. Because the Chief Executive of DPMC would accept only a single narrative from the border agencies, this requirement created a subsidiary matter of concern for the Comptroller of Customs – getting his colleagues to put their own matters of concern to one side in order to deliver on the Prime Minister's one. The debates on the process and the choice of SmartGate slowed down the action of getting the necessary Cabinet decisions and these intersecting

narratives led to a diversionary kind of action. Once SmartGate was implemented, however, it told its own story about being easy and convenient to use, which these officials accepted as a matter of fact.³⁷⁸ This was a narrative about one aspect of what the trans-Tasman relationship is expected to look like.

The narratives of the longer term work were different in nature. The first action in New Zealand was DPMC translating the joint statement into a request to New Zealand border officials to develop a new model for trans-Tasman travel by a particular date; Australia's DPMC did not do this. Most of the narrative in that first time period therefore came from New Zealand and was about how to design and present a new model, with only a small part focused on the 'why'. That 'why' was to create visible improvements and a path to a common border. Near the end of the first stage of the work, the narrative of officials from both sets of border agencies and their respective DPMCs was focused on what actions the Prime Ministers could announce on 20 August 2009.

There was more than one narrative running at the same time, both in terms of the topic and the playing out of that topic into the 'what' and the 'how'. For SmartGate integration, the narrative was seen by officials as the logical next step in streamlining the travel experience, but turned out to be confusing for passengers. For this, there was the narrative of the integration work itself, which was very much about the action and enabled the action – the agreements and procedures that had to be put in place to enable the trial to occur, and the many plans, meetings, meeting minutes and action points required to make the trial happen. When that particular narrative stopped, an 'alignment' narrative, pitched at a more strategic level gradually emerged that enabled each country to pursue their own automation strategies but at the same time keep some sort of trans-Tasman connection.

There was the narrative of the streamlining trans-Tasman travel model – what it was, how it would work and how it could be implemented. A supporting narrative developed about the way the design of the new model was to be presented to Ministers, for which the Border Secretariat was the gatekeeper. There were also uncertainty narratives from some agencies – uncertainty from working on a new design, exacerbated by the tight timeframes that cause officials to act in

³⁷⁸ As told by officials from the Biosecurity and Immigration agencies.

different ways, and created effects on the progress of the work at times. The narrative in the second part of the work centred on the term 'domestic-like', focused on the passenger experience with a secondary narrative about the lack of clarity about what officials were trying to achieve. This lack of clarity created uncertainty, and eventually resulted in a feasibility narrative focused on the cost-benefit of implementing the new model.

The narrative in the trade area centred on there being no significant barriers for border agencies to remove. It moved from being a matter of concern for industry to effectively a matter of fact when the evidence of the WCO TRS was produced. While a few technical issues remained, they were not big enough to tell a story about, and while the two countries had issues specific to their own countries, they were not significant enough for both to generate a joint story.

What we saw in the trade area was action being driven from the narrative-in-the-making. Officials aimed to prove to industry that there was no matter of concern. They knew from their own data what the results would be, and used a credible method, the WCO TRS, to help them create the narrative. This source was credible because it connected to the WCO, which in turn connected to the global trading system, of which the SEM objective was a part. This connection was an example of an actor-network with folded connections that brought concepts physically and temporally distant right into the local story. The joint statement drove the initial action, but the narrative-in-the-making turned the matter of concern into the matter of fact that there were no barriers to the movement of goods trans-Tasman.

In this section, I have revealed layers of intersecting and interrupting narratives. I have shown that narratives about primary matters of concern generated action, as did narratives about the work to be done. A secondary set of narratives that led to different types of action was about uncertainty. That action was the further translations required to either reduce or to remove the uncertainty. The traces of that action were the many drafts of documents, and the requests for more work by senior officials. A third type of narrative arising from debate about different matters of concern led to diversionary action.

7.3.2 Connecting into trans-Tasman histories

Contained within the narratives of officials interviewed was an ever-present reference to the trans-Tasman relationship. For example, the HLSG as a mechanism drew on and manifested the

long association between the two Customs administrations while it also facilitated that association.

The trans-Tasman relationship was a macro-actor, as identified in Chapter 6.8.2.3, and was an active participant in officials' stories – the relationship 'evolved'; it 'ebbed and flowed', it needed to be 'refreshed' or 'kick started'. They described the many different ways in which 'the relationship' was performed, with formal and informal meetings playing an important role. This indicates that to officials, even if unconsciously, the relationship was a living thing.

Underpinning these stories were wider historical links. Both countries were colonised by the British Empire and still have the British monarch as their respective Head of State. As described in Chapter 5.4, this cultural connection has given the two countries a common language, a common belief in democracy and the rule of law, and a common legal starting point in the Westminster style of government (Mein Smith et al., 2008, p. 21). The long historical connection between Australia and New Zealand, made up of countless events and circulations of meaning that have stabilised into shared stories appears to have enduring power as a narrative. We see it revealed not just through the regional economic integration connection of border management, but across the breadth of cultural, social and political connections traversed in *Remaking the Tasman World* (Mein Smith et al., 2008). For example, cultural connections are epitomised in officials' use of metaphors such as 'across the ditch', through expressions of 'trust' and social connections through behaviours such as 'meeting over drinks'; political connections appear through the unusual relationship of the two Departments of Prime Minister and Cabinet and through New Zealand's membership of COAG. One official described it in this way:

[T]he way we looked at . . . that relationship was quite interesting, because it was sort of a hybrid foreign policy relationship verses almost a Commonwealth State relationship; now what I mean by that is the closeness of the relationship, and the . . . idea of a common economic partnership, and even the idea of almost common borders had percolated through over about, I think, 2 or 3 decades. So much so that it was like dealing with – in one sense you're dealing with a very close ally and partner; but in another sense you were dealing with someone who is around the table for – I mean, there were certain COAG meetings that New Zealand is part of; and that Commonwealth/Domestic agenda as well that New Zealand had a seat at the table there (Official A8, lines 8-17).

CER as a part of that history also emerged from interviewees' thinking. The following excerpt from an Australian official highlights the 'everyday-ness' of trans-Tasman engagement:

To be perfectly honest, I don't think the announcement that was made in 2009 has had a huge impact on us, in our planning. We've long since almost forgotten the origins of the ANZCERTA agreement, and it's just part of the DNA. And we don't do anti-dumping and countervailing cases against each other. We just take that for granted. We just take for granted, you know, the arrangement – the ANZCERTA arrangements (Official A6, lines 157-161).

However, the trans-Tasman history is not only of connection. As also described in Chapter 5.4, the federation of Australia was a pivotal point in trans-Tasman relations in which New Zealand demarcated its political separation from Australia. Officials appear to have translated this old story into their current day thinking about one another's countries. New Zealand officials tended to focus on the differences more than Australians. The sense of this as a national separation narrative was implicit in the following reflection from the Minister of Customs:

But I think if you polled New Zealand right now about even a single currency, the vast bulk of people would still want to keep our own dollar. If they were drilled into a question of why, I don't think they could give you a good answer as to why do we need our own dollar. I think they feel that it gives us some economic sovereignty that we can maintain (Minister, lines 310-313).

One official implied the effort in the relationship is somewhat one-sided:

I guess the problem is that it never was felt that Australia had the same need or interest in a trans-Tasman partnership that we did. Australian passengers make up a reasonable proportion of travellers to New Zealand, but we were told that proportionately the reverse isn't true. That makes it a challenging a partnership to work in because they have other areas of focus aside from New Zealand travellers (Official 9, lines 163-164).

New Zealand's ability to deliver results compared with Australia featured frequently, for example, 'so I think, you know, being viewed as "the little country that could" is exceptional, and we get referred to quite a lot' (Minister, lines 179-80).

On the other hand, there were frequent references for the need for New Zealand officials to recognise that Australia is a different country and that it has different priorities and needs:

I don't think New Zealand officials really put themselves in the shoes of Australians very well. I don't think we understand their motivations very well. Even though we speak very similar languages I think we forget, or fail to understand the things that Australians find important and reasons why, and I think there's a little bit of that the other way too (Official 5, lines 517-521).

There were also some almost invisible (ghost) narratives lived out by the Biosecurity and Immigration agencies. The first was the narrative about MPI's connections to the Australian Commonwealth through COAG and the joint body FSANZ. This significant narrative within MPI was not evident to non-MPI officials working on the trans-Tasman work, except briefly in the work on streamlining trans-Tasman trade. This narrative could be characterised as occurring alongside the border narratives and intersecting intermittently but not interfering with them³⁷⁹. The second was the Immigration agencies' narrative about their connection to the Five Country Conference. Officials from Australia and New Zealand commented on this connection, which appeared to be a greater matter of concern than the trans-Tasman connection that overlapped through the common membership of Australian and New Zealand officials. This narrative complemented the trans-Tasman work, although could also be seen as diversionary as most of their action was focused on the Five Country Conference.

7.3.3 Connecting into wider regional economic integration narratives

In Chapter 2.2, I noted that the EU version of regional economic integration is used as a model of regional economic integration. The research in this thesis has shown that the EU is indeed a reference point for consideration of the trans-Tasman in border management. Just as I argued in Chapter 5 there are different narratives in the EU, the research has revealed different EU narratives used by Australian and New Zealand officials.

As noted in Chapter 5.4, in 2011-2012, the two countries' Productivity Commissions conducted a joint study of the potential for further productivity gains in the trans-Tasman economic

³⁷⁹ The structural and connectivity impact of this was covered in Chapter 6.2.4.

relationship. The study contained numerous references to the EU, starting with the following framing:

Opportunities to strengthen trans-Tasman economic ties can be classified using a framework based on what the European Union has termed the ‘four freedoms’ — relating to trade in goods and services, and the movement of capital and labour. Knowledge transfers and the integration or interaction of government functions are also considered.

This study focuses on areas where there are unnecessary barriers to integration — whether created intentionally or unintentionally. They may arise between the borders of Australia and New Zealand (typically affecting international transport costs); at the border of one or both countries (for example, tariffs and biosecurity restrictions); and behind their borders (Australian Productivity Commission & New Zealand Productivity Commission, 2012c, p. 8).

Within the body of the document, and in a supplementary paper on people movements, the EU model was considered in more detail for suggestions for further streamlining trans-Tasman travel.

The research for this thesis began two years before the Productivity Commissions’ discussion document was issued, and at that time, the link between the European Union’s four freedoms and the trans-Tasman CER/SEM objectives was not being publicly discussed, and had no visibility in the border management world. However, the interviews with New Zealand and Australian officials were held in the year following the report’s release. Even so, the presence of a number of implicit and explicit references by interviewees to the EU and comparisons with the trans-Tasman situation was a surprise, given the limited exposure some of the officials had to the Joint Productivity Commission work. My surprise was reinforced by the varied reference points chosen by interviewees. If the Joint Productivity Commission report had had an influence, I would have expected there to have been more consistency in the content of the references to the EU.

There were references to the lessons to be learned:

So, but I think in any environment, it's a case of changing the settings in both countries to a common setting. I mean, the European Union's clearly worked through a lot of these issues and there's lessons out there that we can look to, but I don't think we've had that government directive to really make this happen (Official A6, lines 272-275).

As noted in Chapter 5.5, the EU was seen as an example for Australia and New Zealand to follow. It was also seen as a challenge – ‘if they can do it, why can't we’:

What I remember is Alan Bollard turned up at a very early trans-Tasman dialogue and put up a very artful PowerPoint arguing that other things than tax or monetary issues could/ should be tackled. The PowerPoint showed “Australians through this gate at the border and New Zealanders through a different one”. He said “We really haven't made as much progress on harmonisation at the border as we ought to have, and can we do something that makes it more like a European experience to move between the two countries?” . . . So there were a whole lot of reasons why the border had been not easy to do much about. They were reasons of substance. But after Alan Bollard did this, everybody sort of went “Oh, yeah, we should be able to do something. Why can't we do something more about that?” (Official 14, lines 260-275).

One official noted that an EU-like common border had been looked at before:

. . . when the common border was looked at twenty years ago, and I think common border was the starter point, rather than trans-Tasman travel facilitating, those issues were very much at the forefront. “What would be the implications of having a sort of an EU – a mini EU between Australia and New Zealand?” You're basically creating one labour market. Entering either country by – in effect gives you entry to the other country, so you'd have – each country would have to be sure that the people coming into our shared immigration zone that we were applying the same policies around eligibility and ineligibility at the extremes, and at the softer end, you know, the types of skills and students that each country wanted (Official 11, lines 106-139).

These trans-Tasman officials noted how the trans-Tasman situation is different from the EU:

I think the thing for me around trans-Tasman cooperation is that, unlike in Customs, there's not many of us that have biosecurity controls any more. So if you look at land mass borders from Europe, they don't control the movement of food, whereas we are an island nation and we still have that protection and we're still relatively pest free and it's – that's our competitive advantage (Official 12, lines 590-594).

The challenge is always the priorities at the time, and I think that it's the difference in terms of in some ways how it looks – you've got the bloc, you've got the 27 and you've got that dialogue, you've got that coordination, you've got that harmonization and working together, whereas outside of that, for us – if you look at trans-Tasman and looking at how you make the border more efficient or effective – a lot of the focus has very much been on passenger facilitation and things like SmartGate. Now that's the difference there is, we still have separate borders. So we're still looking at how do you streamline things going out one border coming into another border (EU focus group, lines 421-428).

The above narratives are mixed – some say we should or could follow the EU in a common border; others say why we are different. Regardless of the position of the narrator, in officials' and politicians' minds the EU was a not infrequent point of reference for the trans-Tasman work. From a Customs perspective, the EU being used as a trans-Tasman reference point should perhaps not have been the surprise it was. Despite structural differences, customs practices in the two regions are recognizably similar because of the common membership of the WCO. Officials I talked to referred to the global nature of Customs. But the EU is a member of the WCO in its own right, and Customs officials from EU member states considered that the EC definitely tries to influence the WCO agenda – that having got the agreement of 27 member states, they understandably want the WCO to adopt EU approaches. This is the sort of detail missing from narratives of those officials in New Zealand and Australia who have not had direct dealings with the EU.

Interviewees' comments therefore indicate that knowledge of the EU common border is broadly known in Australia and New Zealand border agencies, though not necessarily the detail. Their narrative of the EU was that the EU created a single external border and removed internal border controls so that people and goods could move freely between EU member countries. However this

awareness existed in the records as only one or two explicit references in the streamlining travel documents. One explicit reference was the A3 on trans-Tasman travel discussed by the Strategy Cabinet Committee: ‘. . . this approach applies e.g. in the Schengen area of the EU (where participating countries have shared border control requirements)’.³⁸⁰

This A3 made a distinction between a common border and an inter-border (one with streamlined processes but where the countries maintained their own borders) and used the diagrams in Figure 19 to illustrate the two concepts:

Figure 19. Inter- versus common border



In this document, the EU narrative was another way of making the future visible, by providing an example that politicians could picture and therefore use to assess the advice provided by officials.

There are three curious features of the EU narrative in the trans-Tasman work. This first is the focus on mainland Europe and the lack of reference to the UK, which has a relationship with mainland Europe that is geographically and conceptually much more similar to New Zealand’s relationship with Australia than continental Europe. As described in Chapter 5.3.3.1, UK officials referred to the ‘island mentality’. There was a mental separation from mainland Europe not dissimilar to the mental separation evident in narratives of New Zealand officials in relation to Australia, and yet Australian and New Zealand narratives about the EU were at the generalised level and did not differentiate or separate out the UK.

The second is the absence of the EU narrative in the trade part of the border management policy work. The EU featured only in streamlining trans-Tasman travel. Perhaps the absence can be attributed to the different policy settings in the EU and the trans-Tasman. The European Customs

³⁸⁰ Footnote 247.

Union was one of the foundation structures of the EU and continues to be a key lever for the free movement of trade within the EU whereas the trans-Tasman does not have a customs union.

The third curious feature is that the EU narrative of trans-Tasman officials and the Minister ignored the structural and policy differences that make the trans-Tasman situation somewhat different from that in the EU. The management of the EU's external borders falls under two different divisions in the EU structure – Home Affairs (HOME) for managing people flows; Tax and Customs (TAXUD) for managing goods flows, and some of the policy such as enforcement of criminal activity at the border is left to the member countries themselves to manage. In Australia and New Zealand, both Customs administrations manage the flows of both people and goods, including enforcement.³⁸¹

In ANT terms, the EU narrative was a powerful actant in the trans-Tasman travel longer term work – powerful because the EU itself is a macro-actor with half a century of stories both its own and by others that have made it the 'gold standard' for regional integration. However, in individual New Zealand border agencies, the regional integration narrative was barely present, either in formal documents or in interviews. It is almost as though the large physical distance between Europe and New Zealand and Australia has made the EU into an icon - a symbol of integration that can be used for many purposes.

References to other regional arrangements were to the US-Canada border arrangements and the free trade agreement between Australia, New Zealand and the Association of South-East Asian Nations. The latter emerged in several places as a narrative about the future of the trans-Tasman regional relationship – a future that needed to be more closely aligned so as to reap the benefits of the trade relationship with ASEAN. This position was spelled out clearly in the Joint Australia-New Zealand Productivity Commission study on the trans-Tasman economic relationship in 2012:

Some consider that the focus of future CER policy should not be on what they see as the now diminishing gains to be obtained through trans-Tasman reform, but rather by “leveraging” the CER to help Australia and New Zealand integrate further with Asia. . . A related view put to the Commissions by a New Zealand trade negotiator was that a customs union between

³⁸¹ In Australia, enforcement for offences relating to importation of illegal drugs is conducted in partnership with the Australian Federal Police.

Australia and New Zealand could act as a vehicle to help the two countries engage in and shape a regional integration strategy. . . Forming a customs union would necessitate a joint approach in future trade negotiations and, it was contended, strengthen the two countries' leadership credentials and bargaining clout within the region. It would also ensure that neither country could be omitted from any trade negotiation opportunities in which the other was engaged (Australian Productivity Commission & New Zealand Productivity Commission, 2012a, p. 20 of Supplementary Paper A: Trade in Goods).

However, the idea of a customs union was rejected in this study, as was leveraging CER to further integrate with Asia. The final report noted only:

The best way for the two governments to position their economies to benefit from the "Asian century" will be to enhance their productivity and competitiveness (Overview of Australian Productivity Commission & New Zealand Productivity Commission, 2012c, p. 7).

7.3.4 Connecting into global trading narratives

As discussed in Chapter 2.2, regional integration is a subset of the global trading system. The Balassa economic integration hierarchy includes 'customs union' as its second step (Balassa, 1961) and the WTO has specific rules about creating a customs union.³⁸² However, the explicit presence of a regional integration narrative in the WCO emerged only in 2013, even though the mechanism had existed for decades. Prior to 2013, the WCO narrative had been of the global trading system, of risk management and enforcement, and of balancing facilitation and control.

In the research conducted for this thesis, the global trading narrative surfaced in references to supply chains and trade single windows, in the WCO TRS and in the more general concept of removing barriers. It was also contained within interviewees' references to the WCO. The WCO was referred to as a global family born of Customs administrations' need to connect exporting and importing:

Interviewee: For customs internationally, people tend to be quite like-minded. I think we grew up where Customs you have that international perspective, EU and wider world,

³⁸² See 'B. Understanding on the Interpretation of Article XXIV of the General Agreement on Tariffs and Trade 1994', WTO website: http://www.wto.org/english/tratop_e/region_e/regatt_e.htm

because of the WCO, because everything we do, really, is.

Interviewer: Well, a border has two sides, doesn't it?

Interviewee: Exactly, a border has two sides – everything we're exporting goes somewhere else, everything we're importing comes from somewhere else, so it's international. It just goes with the territory. So I think that for Customs, actually, one of the real strengths that we have as a sort of global family *is* all of those links in terms of being able to pick up the phone to somebody and understand what's happening (E1, lines 443-450).

This family involved working together in a quality way. . .

And then I thought about coordinated border management – a different term which was – I think it's a WCO term which we very like because the focus is there on the quality of working together, not the kind of "doing it" or the implementation of doing team work (EU focus group, lines 77-80).

. . . to manage facilitation and security. . .

It is first of all a big challenge for all the relevant and competent authorities, including of course Customs, and it's a big challenge to find the appropriate balance between facilitation and a secure environment – securitization – and that's the balance which already all from the WCO management – I think that's one of our main challenges, to find the right way to do so (Official E5, lines 15-20).

. . . which involved juggling priorities:

So a lot of our policy setting, and a lot of the work that we do – whether it's the likes of the WCO, whether it's the WTO, whether or not it's the World Health Organization, etc., really looks at the scale, or the complexities or the relevant importance that you've got at the moment. So in summing that up, I think we all have a role in dealing with the same issues. The challenge is always the priorities at the time (EU focus group, lines 417-421).

For Australian and New Zealand Customs administrations, the WCO had a regional component.³⁸³
It was connected with the headquarters in Brussels as well as connecting with industry:

³⁸³ Asia Pacific, not trans-Tasman.

What we're doing now, is, as the regional Vice-Chair of the WCO is currently held by Australia, we've suggested to the Australians that there's an opportunity to look at the linkages between the secure trade SAFE Framework, and the Australians attend SAFE in Brussels as a WCO member; many of our countries' traders are represented in those forums; obviously we engage with industry here; the Australians are engaging with industries, and many of those industries are the same organisations; often it's the same people (Official 17, lines 124-129).

In Chapter 3.4, I argued that border administrations were part of the system of pacification of goods and people. I now argue that the story of pacification and overflowing is a narrative that pervades the practice of border management but is so ingrained that it is not seen for what it is. The regional integration narrative in the border environment is not strong enough on its own to explain the strong drive for streamlining border processes that began before and continued on after the cessation of the work on the new model for trans-Tasman travel. One piece of evidence is the absence of an objective to harmonise the differences in immigration policy settings. Border processes were not one of the outstanding areas for harmonisation. Officials and politicians saw opportunities to do more to streamline border processes – particularly in the travel area with technology – but there was no integration narrative as such. Rather, the narrative was much more related to the global trading narrative, of which regional integration is a subset.

There is a clue in the telling of the last face-to-face HLSG meeting in August 2012. Several New Zealand officials at that meeting realised that the matters of concern that were most relevant to both parties were about the practice of border management, not of streamlining trans-Tasman travel and trade per se. Other clues are the perceptions of Australia and New Zealand as a good testing ground for border management developments (mentioned by several interviewees), and the expressed intentions in both Australia and New Zealand to extend SmartGate access to other nationalities.

Another clue is that while the objective (as translated) to streamline border processes might have been included as one of the SEM actions in the joint Prime Ministerial statement of 2 March 2009, it was not part of the SEM outcomes that were developed for the following joint Prime Ministerial statement on 20 August 2009. These outcomes covered the following areas: insolvency law, financial reporting policy, financial services policy, competition policy, business reporting,

corporations law, personal property securities law, intellectual property law, and consumer policy. The streamlining trade and travel work was arguably not even included in the SEM principles, as these were listed on the page in the August 2009 joint Prime Ministerial statement *after* the announcements about the border agencies' work.

A third clue is the importance attributed by Australian and New Zealand interviewees from Customs and Immigration administrations to their international connections – WCO for customs, and APEC, Five Country Conference and the Bali Ministerial Process for immigration. For biosecurity there is only a handful of other states with the same sorts of controls as New Zealand and Australia, so in this area there is a special trans-Tasman connection.

I conclude that this global trading narrative provides the framing of the action described in Chapter 6. Law refers to framings as 'in many respects implicit, and while they making [sic] knowing and acting possible, they also limit the conditions of possibility' (Appendix in Law & Williams, 2014, p. 24). The research data supports this notion of limitation, for example, through the surprising degree of homogeneity in officials' descriptions of the matters of concern and the work to be done. They were implicitly translating their agency's and their government's frame into the description of what mattered and what was to be done. For the officials and governments in this thesis, the global narrative was treated as a matter of fact that framed their action. Law describes matters of fact in ANT as depending 'both on holding the practice (the assemblage) together, and on the concerns that are embedded in or motivate the practice in question' (Appendix in Law & Williams, 2014, p. 22).

7.3.5 Connecting into border narratives

The joint Prime Ministerial statement of 2 March 2009 called for a reduction in the remaining barriers to the movement of goods and people across the two countries' borders. SmartGate was a physical symbol of this intent.

This thesis has also identified two different types of border narrative in the trans-Tasman border environment that coexist but are somewhat contradictory – one of separation born of the two countries' island geography, the other of coming together born of regional economic integration arrangements. These narratives are different from and cast a different light on the contradiction between the flow of goods and capital and the flow of labour identified by Anderson, O'Dowd and

Wilson in Chapter 5. The UK stories articulated in Chapter 5.3.3 epitomise the dynamics of these two narratives. The geographical border narrative for Australia and New Zealand relates to their island status. The water provides a natural physical barrier that colours their approach to border management and the mechanisms that are used. The regional economic integration narrative exists as a concept and an aspiration – a ‘common border like the EU’ – but is not connected with any direct translation into action.

Both narratives played out in border officials’ approaches to managing the border, and shaped their response to the joint Prime Ministerial statement of 2 March 2009. Not prominent in my telling of these stories, but emerging strongly from the interviews, were the connections between the customs, biosecurity and immigration narratives in relation to managing the respective borders, both separately and cooperatively. These narratives, as indicated in Chapter 6.2, were primarily about obtaining and sharing knowledge about and assessing the risk from overflowings and sharing experiences and practical developments to help manage that risk. Part of the narratives were about opportunities and plans for the future – the many little things that can be done to improve the management of risk and the experience of travellers. For example:

We're just at the point of now “how can we get rid of visa labels in passports?” and “How can we get rid of rubber stamps at the border?” – just little things which probably look quite little from a passenger point of view but actually take quite a bit of investment of systems and processes to enable them to happen (Official 11, lines 311-314).

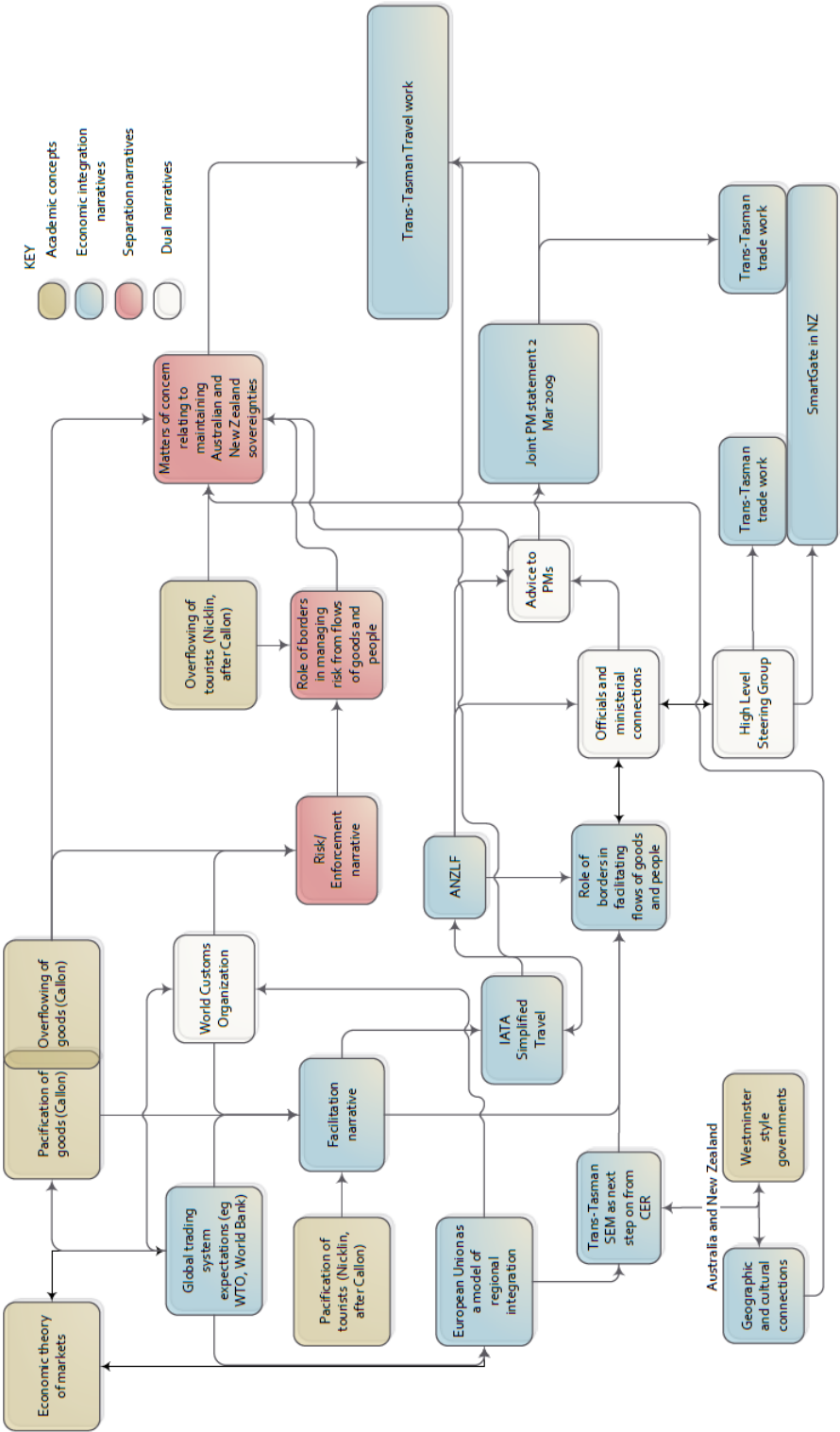
Officials talked about their own agencies’ work and how that connected with the other border agencies. While there was not complete understanding between agencies, there was a definite border management story being told – a story of performance, as described in Chapter 3.3. This is because, for border agencies (not just Customs administrations) there is a language of borders that enabled officials to translate the joint Prime Ministerial statement. Their description of their border role is the same across agencies, despite differences in mandate and function: ‘Traditionally, Customs and quarantine are both trying to do the same thing – facilitate trade, facilitate people, use a risk management approach’ (Official 12, lines 616-617).

They define their world by using terms that represent both physical barriers, such as the gates and booths through which travellers have to pass (‘primary processing’), and invisible or opaque barriers such as legislation, control policies, and passenger clearance fees. Officials involved in the

action described in Chapter 6 didn't have to be at an airport to develop their policy papers. Like the cosmologist described by Latour below, policy officials used the language and stories of borders to frame the detail of their work: '... the theory of relativity allows a cosmologist to circulate among the galaxies without leaving her little office in the Paris Observatory' (Latour, 2013, p. 84). Latour is metaphorically describing an actor using tools and representations to bridge the gap between one reality and another. What border agencies are doing is translating the diverse locations and materials that make up the management of the border into a connected narrative. Their language and tools represent the border and the barriers they are meant to be reducing.

The following diagram illustrates the main types of connections that have affected the narratives discussed in this Chapter. It highlights the locus and predominance of economic integration narratives, as opposed to the separation narratives associated with managing risk.

Figure 1. Some connections and associations in the trans-Tasman border stories



What this diagram doesn't show is how these narratives affected one another. However, we get some clues from the different assemblages depicted in Figure 18 in Chapter 6.8.2, which included co-dependant, cooperative and collaborative narratives. The different types of narratives emerging from the connections in the diagram above can swing between co-dependent, cooperative and collaborative, depending on the matters of concern and how the different narratives interact. For example, the potentially collaborative 'common border' narrative was translated into a cooperative 'streamlining' narrative as it interacted with the trans-Tasman separation narrative. Closely connected to this separation narrative was the global 'overflowing' narrative of risk and to the 'common border' narrative was the global pacification/facilitation narrative, the EU as a model narrative and the cultural connection narrative. These interactions will be discussed further in the next Chapter.

7.4 Answering the research question

What role did narrative play in the way border policy officials translated the political goal of a single trans-Tasman economic market into action after the Joint Prime Ministerial meeting of 1-2 March 2009?

We have seen that officials translated the SEM goal through the wording of the joint Prime Ministerial statements of 2 March and of 20 August. The data has shown that the initial translation came from different sources – in New Zealand from the Comptroller of Customs, and from the Chief Executive of DPMC; in Australia, from their PM&C. Different players on both sides then picked up those initial translations and made them their own.

We have also seen that the process of translation involves performativity and that performativity in policy practice appears to require matters of concern as well as action. The shared stories of the trans-Tasman Customs relationship, underpinned by the shared stories of being members of the WCO family and the global trading narrative, appear to have created a powerful base for connecting the two countries' border agencies on common matters of concern, through their respective Customs administrations. However, those shared stories don't of themselves generate action. For example, looking at the official documentation of the two Customs administrations in 2010-2011 when there was still a strong focus on the work that sprang from the joint Prime Ministerial statements of March and August 2009, we can see a narrative on both sides of the

Tasman that supports that work. The narrative that the two governments were working to streamline travel between the two countries was carried into the formal documents of the two Customs administrations, as in the ACBPS Annual report of 2010-11:

The Australian and NZ Governments remain committed to exploring options that have the potential to further streamline travel between the two countries. In late 2010, Prime ministers Julia Gillard and John Key jointly endorsed a new program of work in support of that commitment. This program includes a feasibility study that explores the potential for integration of the Australian and NZ SmartGate systems and considers a SmartGate Departures capability within Australia. Further initiatives look to improve biosecurity screening and processing of low-risk passengers on both sides of the Tasman.

Another key initiative is a joint study aimed at delivering a 'domestic-like experience' for trans-Tasman travel. This study includes an assessment of how far the joint program of work meets this objective and the identification of any gaps that could form the basis of the future agreed action by respective Governments. Work on the short study is due to be finalised during July 2011.³⁸⁴

and the New Zealand Customs Statement of Intent 2011-2014:

There is an ongoing drive to progress a Single Economic Market with Australia. Australia is New Zealand's largest trading partner and the bulk of our international travellers fly on trans-Tasman routes. New Zealand and Australia acknowledge the importance of the closer economic relationship to our respective future prosperity. It is reflected in a shared commitment to accelerate efforts towards greater trans-Tasman economic integration, and includes continued progress of the Single Economic Market agenda. There is a continued need to improve facilitation that recognises the benefits of streamlined processes, supported by modern technology to improve border experiences for trans-Tasman traders and travellers.³⁸⁵

³⁸⁴ ACBPS Annual Report 2010-11, p. 62. Retrieved from <http://www.customs.gov.au/webdata/resources/files/879316AUSCUSwebpdf.pdf>

³⁸⁵ New Zealand Customs Statement of Intent 2011-2014, p. 13. Retrieved from <http://www.customs.govt.nz/news/resources/corporate/Documents/SOI20112014.pdf>

However, if we look at 2013-14 official documents, we see an absence of reference to the trans-Tasman work in the ACBPS Corporate Plan and a less prominent mention than previous years in the New Zealand Customs Annual Report. In the New Zealand Customs Statement of Intent 2014-2017, there was a Ministerial priority to '[d]eliver more efficient, streamlined, and secure passenger facilitation for trans-Tasman travel and low-risk travellers from other key partner countries'.³⁸⁶ The only reference to Australia in the supporting text of this 2014 document³⁸⁷ noted increasing volumes from Australia, and then focused on upgrading SmartGate and extending its use to other nationalities. What we see is the continued presence of the trans-Tasman work, which, without a matching narrative from Australia, is not connected to anything meaningful at this stage, but which keeps the narrative alive for that to occur.

One New Zealand official who had spent a lot of time with ACBPS officials remarked that Australian Customs officials rarely mentioned the SEM. Even when it was discussed at the last HLSG meeting in 2012, the official noted: 'I think it was very evident in the environment that it really wasn't a core element in terms of determining, driving or informing where effort was going to fall' (Official 18, lines 358-364). So the official narratives indicate an intention to act, or that there has been action, but it is not clear whether they play a role in generating action.

What is clear from the closer examination of policy activities is that the way the stories are translated *through* relationships appears to generate action. Translation not only *is* action, but also *carries* action. An example of translation-in-action, with circulating meanings evolving into something different from the start is depicted by Official 2:

So what our thinking, and with us now going to look at alternatives, instead of looking at the process, we're actually looking at the data, and why we use data elements to extract – we sort of developed our thinking further, and this is part of the, I guess, organic process of developing the policy and the strategies, and the operational planning. I think we'll actually get a better product as a result of that. I think we'll get longer term benefits but they'll be

³⁸⁶ New Zealand Customs Statement of Intent 2014-2017, p.16. Retrieved from <http://www.customs.govt.nz/news/resources/corporate/Documents/SOI20142017.pdf>

³⁸⁷ China, on the other hand, was a clear matter of concern, arising from the need to support the New Zealand-China Free Trade Agreement and to manage the resulting risks.

much greater than if we'd simply automated the process and integrated that process, we still would have had a process that people would have to go through, but by looking at it from a perspective of looking at data elements that we want to capture to manage risk, and keep track of who's crossing our border to or from NZ, then that's put us in a space now where we can actually start questioning why we need those data elements for government purposes, and then use technology in other ways to capture that data where you can actually reduce process. So I think that's a longer term benefit that we'll get from it (Lines 450-454, 457-465).

We can see the translation being described in this narrative and thus we can see how translation makes narrative. In other words, narrative emerges out of translation, just as action does. Matters of concern are the subject matter of translation and are also what narratives are about, but not exclusively. As we have seen from the input from interviewees, matters of concern can be deeply personal, but they are also nested within larger matters of concern. In the analysis above, those larger matters of concern span organisational, governmental and intergovernmental matters of concern.

It must also be recognised that not all stories are shared, and that some stories 'intersect and interfere with one another' (Law, 2000), as demonstrated in the stories about streamlining trans-Tasman travel. In other words, the narrative, matters of concern and action occur within the performativity of actor-networks, and those networks perform through a myriad of actors and actants.

A preliminary answer to the research question, therefore, is that the narrative is inseparable from the translation and the action of officials and actants; that in translating the SEM goal into action, there are multiple narratives at play at once and that the mix and the emphasis changes, depending on the current matter of concern.³⁸⁸ These changing matters of concern create an inherent instability in trans-Tasman narratives and therefore in trans-Tasman action. Some of the narratives are complementary, others intersect, others interfere and still others do not touch one another or do so intermittently. These narratives have both long and short connections to the narratives of the global trading system, of regional integration and particularly that of the EU, of

³⁸⁸ Examples of the changing nature of the matters of concern are traversed in (Patman, 2001).

border management and of the trans-Tasman relationship, and all these narratives form part of the performativity of policy practice in the specific locality of trans-Tasman border management.

This answer is expanded in the next Chapter.

Chapter 8

Conclusions: extending the boundaries – ANT, narrative and policy practice

8.1 Introduction

I began this thesis with an examination of the literature on the role of border management in regional economic integration and on the theory of policy narrative. I identified the lack of attention paid to that role in single markets outside the EU and argued that the study of policy narrative does not appear to lead us any closer to understanding how policy narrative, and future-focused policy narrative in particular, is translated into action by officials.

To explore these matters of concern, I have taken the reader on a journey through border management, the global trading system and regional integration, until we reached the ‘land’ of Australian and New Zealand border stories. In telling those stories, I have revealed some of the detailed performativity of border management policy, both specific to each country, and trans-Tasman. The detail is often mundane and unremarkable, but I have shown how everyday activities such as email conversations, setting up meetings and getting an agreed set of minutes are fundamental parts of policy activity, not just as steps in the process, and are fundamental to creating and stabilising the narratives that bring meaning and shape to the work.

This Chapter examines the wider implications of the research for providing a new perspective on narrative in regional integration and for illuminating the theory of narrative in policy .

8.2 Towards an anatomy for integrating regionally

Chapter 7 has provided new knowledge about the practice of border management policy within the deeply integrated trans-Tasman single economic market. As identified in Chapter 2, this is important because trans-Tasman regional economic integration has not been widely recognised as such and so has not been included in comparisons with other examples of regional economic integration. This thesis helps address that imbalance. Nevertheless, while academic comparisons with the trans-Tasman may be missing, what Chapter 7 also showed is that government actors in Australia and New Zealand look to compare themselves with, and even benchmark against, other examples of regional economic integration, particularly the EU.

In reflecting on Barry's assertion that borders are a politicised translation zone (2013), we can see the nature of the politicisation revealed through policy-in-performance. This performance of trans-Tasman border management policy was shown to have drawn on the narratives of the trans-Tasman relationship, the global trading system and border management practices. Reflecting back on the integrating and separating forces playing out at borders (Paasi, 1998; Walker, 2010), we see these narratives are intimately intertwined in border management policy practice.

Reflecting on Anderson and O'Dowd's distinction in Chapter 2 between political and economic communities, we have seen that this is in some senses a false distinction in a regional economic integration setting. For example, the narratives of the trans-Tasman government relationship are political but the pervasiveness of the effects of CER mean that the economic narrative is unable to be separated from it. What Anderson and O'Dowd's distinction doesn't take into account is the narrative that prompted the economic integration. For the EU, the response was economic but the driver was political; for New Zealand and Australia, the driver was economic, but underpinned by a cultural expectation of connection and, from New Zealand, a position of political separation that continues to provide a challenge, and even tension, to this day.

Another aspect of this distinction is that we have seen that the local narratives of trans-Tasman border policy practices include long and dense historical and geographical connections from both political and economic communities and that they co-exist and overlap. For example, the WCO represents both economic and political communities in its dual focus on facilitation and control.

I have also shown that border management contributes to marketization of goods and people and have extended the concepts of pacification and overflowing to people as well as goods. My findings highlight that while both concepts are part of the global trading system, and can be equated to border management concepts of facilitation and control, the global trading system focuses on pacification, leaving most of the overflowing to be attended to by nation states. In the trans-Tasman regional integration situation, the narrative contains a mix of pacification and overflowing. Officials aimed to streamline trans-Tasman trade and travel in answer to the integration narrative but their actions were framed by the separation narrative, which was to maintain border controls between the two countries.

Another element of trans-Tasman integration is that the deep-seated narrative of the benefits of the global trading system was treated as if it was a matter of fact, and is currently not contested by either of the major political parties likely to form a government in either Australia or New Zealand in the foreseeable future.³⁸⁹ For Australia and New Zealand to change this narrative would be at least as difficult as the examples in the science world described in Latour's book *Science in Action* (Latour, 1987).³⁹⁰ This is because changing the narrative would require changing the many connections invested in the current narrative such as the banking system, the trading community and international commitments, to name a few. More research is needed to examine other deep-seated narratives in the public policy world where this dynamic exists.

To summarise, these findings highlight that the border management policy narratives in trans-Tasman regional economic integration are a mix of economic, political and cultural connections, and of matters of concern relating to pacification and overflowing. Some of these narratives are so deep-seated they are not contested within the regional setting. The implication is that we can expect a different example of regional economic integration will display a different mix, with some narratives common to the trans-Tasman and some narratives specific to the particular integration. I indicated in Chapter 3.5 that the effects of this sort of interplay between specific narratives is missing from current approaches to policy narrative.

The preliminary examination of the EU as performative covered in Chapter 5 provides the ability to explore this implication a little. First, we can see different emphases on the integration and separation narratives from the trans-Tasman on the regional, with its own regional economic integration narrative being very strong. At the macro-actor level, the EU supranational infrastructure created and is actively maintaining a powerful set of connections that interweave with the 28 member countries³⁹¹, creating a strong but intricate web that is contained within and maintained by an integration narrative. This web has destabilised on several occasions in the history of the EU, with the Euro-crisis being the most recent example. From the local (the near) position, the web can be seen as the performance and the many little narratives of individual

³⁸⁹ Some minor parties in New Zealand (New Zealand First, Greens) contest parts of the narrative that remove national choices.

³⁹⁰ Although the debates about the merits or otherwise of the Trans-Pacific Partnership negotiations have the potential to challenge this consensus.

³⁹¹ Retrieved from EU website: http://europa.eu/about-eu/countries/index_en.htm

connections – the disagreements and negotiations and compromises involved in making policies, stabilised by structures and processes that need to be constantly maintained.

This integration narrative flows into EU border management in the form of the maintenance and further development of the Customs Union and the creation of the Frontex organisation to help member states deal with integration ‘overflowings’. The Customs Strategy can be seen as an actant that has caused member state Customs administrations together with the EC to build a shared story about the future. Each member state performs that Strategy in a slightly different way, which has effects on the whole Customs actor-network. A separation policy narrative for managing the external border is built out of the structural separation of policy on flows of goods from that of flows of people. In both areas of border management, the pacification and overflowing narratives are reinforced by the EU structure, but in essence they are no different from those of border management anywhere. The emphases and nuances on different aspects of border management policy are different but the framing is consistent.³⁹²

This discussion suggests that there could be an anatomy of border management that is particular to each type of regional integration, but which connects to all other regions through the global trading narrative and a mix of other narratives from organisations such as the WCO and APEC. By understanding the anatomy – where the stable and unstable connections are, where the shared stories and matters of concern are and where they need to be further developed, what sorts of activities and circulating meanings make up the actor-networks that are the relationship, and what sorts of mechanisms stabilise the actor-networks – it may be possible for border agencies to contribute more to regional integration efforts than currently. This approach is different from the Balassa model, in that it doesn't expect or imply a movement toward ever greater integration.

This approach also suggests that the policy business of Customs administrations in an integrated (or integrating) market is specific to those administrations. For example, in trans-Tasman border management policy, there was no desire at any level of government for officials to debate the difficult immigration and biosecurity issues that would have had to be resolved to create a common border. Instead, the common border appeared in the narrative as an aspiration. This

³⁹² In New Zealand in particular, there is a conceptual connection between goods and people that flows into processes. The premise, often mentioned, is that movements of people and goods across borders are interrelated – that it is people who make the goods move, and therefore information about people movements is relevant to goods movements and vice-versa.

enabled officials to stay on the safe ground of the connecting narrative. The nuances of these local narratives are not something that can be regulated at a global level. However, global tools and global networks like the Customs family can be used to help stabilise new connections and bring about change, as well as to continue to enable supply chain connections between regions.

Further research to develop the idea of an anatomy could add greatly to our understanding of the dynamics of border management in an integrated economic market.

8.3 Narrative in policy practice and areas of further research

In Chapter 2, I noted Hajer and Law's call for the concrete application of narrative and discourse tools to help policy analysts deal with controversies, and to help them innovate. This thesis has shown that ANT is an approach that reveals the interdependence of narrative and action in policy practice and has revealed some of what Hajer and Laws might have meant by the term 'relational ontology' (Hajer & Laws, 2006, p. 260). An ANT approach enables the interactions of officials to be traced, and through the tracing, reveals their narratives. This is consistent with Latour's whole approach to social groupings – trace the actors and the translations, and they will tell you the story, or, as we have seen, stories.

While Latour asserts that the tracing of particular social groupings is specific, and by implication, cannot be generalised (Latour, 2007), the results in this thesis suggest that something more fundamental is happening – that as *any* actor-network performs, it carries the stories of the matters of concern, which unfold according to the translations and debates involved, and it also creates its own narrative. In the policy world, this conclusion could be taken one step further. We saw in the SmartGate story that a goal for officials was to move the stories of the multiple matters of concern toward a single matter of concern, epitomised by agreement around the Cabinet table to the uncontested recommendations in the Cabinet paper. My own experience suggests, but further research would be needed to confirm, that this could apply to *any* performance of policy practice where a Cabinet decision was required.

This thesis has shown a performative picture of policy practice (policy-in-performance) that sees human and non-human actors equally having effects on the performance of policy practice, and shows that the end 'deliverables' so sought for by politicians are made up of the many little translations that occur every day as a part of that performativity. The many little translations that

make up policy practice create networks that take effort to maintain; they involve everyday components such as emails and meetings, the effects of which are often ignored unless they malfunction; and the way they are assembled is unique to a specific situation – in this thesis, border management in trans-Tasman regional economic integration. Annemarie Mol draws a compelling picture of the effort involved in ‘making networks that hold’ and highlights that markets, so relevant to this thesis, ‘depend on devices’:

Making networks that hold, does not come easy. Call a meeting together, get on the phone, use a spread sheet, make an inspiring speech, convey to those involved what might be in it for them, design an artefact that condenses a relation. Things are crucial to the ordering work at hand. The phone that links voices and ears over long distances, the spread sheets that provide managers with an overview, the doors that allow walls to be opened and closed. And such things are not just crucial to what in other theoretical traditions would be called “governance”, but likewise to the market. Markets are composed of far more “variables” than the few that are mentioned in the textbook formulae of neoclassical economics. Like laboratories, hospitals, nursing homes, schools and practices in ever so many other sites, markets depend on devices (Mol, 2010, p. 263).

In short, performativity takes effort. The theoretical implications of this are discussed in the next sub-section.

A notable aspect of performativity, as noted in Chapter 3, is the relational nature of power. The SmartGate and the Streamlining Trans-Tasman Trade stories suggest that power in policy practice emerges from the translations and renegotiations as the language of an agreed, or stabilised, story. We would therefore expect power to emerge when matters of concern become matters of fact and turn into a ‘black box’, as we have seen illustrated in those stories in particular. But even matters of fact will not remain so forever,³⁹³ and when they become contested again they will revert to being matters of concern. We might also expect power to appear in a temporary way every time there is a stabilising point – an agreed record of a meeting, an agreed diagrammatical depiction of the future state. If this is the case, it would imply that as the narrative of translation progresses, so does the relational power, if the relational power sits with the same actor-network

³⁹³ For example, when the black box has to be opened in a review, or when enough connections that created the ‘matter of fact’ become severed to destabilise the black box.

and is mediated through the same actors, such as the Border Secretariat in the two stories of the longer term work. In this case, does the relational power associated with the end product in a policy process equal the sum of all the intermediary expressions of relational power? Does it get stronger as the intermediary expressions accumulate? And if so, what is the effect of the accumulation on the narrative/s involved? These are questions worth investigating further.

Another aspect of relational power that emerged from the findings is that who does the translating and whom they are speaking for affects the action and the deliverables. In the period from March to August 2009, the Border Secretariat spoke on behalf of New Zealand border agencies and DPMC, who in turn spoke on behalf of the Prime Minister. This created an intense set of connections for the Border Secretariat that helped them deliver a new model and a supporting Cabinet paper in a very short timeframe. Those connections also severed some of the connections with normal policy processes that would have seen them consulting widely on and iterating the design of the model before submitting it to Cabinet.³⁹⁴ When we compare this with the Border Secretariat in the longer term work, we see that these connections were much less intense. The Border Secretariat was still talking on behalf of the New Zealand border agencies, but the border sector matters of concern were moving away from the trans-Tasman and toward domestic border arrangements, and the connections with DPMC were much weaker. In addition, as the ‘domestic-like’ model began to take shape, it began to speak through officials who began to translate the picture of the model into a series of questions about implementation, the answers to which started to weaken the network and thus the connection with action.

This thesis has also highlighted the presence of uncertainty in policy practice. We have seen that the stories and narratives that carry action can aid, slow or block action and that those that are carried, or created, by action can stabilise or destabilize that action. These effects occur through the process of translation, which appears to affect action differently depending on officials’ connections to the matter of concern. For example, officials from New Zealand Customs were able to move quickly on SmartGate because of their extended connections with the development of SmartGate in Australia; the other border agencies had no such connections, and it took many iterations and discussions to get to an agreed narrative for SmartGate in New Zealand. For the

³⁹⁴ Personal knowledge.

longer term work, some officials had a connection to the IATA passenger model, and all had multiple connections into the work of their own agencies, but they all had to build the trans-Tasman model through many translations, and this took time. I wonder, then, if officials have to translate more when they do not have long extended connections to the matter of concern. This could have implications for understanding the dynamics of policy practice, particularly for planning and management of new initiatives.

We saw the role not only of narrative but also inscriptions in stabilising uncertainty, if only for a short time. This is particularly important for situations where officials are moving into unknown territory, such as developing a new model, or designing new ways of working where the outcomes have to be inferred and imagined, or where who is acting for whom is unclear. The role of inscriptions as stabilisers is discussed in the next sub-section in relation to temporality.

The lived experience of officials has emerged as a relevant element of the performativity of policy practice both in terms of making connections from that experience, such as accessing black boxes closed to others, and in making conceptual leaps that lead to action, such as the representations of different types of borders in Figure 8 in Chapter 6.5. This thesis has shown that officials remember their lived experience, which over time forms part of their institutional memory and which can help to unpack those black boxes in times of renewal or review.

This is different from written narratives in which officials' individual voices become anonymous, although individual officials involved in the development of these written narratives will remember their own role, as described in Stories 3 and 4 in particular. For example, interviewees remembered the significant inscriptions developed for the new trans-Tasman travel model through their colour, their symbols and their form, all of which feature in this quote: '... our lovely A3 – I can remember the light blue bits and a map of New Zealand and some arrows and the flow numbers' (Official 16, lines 316-317). The other interviewee who referred to a significant A3 talked about the dogs and Hawaiian shirts in the diagram and observed that it was cheeky. These are examples of often evocative images that have an emotional connection for the person using them. But these images are not just descriptions and representations. As inscriptions, they also form part of the action.

Likewise, emotion appears, though less positively, in the expressions of uncertainty, confusion and disagreement. Law has highlighted the importance of the lived experience of actors (Law & Singleton, 2006). Officials' lived experience in policy practice is worthy of further academic attention as this thesis has shown it has a significant impact on action, through matters of concern and through translation in particular.³⁹⁵

An ANT approach has revealed the coexistence and interrelationship of multiple narratives and how they impacted on one another in the performativity of trans-Tasman policy practice. Those multiple narratives result from different matters of concern, different historical, cultural and geographical 'long' narratives, different types of narratives, such as 'what', 'why' and 'how', uncertainty and feasibility narratives, and visible and less visible narratives. One of the implications for policy practice is that officials' narratives within their own agencies could result in translations that later intersect or oppose the primary matter of concern, such as seen in the SmartGate story and the 'domestic-like' work at the end of 2011. For example, the Customs organisational narratives are so strongly connected to the stabilised global trading system that they appear to crowd out competing narratives to such an extent that few competing narratives appeared in the data.

One implication of officials from different agencies seeking to achieve an agreed goal is that dialogue and interactions may need to address organisational narratives at the outset so that narrative worlds can be revealed and used appropriately to create a shared story. Not to do so creates the risk that the 'crowding out' effect will interfere with officials' ability to create a shared story. However, mitigating the risk means officials have to be conscious of the particular organisational narratives that dominate their thinking. One official, when reflecting on the events surrounding the introduction of SmartGate, articulated how not addressing organisational narratives affected progress:

So all the discussions that we had with other agencies about the value and the cost benefit I think if we . . . were really much clearer at the very start about "Don't look for the cost-benefit. There are other reasons for pushing this", and if we'd got other agencies on board with that understanding and maybe got the key players to kind of reinforce that message,

³⁹⁵ Fischer and Forester (1993) identified lived experience in 'the argumentative turn'. My findings highlight the types of effects lived experience can have on policy practice.

not just *us* trying to say it but *other* people sort of coming down with that message, that might have cut through a *lot* of that real stressful time that we did have, as we put the business case together (Official 21, lines 370-377).

In this example, New Zealand Customs officials did not realise what their organisational narratives were at the outset and tried to change the other agencies' narratives without first creating the right connections with, and then out of, their own organisational narratives. One connection was with the right story to be told; another was getting key players (those with strong connections to all the border agencies, such as DPMC) to speak on behalf of New Zealand Customs.

Another implication is that overlapping narratives could indicate an opportunity for translating compatible matters of concern into cooperation or collaboration. Understanding the particular performativity of a policy practice and the interplay of its narratives could therefore provide insights that enable stalemates to be broken through or risks to be managed. Further investigation into the role different types of narratives play in the performativity of policy practice could be worthwhile.

8.4 Reflections on theory

Focusing now on aspects of this research that impact on existing literature, I return to Chapter 3, where I established the close relationship between ANT and narrative. By using ANT to analyse and draw out the narratives contained within the trans-Tasman border stories, I have shown how human and non-human actors have assembled into actor-networks that have ebbed and flowed as they have moved from instability to stability and back again. I have also shown that these actor-networks both *carry* narratives through the action of translation and *are* narratives through their performativity. The dual nature of narratives in ANT revealed in this thesis is similar to but slightly different from John Law's 'two stories', discussed in Chapter 3.5. He characterises ANT itself as these stories. This thesis, on the other hand, has also shown that specific actor-networks carry the narratives of their actors' matters of concern, which span the 'why', 'what' and 'how' of policy practice. It has also shown that actor-networks *are* their own narratives through the way in which the connections are formed, strengthened or weakened and how matters of concern coalesce into matters of fact, or how they don't. This is the interaction between Law's two stories I referred to in Chapter 3.5. In Chapter 3, I said this thesis would test Law's assertion that '[t]his performativity both is and isn't linguistic'. The findings in this thesis support this assertion in the sense that the

interaction between his two stories is an enacted or living narration, as described in Chapter 7. This is different from the 'life as narrative' of Ricoeur or Bruner, distinguished as it is by the continuing performance – the metaphor of 'living' as opposed to the simile of 'life as' – and what is really meant by the category 'enacted narrative' in Table 2 in Chapter 2.

In the previous sub-section, I highlighted the effort involved in maintaining the connections in an actor-network; that this is part of performativity. The narrative implications of this are that a narrative is *being* maintained as part of the translating and stabilising of policy practice, and at the same time, it needs *to be* maintained to reflect the result of those actions. Thus this thesis shows narrative itself is performative, confirming John Law's assertion that 'stories perform themselves into the world' (Law, 2000, p. 2), as discussed in Chapter 3.

Also in Chapter 3, I queried Arendt's view of action as fragile, and asked if the original action disappears through translation or is it incorporated within that translation. The trans-Tasman border stories support Latour's assertion that there is no pure beginning to any action because it is always able to be connected back to something else. There is no 'undisputed starting point' (Latour, 2007, p. 208). If the action is not connected to something else, it will have ceased to exist through not being translated and thus through its failure to create or maintain connections. Where there is an observable focal point, as in the 2 March 2009 joint Prime Ministerial statement of this thesis, that focal point has been shown to be incorporated within the narratives of the translations. The findings in this thesis suggest that an original action does disappear in the sense that it is unable to be traced, but that it can exist in some form within the translations of an actor-network and may be contained in some sense within a stabilised inscription such as a diagram or a cabinet paper. This conclusion is different from Arendt's not only in respect of the notion of an original action but also raises questions about her condition that action stabilised by an end product can only do so through its authentic, non-tangible meaning being destroyed. In ANT, the act of translation could be said to change, to transform, rather than destroy the authentic meaning of the thing being translated. To change is not necessarily to destroy.

As outlined in Chapter 3, a significant, element of narrative theory is temporality. I suggested that time would appear in my stories as an actor rather than as an element of narrative. We have seen in Chapter 6 the ways in which short timeframes created instability and made officials uncertain indicating that time can be an actant and thus an element of performativity.

We have also seen in the border stories a different view of temporal shifting than that described by Ricoeur. His analysis of temporal shifting focuses on a known story that is told over and over again. The implication is that the substance of the story is the same for each retelling. One can envisage narrators embellishing the details of the story as they tell it, but the essential aspects remain the same so that listeners' anticipation is satisfied at the end. In the longer term work however, the end was not fully known at the start and therefore couldn't be anticipated in the sense that Ricoeur described.³⁹⁶ How the goal (the end) was conceived changed as the iterations added more detail.

The story of the new models – both the one developed unilaterally by New Zealand agencies, and the one developed with and for the trans-Tasman border agencies – involved bringing the future into the present. This action was similar to temporal shifting, as described in Chapter 3.5.1.2, but contained two essential differences. The first was that the inscriptions were visible. In the stories about the new trans-Tasman travel model, the future was brought into the present through translating the goal (the matter of concern) into something conceptually tangible – a diagram. As highlighted in some of the stories, inscriptions played an important part in creating fixed reference points, and were particularly important in pinning down a picture of the future. These inscriptions of the future were iterative, with each new level of detail making the picture of the future more and more tangible. In doing so, they made the future goal (the end) less and less uncertain. This observation is similar to that made by Erica Wagner in her thesis on Ivy University, where she noted the role of inscriptions in stabilising connections between translations, 'creating a durable time zone' (Wagner, 2003, p. 100).

Another example of the use of future time was officials' actions in the Streamlining Trans-Tasman Trade story. They knew in general terms the end of the story they wanted to tell – that customs and biosecurity regulations and practice were not barriers to trans-Tasman trade. They then set about creating the connections that would make the story 'stick' with industry. The evidence (the TRS) filled in the gaps of the general story. This example differs from Ricoeur's temporal shifting in that the people being told the story didn't know the end at the beginning. However, what we see

³⁹⁶ As there was no implementation of the new model, the degree to which the anticipation was satisfied was not able to be tested.

from this and the previous example is the potential for the idea of temporal shifting to be used consciously in narrative to help achieve a future goal.

There was also a sense in which the trans-Tasman travel story was revisited, if not exactly 'retold'. Streamlining trans-Tasman travel started as the common border work in the 1990s, was revisited in 2004, in 2009, and again in 2014. The processes kept being re-examined because the policy issues were not being addressed (Official 16 referred to this explicitly). While we don't know how the revisiting was addressed on those earlier occasions, we do know that in the 2009 revisiting, the past was turned into something new, as Official 16 related, so as to avoid repeating the past.

As we have seen in the discussion above, repetition that makes the future more and more visible can work for officials who are dealing with strategic narrative, but where repetition results in defaulting back to the past, it appears to create a risk of a predetermined answer, thus working against officials. Therefore, the repetition that brings the end to the beginning creates a dynamic that can work either for or against officials moving on or creating a new definition of the task to be done.

Another feature of narrative theory is the study of metaphors, signs and symbols. While this was not a focus of the research,³⁹⁷ I could not ignore the recurring metaphor of 'family'. 'Family' is a metaphor for the trans-Tasman relationship (Mein Smith et al., 2008). Australian Prime Minister Julia Gillard's use of this term in her visit to New Zealand in 2012³⁹⁸ was significant because she reassured New Zealanders that Australia still viewed the trans-Tasman relationship as special. It is also a metaphor for Customs administrations – the 'Customs family' referred to by officials, and which I experienced myself when conducting my research in the EU. Because I was a Customs official as well as a researcher, I was welcomed as one of the family. There is also an extra sense of family between the UK and New Zealand and Australia because of our colonial heritage and our continued constitutional linkages,³⁹⁹ as described by one UK official:

And *probably* something about the fact that the UK also views itself as having special

³⁹⁷ The study of metaphor on its own is generating a whole body of work. See, for example, (Hanne, 2011; Hanne, Crano, & Mio, 2015).

³⁹⁸ See the Stuff article on the Gillard visit to New Zealand in January 2012, retrieved 23 January, 2015 from <http://www.stuff.co.nz/national/politics/6335351/Gillard-We-re-trans-Tasman-family>.

³⁹⁹ The Queen of England, Scotland and Wales is still the head of state for New Zealand and Australia.

relationships with those outside the EU – our Commonwealth neighbours . . . that those relationships are *really hugely* importance to us (Official E1, lines 380 – 383).

Neither could I ignore the emergence of two symbols. The first is activities in trans-Tasman border practice being seen as symbols of the narrative of close connection between Australia and New Zealand (as members of the same family) – activities such as New Zealand’s implementation of SmartGate and the SmartGate integration trial:

I think what we’re doing at the moment on the trans-Tasman travel front and SmartGate in particular is demonstrating that New Zealand and Australia *can* actually do some like-minded stuff and have similar sorts of systems that link us, make, in this case, that domestic-like experience a bit closer, but I think they’re sort of quite *small* in terms of how we would really think about the bigger single economic market picture. I think they are important, smallish *symbols* of how New Zealand and Australia can line up some of things that we do to have things that are quite common on both sides of the Tasman (Official 21, lines 329-337).

The second is the use of the EU as a symbol of integration. These are examples of living symbols that, as part of officials’ narratives, affect their actions, thus becoming actants. Being aware of the symbols being used in policy practice could therefore help with the translation of ideas and goals into action.

Let us return to the current state of knowledge on policy narrative covered in Chapter 2.3. In addition to the new areas covered above, I consider an ANT approach could contribute to existing approaches⁴⁰⁰ in four areas – performativity in policy practice, letting the actors speak, local narratives and relational power.

The ANT concept of performativity could add an important dimension to the work of Rod Rhodes, Dvora Yanow and Emery Roe. For Rhodes, by extending the concept of actor to non-humans, he would be able to enrich his analysis of policy networks; it could also contribute to his understanding of implementation and, through extending the concept of narrative itself as performative, to deepen the understanding of the role of narrative in implementation. Another aspect emerging from this thesis that could help with the understanding of implementation is the

⁴⁰⁰ Of the researchers whose work I saw the most opportunity for benefiting from an ANT approach.

creation of actor-networks. In the longer term work (stories 3 and 4) we saw actor-networks set up to build a new actor-network (the new model). Creating new connections is an unstable business. Investigating the performance of actor-networks in this situation could shine new light on implementation failures. For Yanow, performativity builds on and adds another dimension to Yanow's argument that the policy analysts' role is to translate and interpret, and stories are a part of this. Translation occurs when there are one or more matters of concern to be worked through. As argued in the previous Chapter, a matter of concern coupled with translation results in both narrative and action. Not only do policy analysts tell other people's stories, but their own process of translation acts out and at the same time tells its own story. Part of this story is that when a policy has been implemented and is stabilised, the translating has been done, and the debates have been 'black boxed'. A performative perspective on Roe's work on policy disputes would see the policy analyst as participating in the actor-network by providing a way in which blocked translation can start flowing again.

My findings reveal the power of ANT narrative from letting the actors speak. Rather than the researcher or the policy analyst, the actors order their emotions. They assign meaning; they describe their own frames. This differs from Hajer and Laws, who translate emotions into a depersonalised form — 'three ordering devices . . . beliefs, frames and discourses' (Hajer & Laws, 2006, p. 254). The research approach in this thesis shows that incorporating actors' own voices into policy practice allows the lived experience of policy officials to become visible. This is important because it creates stronger connections between officials and their work. My role as researcher has been to capture and reveal the lived experience of officials and the meaning they assign to events, not to interpret it. We saw this in officials' descriptions of why they thought the HLSG changed, or needed to change. This is not dissimilar to Jay White's assertion that actors participate in their own understanding. Unlike Reissman or Roe, an ANT approach relays the words of the actors as they describe their own actions and the ways in which non-human actors played a part in their stories, rather than the double interpretation – by the person experiencing an event, and by others interpreting that person's interpretation (Giddens, 1979). This thesis has also demonstrated that an ANT approach to narrative enables more than one storyteller and makes the voices of those storytellers visible and significant. This is important in that it provides a richer

narrative than relying solely on a single authorial representation of those voices.⁴⁰¹ While it must be acknowledged that the researcher decides which of the actors' words to use and which to discard, those that *are* chosen are what the actors said. My findings demonstrate that Hannah Arendt is only partly right in asserting a narrative can only be told by the storyteller, not the actors within the story (Arendt, 1998). We have seen in this thesis that actors themselves are quite capable of telling their story. They might be retrospectively reflecting on what happened, but they were still actors within their story. This view of actors as storytellers adds to the work of Reissman and Roe.

The third contribution is the concept of 'local narratives'. An ANT approach gives *only* a local narrative, as we have seen. There may be connections back into history, or geographically distant, but they are folded into the matters of concern being played out locally. This would satisfy White's call for more local narratives in public administration (White, 1999, p. 103) and Roe's 'metanarrative' would be seen as a narrative with long connections that linked strongly to all parties, and enabled the creation of a new actor-network.

The fourth area is relational power. By tracing the connections and the translations, it would be possible to get a different view of power in Roe's work that was not solely related to people. The narratives drawn out in this thesis suggest an ANT analysis would reveal a significant amount of action within the actor-networks wherein the policy dilemmas occurred. Thus an ANT approach might provide insights into the role and the dynamics of officials and others that would otherwise be invisible. These insights could contribute to the resolution of policy dilemmas.

8.5 Extending the boundaries – ANT, narrative and policy practice

This thesis contributes to the literature in several areas. The first is by using ANT as a philosophical base and a practical tool for tracing and revealing narratives, and their relationship with action, in policy practice. I have shown in this thesis how this approach has provided a richer view of narrative and a richer view of action through the lens of 'performativity', including the role of narrative itself as performative. There is potential for ANT to be used within policy practice to improve the effectiveness of the performativity of policy practice and to raise the profile of the

⁴⁰¹ As opposed to the authorial voice being hidden, as in positivist accounts (Munslow, 2007).

need for policy practitioners to consciously attend to the performative narrative aspects of that practice.

The second contribution is by combining the use of ANT with conventional narrative theory to examine particular aspects of the narratives, such as the narrative voice, the treatment of the future, and the playing out of power.

The third is by revealing the framing narratives that underpin and drive policy performance in border management, particularly that of Customs administrations, within a regional economic integration setting.

The fourth is in providing a new lens on the regional economic integration story of the trans-Tasman through examining and revealing its specific border management policy practices.

This thesis is a point of departure for investigating each of these elements further. There are more aspects of ANT, policy narrative and action that could be explored, for example, tracing the performativity of more contested policy areas. My examination of connections between ANT and narrative theory have been limited to several specific areas. A wider examination of the connections and the interplay between these two disciplines could yield further insights of value to both. Comparing the findings in this thesis with another example of regional integration would reveal further insights, and test the idea of an anatomy of border management in regional economic integration.

And now I return to the beginning to see if I have ‘scratched my itch’ sufficiently. I reread my initial frustrations with a sense of kindly forgiveness. I did not know then that there is not a single strand to the answer – that it is made up of many interwoven narratives and actions. I did not know that there is nothing ‘wrong’ with the two countries’ interactions and that there is no inherent contradiction between economic and political dimensions at the border, but rather a mixing of narratives that results in differing emphases between them in different aspects of border management. I have a much better sense of the nature of the tensions and mismatches in policy practice in trans-Tasman border management, and have tools with which I can help others to understand and work with them. I have a changed outlook on life, where I no longer separate actions and narratives or the effects of people and things. I feel hopeful that I can use these

insights to benefit my own work, and that my findings may in some small way benefit the work of others. This, then, is the 'lived experience' answer to my research question.

Topic areas:**Trans-Tasman border**

- Opinions/values: What do you think the trans-Tasman border is?
- Knowledge: When/how did trans-Tasman come into the picture?
- How relevant was the TT border to the SmartGate story? Is it still that relevant? Has anything changed, and if so, what?
- Trans-Tasman interchange/engagement
 - Officials
 - Politicians
 - others

Narrative about SmartGate

- Background: Involvement with SmartGate? (when, how long, what capacity);
- Background: who else was involved?
- Experience: What was it like being in your position?
- **Time** – past, present or future? (explore all)
 - What is happening now with SmartGate?
 - Where did it come from?/what led up to it?
 - Over what period did this happen?
 - How relevant was the future picture/intent/goal?
- **Intentionality**
 - What was the intent/direction?
 - How clear was/is it to you? How do you know?
 - Did you see different interpretations of intent/direction? What and by whom?
 - Did you agree with/believe in the intent/direction?
- **Moving from intention to action**
 - Knowledge: When did action occur?

- Opinion: What was the relationship between when the action occurred and the intention for the action to occur?
- Knowledge: Who acted? (intender or someone else?)
- Opinions: what did you/they intend to happen? How do you know?
- Opinions: what did you expect to happen?
- Sensory: Perceptions of others' action or inaction
- Sensory: Perceptions of completed action
- **Action**
 - Knowledge: What did happen? what was done;
 - Knowledge: What did that lead to? (anything?)
 - Opinions/values: What do you make of what happened?
 - Knowledge: Source of information: (personal experience/was told/read about) How reliable? How do you know?
 - Opinions/values: Voice – whose perspective?
- **Sensory:** How did you feel about it?

Note that these are starter questions. Further questions will arise out of the information provided by the interviewee.

Background/starter

Introduce self and explain research, and my place in it.

Introductory questions – about the interviewee

- Personal history – who work for, how long, role
- What do you like about your work?
- Past roles relevant to the topic

Trans-Tasman involvement

Read out March 2009 joint Australia-New Zealand Prime Ministerial statement relating to border management:

“The two Prime Ministers committed to:... reduce remaining barriers at the borders to ensure that people and goods can move more easily between the two countries, including through effective air links “

I am going to ask you about your role in trans-Tasman border arrangements since that announcement, what happened and what you observed.

Action

- What were you aiming to achieve?
- What circumstances or events in the working environment affected your ability to achieve results and in what ways?
- What got done and what didn't?

Connections

- Whom did you interlink with?
- What enabled you to create connections with others?
- What role did technology play in linking you with others?
- Where did you perceive connections to be fragile and where were they stable?

Circulating meanings

- What debates did you have, and what were they about?
- Were those debate resolved, and if they were, how?
- If they weren't, what happened as a result (probe re associations e.g. what fell away?)

Enrolling

- Were you speaking on behalf of anyone?

Surprises

- Would you say any of these events were surprising or interesting, and if so, in what ways?

Note that these are prompt questions, covering areas I want to ensure get explored. I will not be asking all these questions.

Background/starter

Introduce self and explain research, and my place in it.

Introductory questions

- Personal history – who work for, how long, role
- What do they like about their work?
- Past roles relevant to the topic

European Border Management

In New Zealand and Australia, we talk about ‘border management’.

- What does the term ‘border management’ mean to you?
- How do you and others talk about Europe’s borders? Border controls? Border facilitation?
- Is the narrative you use different from other regions of Europe? [probe]
- Are there any differences between land and non-contiguous border arrangements?
- What are those differences?
- What effect do political and economic direction/imperatives have on border arrangements? [probe]
- Are the two strands of trade/goods flows and security/mobility of people brought together/considered together anywhere?
- Tell me about that – who’s talking about it, how you became aware of it.

Time – past, present and future

I’m interested in how European border arrangements evolved and what they mean today.

- How do you think the narratives of European borders, and their management, have evolved since the creation of the Customs Union?
- How much do officials (and politicians) refer to this history in conversations about Europe’s

border arrangements?

- How much do historical narratives from and about different countries colour/influence border relationships and networks? [probe]
- Is the way in which border management is talked about changed/is it changing and if so, when?
- What do you think caused/is causing the change?

Strategy and Action

I am looking at the way in which political direction gets translated into action at the level of border authorities

- What drives your work?
- What are the main things you talk about in your organisation's/part of the organisation?
- What do you take notice of (in terms of getting things done)?
- What's a typical conversation about when you work with other organisations/countries?
- Where do you see/hear change/development in border management come from, and how does it play out? E.g. the development of the Strategy for the EU Customs Union (2008).
- What sorts of aspirations are there for Europe's border arrangements? Whose aspirations are they?
- How visible are these aspirations? How often do they come up in officials' work? Do people talk about them? If so, who talks about them? Does it make a difference who talks about them?
- What are the expectations about evolution/development of border policies and processes? Whose expectations are they?
- What place do theories like economic integration play?

Governance and Policy Networks

- What are the layers of governance for European border management and how do they interact?
- How well do officials at different layers talk with one another?
- How do officials' relationships and networks affect what gets done?
- How important are EU institutions for getting things done in the border space?

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Organisations of officials interviewed (including former employees) and number of interviewees

- New Zealand Customs Service (11)
- New Zealand Ministry for Primary Industries (6)
- New Zealand Ministry of Business, Innovation and Employment/DoL (2)
- New Zealand Ministry of Foreign Affairs and Trade (4)
- New Zealand Department of Prime Minister and Cabinet (1)
- New Zealand Minister of Customs (1)
- Australian Customs and Border Protection Service (4)

Australian Department of Agriculture, Fisheries and Forestry (1)

Australian Department of Immigration and Citizenship (as it then was) (3)

European Union Customs officials (member states and EC) (9)

Customs focus group (nine participants from EU member states, New Zealand and Australia) (1)