MAKING MIGRANTS GOVERNABLE

Counting and defining the 'illegal migrant'

Abstract
This paper will investigate the production of knowledge regarding the number of illegalized migrants. Estimation of the number has been the common frame for production of this kind of knowledge, performed by social scientists, government officials, NGOs and others, but now biometric technology offers new perspectives on data, concepts and production of political numbers. Based on an analysis of various approaches to estimation of the number of irregular migration and an outline of biometric visions in the European Union on data production, the paper concludes that the changes caused by biometric technology will produce increased objectivity and depolitization in numbers of irregular migrants which could not be obtained in the field of estimation. The level of truth reflects the level of control and surveillance fixed as a strategy of government of mobility in the biometric technology.

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'The expected total irregular residents population with non-EU origins is estimated to be 18196 by 1.1.2006'
UDI - The Norwegian Directorate of Immigration 2008: 'Learning About Illegals: Issues ad Methods'- 'Determining the Number of Unauthorized Foreigners in Norway' (UDI 2008).

1   Introduction

In the introduction to 'Seeing like a state' (1998) James Scott remembers his original motivation for writing the book as a wish to understand 'why the state has always seemed to be the enemy of 'people who move around' (Scott 1998:2). The more he examined the modern state's attempts to 'make society legible' (ibid) by arranging and defining nature, space and people through state produced simplifications aimed at creating administrative and spatial order and possibilities for control, 'legibility' as such became visible as a key mechanism of the modern state (ibid:53ff). As a historical example of imposing state power and state definition on 'the people' Scott describes the Spanish colonial practice of demanding and creating specific and fixed surnames for the colonized population of the Philippines in order to standardize individual identification and improve the state's capacity to control the population (ibid:71).

What the surnaming practice created was a larger degree of state legibility of society, and since colonial times other mechanisms of legibility have replaced surnames in the identification of the individual (registration of births, deaths, passports, identity cards, etc.) as part of the population.

Following the increasing attention in the European Union (EU) – and now also in Scandinavian Welfare States as indicated in the above Norwegian quote – regarding statistics and estimates of migrants living in illegality, one could ask whether this growing interest is the 'just another' effort by the state to make a previously invisible or illegible part of the population residing on the territory visible or legible and what characterizes this specific process of legibility?

The basis of the investigation of this question is the recognition of the close connection between the state view from above and the experts and scientists as knowledge producers of the desired classifications, typologizations and simplifications that are required to establish an improved, rational governing of the population (Scott 1998; Rose 1999; Inda 2005)

In the following, I will answer the question by focussing on what seems as a shift in methods of producing legibility – from estimation of the number of irregular migrants based on various models, abstractions, guesswork, statistics to calculation of the number based on bodily coded information: The first based on estimation

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or guestimation, disconnected more or less from direct, specific individual registration and control of the migrant, the latter based on quantification, coupled to direct, specific individual registration and mobility control.

To understand the shift, I find it interesting to go deeper into the knowledge base for estimation techniques which have been at the forefront in the last decade in order to trace links, continuities and discontinuities in what seems to be the future of making irregular migrants both legible and governable; the biometric identifier of all residents including irregular migrants. I will use various reports and academic papers and discussions that deal with estimation of irregular migrants in Europe and the US to clarify focus and differences of the methods suggested to produce legibility also to see whether these methods, attempts and academic proposals bear with them the path so to speak to what seems to be the answer of future state legibility; large scale bodily coded information.

Estimation or guestimation key government (Norwegian) and EU funded projects will be analysed and linked to the academic literature and discussion on definitions, data quality and methods, and in the analysis of production of numbers based on biometric data, key EU documents will be discussed and reflected in a historical contextualisation of the biometric technique as technology of government.

In Scandinavia the issue of numbers of irregular migrants have had different kinds of attention. As expressed in the above quote the Norwegian government has prioritised to produce numbers and estimates on irregular migrants whereas Sweden and Denmark have been more reluctant. In Sweden the annual 'Social report' of 2010 from the National Board of Health and Welfare included a comprehensive section on 'Papperlösa' (*Sans papier*, undocumented migrants). Estimates were mentioned as being unreliable, but within the range between 10,000 and 50,000 irregular migrants in Sweden. On the other hand this section also included a thorough evaluation of the obligations of the Swedish state in order to meet international human rights. In Denmark the government was asked about the number of undocumented migrants in February 2011 and the answer was that this number was not known. On the other hand the Minister of Immigration referred to a range of control measures aimed at 'capturing' migrants staying illegally (police, labour inspections, Immigration service, tax authorities) (Minister for Immigration 2011). Numbers are produced and used in a specific political context, and the trend on focussing on numbers occurs alongside growing acknowledgement of migrants actually living in illegality in Europe.

Until now the answer to the question 'How many are they' has been answered with *estimates* of *guestimates* of the number of irregular migrants based on different data and statistical algorithms and constructs. The field of estimating the number of irregular migrants had gained a certain political and academic prominence in the 2000s. However a new 'number-producing' infrastructure seems to become a reality in the EU; *biometric systems* registering fingerprints and face of travellers in the EU with the aim of monitoring when an 'entry' of a traveller does not match an 'exit'. The production of 'reliable data' on the number of irregular migrants is put forward in the EU Commission's 2011 bio-border kick-off paper; 'Smart borders – options and the way ahead' (EU Commission 2011), as one of the reasons for establishing a huge biometric, electronic entry/exit system for all third country nationals: … overstayers are the main source of irregular migration in the EU. Reliable data on the number of irregular migrants within the EU is not available, but conservative estimates vary between 1.9 and 3.8 million.'

The conservative estimate mentioned in the Commission's paper refers to the current state of the art estimate on irregular migrants in the EU, which stems from the Clandestino project.

The Clandestino project was funded by the EU (2007–2009) with the aim to produce data and numbers related to undocumented migration and propose new methods for evaluating and classifying data and estimates on undocumented migration in the EU.

Nikolas Rose (1999) characterized such political numbers as a feature of the technology of government. They make up 'calculable spaces', and they are fields of government at both macro- and micro-levels. Hence, 'such numbers do not merely inscribe a pre-existing reality. They constitute it ' (Rose 1999:212). However Clandestino now represents a production of knowledge; estimating the number of irregular migrants, which seems seriously challenged by the EU Commission's biometric 'way ahead'.

This paper will investigate the two types of number production as technologies of government, aimed at governing the group of irregular migrants, who are present at the territory of the EU, but not part of the population in a bio-political sense.

1.1 Government and political numbers

Government was established in modern time as an independent activity, and science integrated and developed within this kind of government (Foucault 2003 [1978] 1982). Knowledge of the state was linked to government (Scott 1998). The emergence of a specific kind of 'statistics', meaning science of the state, and science of policing are two important areas in the development of science of government (Rose 1999:239). Science, statistics, 'political numbers' as Nikolas Rose calls them, helped construct problems of and in the population. '[N]umbers are crucial techniques for modern government' (ibid:197). The numbers made the population a calculable element with regularities, birth rates, diseases, etc. The population came to appear as the ultimate end of government – governable through science (ibid:241). Visibility and the 'gaze of the governor' (Rose 1999) is an important element in making populations or individuals governable. What we are seeing today in the efforts to quantify irregular migrants can be understood as efforts to make the non-population, the illegalized migrants 'legible', with the words of Scott, and governable.

Political numbers are essential and important for understanding processes of problematization and the relation between power and knowledge. According to this understanding, the government of migrant illegality will be dependent upon establishing numbers of migrants in illegality. Governing beyond the 'gaze of the governors' is not possible or at least strictly inadequate and an attempt to govern without numbers could easily be judged weak and inadequate.

In recent years, a number of nation-states, the EU, international organizations and academic institutions in Europe have pursued the establishment of numbers of irregular migrants and have initiated different kinds of estimating exercises, measuring the number of migrants entering or residing on the territory of specific nation-states or regions. One of these projects was commissioned by the Norwegian government. In the beginning of 2007, the Norwegian Directorate of Immigration (UDI) issued a study entitled *Developing Methods for Determining the Numbers of Unauthorized Foreigners in Norway, and Description of the Nature and Extent of Illegal Immigration in Norway* (UDI 2006).

More specifically the new study should: 'develop methods that can be used to estimate the number of foreigners living in Norway without proper authorization to do so, globally and/or for specific groups' (UDI 2006/7:3).

Thus the task was not directly to estimate the number of 'illegal migrants' in Norway, but to produce methods, based on the existing data that could enable the authorities to undertake their own calculations.

Existing data and authorities in the field of enumeration seemed to be very important in the description of the project, and statistics – the old science of the state – is important:

> The point of departure for part (i) of the project should be existing data material from the UDI and the Police. This material can be supplemented with data available with other state agencies. Foremost among such other state agencies is Statistics Norway (SSB), as SSB has the authority as well as the professional skills and knowledge required to be able to harvest data from a number of public records for the purpose of research and production of statistics. SSB may also have knowledge of relevant methods for this project (UDI 2006/7:4).

The Norwegian government insisted on taking their point of departure in traditional bio-political knowledge production and the Statistical Agency as a key producer and manager of public records. In Norway and the two other Scandinavian countries, the relation between state and legal residents is organised and administered through a unique numerical identifier, '*person nummer*', which is also the basis for an extensive production of statistical bio-political knowledge. The Norwegian case can be seen as an attempt to govern the non-population through an adjusted traditional bio-political lens. However in the final report it was difficult to present the result as reliable – '18.196' – despite the mathematical precision. The final report emphasizes the estimation or guestimation as a difficult process of production of truth: '…it is impossible to verify all the underlying assumptions beyond any empirical doubt. We therefore emphasize that one should not be overconfident in the reported estimates. Rather one should treat them as useful pieces of information that can help us towards a better overall understanding of the phenomenon of interest' (Zhang 2008:3).

2 Objectivity and depoliticization through political numbers

Rose (1999) makes two observations about political numbers: first, that politics, numbers and measurements are intimately connected; and second that the number-politics relation has a depoliticizing effect. The relation between numbers and politics is reciprocal and mutually constitutive.

Political numbers and numerical technologies appear to reveal and disclose realities which must be dealt with politically, but 'it is not just that the domain of numbers is politically composed, but also that the domain of politics is made up numerically' (Rose 1999:198). Numbers 'appear to depoliticize whole areas of political judgement. They redraw the boundaries between politics and objectivity by purporting to act as automatic technical mechanisms for making judgements, prioritizing problems and allocating scarce resources' (ibid.).

Michael Jandl, affiliated with the International Centre for Migration Policy Development (ICMPD), a key European organization for producing knowledge and truth in the field of 'illegal immigration' to the EU, was scientific advisor to the Norwegian government on the above-mentioned project and considered one of the leading European experts in the field of estimating 'illegal immigrants'. He offers exactly this link between policy and numbers: 'rational policy making in the field of illegal migration needs to rely on serious estimation techniques, rather than simple guesswork' (Jandl 2004:141). He emphasizes the possibility and existence of 'serious' and 'tested' estimation technique, contrary to 'guesswork' and judges policy based on these estimations as 'rational'.

Furthermore the perspective of government is very clear, as is the close link between migration research and the state. Jandl articulates the familiar rhetoric of rationality and the common good:

> There are various rationales for estimating the size of the undocumented (illegally resident) population in European countries. In the public sphere, there is a general need to gather reliable information on important social phenomena, to determine whether or not the situation warrants any political action. Once that has been established, even more reliable information is needed to formulate rational policies and to guide the political measures to be taken. For governments, the perceived size of the phenomenon will have an important bearing on the justification for the expenditure of public resources on alternative uses. Finally, when evaluating the impact of political measures, more data on the developments over time would be needed (Jandl 2006:11).

In his construct of the political rationality, he operates with the implicit understanding of producing knowledge as 'seeing like a state' (Scott 1998; Bigo 2002) and the implicit problematization of 'illegal migration' as a governing problem of nation-states. In his identification of the target of problematization – the illegal migrants – and the intention of making this target group visible, he actually refers them as a population, and also refers to the normalized bio-political mechanism of social phenomena being investigated in preparation for political programmes. But this 'illegally residing' population is a problematized population, perhaps an anti-population, which may be dealt with through special political solutions and technological programmes of the government. Through problematization of the issue of 'illegal migration' the subjectivity constructed of the 'illegal migrant' is a *position of disorder*, potential liability but also as governable. Jandl offers a scientifically based rationality:

> In the worst case, the lack of reliable information will lead to misguided policies that will aggravate the problem. In any case, there is a strong rationale for governments to engage their statistical services in developing and applying better estimation methods (ibid:10).

'Engage their statistical services in developing and applying better estimation methods' was exactly what the Norwegian government wished to do.

Science is constructed by Jandl as the neutral, objective production of 'reliable information'; but the purpose of science is political government. He subscribes to an understanding of 'illegal' migrants existing 'out there' – beyond control. A first step to address the problem is to produce reliable information.

This understanding of social science is embedded into modern political culture: numbers and figures are, in Rose's words, 'integral to the problematization that shapes what is to be governed, to the

programmes that seek to give effect to government and to the unrelenting evaluation of the performance for government that characterizes modern political culture' (Rose 1999:199).

These governmentality reflections on numbers are valuable and useful in the field of governing migrant illegality and in the analysis of problematization and the production of knowledge on 'illegal immigration' and 'illegal immigrants' in Europe.

3 Production of knowledge

Two projects were funded by the EU in 2007–2009 with the aim of making irregular migration in the EU more visible on a social scientific scale; the UWT (Undocumented Works Transition) project, a collaboration between research institutions in seven EU Member States (Austria, Belgium, Bulgaria; Denmark, Italy, Spain and the UK) and the Clandestino (Undocumented Migration: Counting the Uncountable: Data and Trends across Europe), a collaboration between the ICMPD, research institutes in Greece, Germany, UK and Poland and the NGO PICUM (Platform for International Cooperation on Undocumented Migrants). Whereas the UWT as one of eight aims had 'more reliable estimates of undocumented migration', the Clandestino project was founded primarily to produce data and numbers related to undocumented migration:

> 'The project aims were to (a) provide an inventory of data and estimates on undocumented migration (stocks and flows) in selected EU countries, (b) analyse these data comparatively, (c) discuss the ethical and methodological issues involved in the collection of data, the elaboration of estimates and their use, (d) propose a new method for evaluating and classifying data/estimates on undocumented migration in the EU' (Clandestino 2009).

The project produced a database on irregular migration which today is hosted and updated on the website of one of the project partners – the Hamburg Institute of International Economics. On their website the rationality of counting and estimating irregular migrants is formulated in the following way:

> 'Irregular migration is a top priority in the European Union. Due to security and financial concerns, an increasing amount of resources are devoted to preventing people from entering without authorization, and to enforcing the return of non-EU citizens who are not (or no longer) authorized to stay. At the same time, NGOs point to serious humanitarian side effects of this restrictive policy approach. Despite the political relevance of the phenomenon, assessments of the size of the irregular migrant population are often vague and of unclear origin. This website aims at increasing transparency in this sensitive field.'

'Return' and 'preventing migrants to enter the EU' is objectified for reasons of economy and security, and 'numbering' in that respect is seemingly a tool in a political solution (return) and in evaluation of programs (preventing entrance) to a problem defined as being of political relevance. The humanitarian consequences are defined as 'side effects', and thereby at the periphery of the 'real problem'.

The Clandestino project both reflects and intermingles with the academic discussions on ways to establish the number of irregular migrants and therefore I will try to clarify different scientific/academic approaches to the science of 'guestimation' of illegalized migrants.

Several suggestions have been put forward in migration studies on how to measure 'illegal', irregular', undocumented migration, and I do not cover them all; but in the following, I will try to analyse the content and constructs of some of these methods and suggestions presented by Jandl (2004, 2007), Friedrich Heckman (2004), Julie Kaizen et al. (2007), Douglas Massey and Chiara Capoferro (2004), Jeffrey S. Passel (2007) and Passel et al. (2004).

These scholars all agree on the necessity of measuring migrants and migration: Jandl (2004:11) refers to consideration of the public sphere (which I assume is the public sphere of the Western/European nation-state/region) and their eventual claim of political actions concerning 'an important social phenomenon' (which I translate to non-Western 'im migration). In Peter Futo and Jandl (2007) and Jandl (2007), irregular or illegal migration is constructed in a manner that nearly equates it with human smuggling and criminalized border activities.

Jandl is also a key researcher in the Clandestino project (Clandestino 2008), where various methods to estimate irregular migration is described and assessed followed by a classification of estimates.

Heckman (2004) does not explicitly formulate any aim, but links quantification to the problem of human smuggling. Kaizen (2007) also links the relevance of quantification (in Germany) to human smuggling (as well as trafficking of women),

Massey and Capoferro (2004), in contrast to the previous contributions, take their point of departure in a US context. They suggest an approach to measurement that differs from counting individuals on the territory of the (Western) nation-state, but do instead focus on the transnational migrant.

Passel et al. (2004) express the purpose of producing knowledge in this field as that of to 'be there first' and closer to the truth: 'When social scientists fail to generate such estimates, the resulting void has been and will almost certainly be filled by persons supplying figures that are less defensible' (Passel et al. 2004:5).

Passel (2007) has produced the paper for the OECD on methods of measuring unauthorized migration to the United States. Passel compares the traditional methods of measuring migration into the US: the 'residual' method and surveying the total foreign-born population. He also presents estimates of the unauthorized population in the US.

The various contributions offer both similar and different perspectives in ways of constituting the number of irregular migration as scientifically and politically relevant, constructing the irregular migrant and assessing of quality of data and strategies for producing data.

4 What to measure? Constructing the illegalised migrant

According to Scott (1998:80), the state needs at least three steps in the process of making standardized facts susceptible for aggregation: creating a common unit of measurement; count and classify objects according to the new classification and third bring it 'back to the stage', (re)presented in a context of knowledge-based government. If we compare their strategy of defining the object of measurement, there are clearly differences: while Jandl (2004) and Heckman (2004) use the terminology of 'illegal migration', 'stocks of illegal migrants (illegal foreign residence and illegal foreign employment)', illegal migration flows (illegal entries)' without defining or discussing the terminology or concepts, Kaizen (2007) refers to international rights-related definitions (Kaizen 2007:122).

Massey and Capoferro (2004) use the terminology 'undocumented' without further specification. These differences in terminology have contributed to different constructs of the migrant in question: Jandl and Heckman subscribe to the language of the EU administration and certain EU member states. Kaizen uses the language of the international rights-based organizations, while Massey and Capoferro and Passel utilise various terms within the US context. Massey and Capoferro refer to 'undocumented', which connotes a rights-based, NGO discourse, but he makes little effort to define what he means by 'the undocumented migrant'. Passel refers to 'unauthorized' or 'illegal aliens', which again reproduces the 'seeing like a state' perspective in soft and hard versions, respectively.

For Passel, what is to be estimated and measured are 'foreign-born persons who are not included in the data used to construct the demographic estimate of legal residents' (Passel 2007:10). The 'unauthorized' migrant in the Passel *et al*. paper is defined as a reverse demarcation:

> [N]ot a US citizen; not having been admitted for permanent residence; not in an authorized temporary status permitting longer-term residence and work (Passel *et al*. 2004:5).

The disagreement on terms and definitions reflects the current process of constructing the illegal immigrants and the contemporary fragility of the concept.

In the Clandestino projects all kinds of definitions are used: 'For our purpose, we find all four terms acceptable for the discussion of the indicated phenomenon. While preferring undocumented or irregular migrant, the expressions illegal and unauthorized may be used as synonym in our research. For measurement purposes the differentiation between stocks and flows is most important' (Clandestino 2009).

Following Scott's analysis of the three steps in the process of standardization, a common legibility seems to fail: One position defines the migrant as 'illegal' and represents a position of criminalisation of the migrants, another position defines the migrant as holders of human rights and brings to the stage representations of victims and again other positions do not fulfil the request of standardization.

Elspeth Guild (2004) has analysed the different concepts of the irregular migrant within the European Union as generally a residual category, such that those who are not 'legal' are 'illegal'. Guild found an impressive heterogeneity in the various definitions of 'irregularity', resulting in different rights and legal positions that often left those categorized as illegal migrants in a legal grey zone. The current contradictory and unclear definitions do not mean that it is impossible to determine a definition. Determining the definition and category can very well be necessary for government of the 'illegal' migrant, and those participating in the quantification efforts need to decide how to define the irregular migrant and thereby also participate in demarcating the category of the 'illegal' migrant; this will most likely contribute to enforcing the production of migrant illegality as an element of political rationality. Nevertheless, the current contradictory and fluid categories can also provide indicators as to the on-going production and reproduction of a political fiction that may become operational.

The two EU funded projects, UWT and especially the Clandestino project, can be seen together with the EU Return Directive, as elements in an attempt to make the irregular migrant visible and legible as a non-citizen, as a deportable individual and as governable subject.

4.1 Policing I: Different degrees of truth and the significance of data production

Truth and reliability of estimates are constructed and discussed differently in the various approaches. Heckman points out that in spite of existing data being of a poor quality in most countries, Germany has more reliable data:

> Comparing the United States and Great Britain on one side and Germany (and Austria or Switzerland) on the other, it can be stated that official statistics come closer to the true numbers of illegal migrants in the latter case. This is due to the much greater density of internal controls by law enforcement agencies in the latter countries (Heckman 2004:1107).

Heckman insists that 'illegal immigrants are traceable'. Truth is here linked to the quality of numbers and truth production to the combination of classification and control, put forward as important prerequisites for measurement. Statistics are produced in national containers, which makes them differ and which maintains the national methodology in thinking of numbers.

Passel (2007) states that compared to 20 years ago, there is much better evidence of the size of the 'unauthorized' migrant population. Today there is little disagreement about the size of the population. Rather, the current political discussions are about different stereotypes of the 'illegal alien'. '[The] estimate passed from a research result to 'accepted fact' and 'conventional wisdom' fairly quickly' (Passel 2007:9).

The figures produced are used and given authority by both pro- and anti-immigration organizations, which, according to Passel, strengthen the credibility and validity – the truth – of the figures.

Massey and Capoferro direct our attention elsewhere. Instead of giving first priority to the 'illegal', Massey and Capoferro focus on 'migrant' as the first priority. Their ethno survey method is developed in order to study and produce knowledge on migration patterns. Massey and Capoferro define a:

> [N]eed for data that can identify undocumented migrants and their characteristics, measure trends over time, support longitudinal research, compare the characteristics of migrants before and after they enter, provide sufficient sample sizes for detailed analyses, study transitions between different legal statuses and movements back and forth, and monitor the effects of policy changes on a timely basis (Massey&Capoferro 2004:1075).

Massey and Capoferro seem more preoccupied with 'the laws of migration' in a transnational perspective than the 'laws of the nation-state' in problematizing and identifying the 'illegal migrant'.

Kaizen rejects existing data as unreliable, but in her paper, she still produces several graphs showing estimates of irregular migration. Irregular migrants are constructed as primarily victims, pushed and pulled by economic factors and as being vulnerable (Kaizen 2007:137).

The Clandestino project emphasizes in their production, inspection and validation of a number of estimates that the total number of irregular migrants in the EU is significantly lower than estimates put forward by the EU Commission. At the same time this project clearly claims a higher degree of 'truth' than any other estimate.

To sum up, the majority of researchers subscribe to research perspectives that display different approaches to 'seeing like a state'. In what we could call the 'seeing like a policing state', Jandl and

Heckman operate with concepts and data constructed through a strategy of 'governing through crime' (Inda 2005) preoccupied with capturing the *illegal migrant,* using crime statistics and practices of border and identity control and emphasizing the significance of control, whereas Passel represents a research perspective of what could be called 'seeing like a bio-political state', completing the missing information on *residents* on the national territory through adding the number of irregular migrants to existing demographic data based on legality. The last research perspective can be characterized as the 'seeing like a human rights' state', represented by Kaizen, who directs her research approach to the obligation of nation states to protect *human beings* and in this particular field of irregular migrants as *victims* and eligible for protection.

With their different approaches however, they are united in the 'view from above' and the attempts to create a state-based order and counteract disorder and illegibility, which in Scott's words is a 'hindrance to any effective intervention by the state, whether the purpose of that intervention is plunder or public welfare.' (Scott 1998:78)

The research perspective represented by Massey and Capoferro differs in transcending the seeing-like-a-state lens, given that they prioritize the processes, changes and the fluidity in transnational mobility, migrant status and migration history performed by human beings as migrants.

4.2 Policing II: Quality of data

Strategies for actually measuring the 'illegal', 'irregular', 'undocumented', 'unauthorized' migrants differ in estimation. The residual estimate method, which is the most prominent and authorized in the United States, relies on the assumption that it is possible to calculate the total number of irregular/undocumented migrants residing in the country, assuming this as being equal to the total number of all immigrants, and subtracting from this the total number of legal immigrants. This method is based primarily on census data (or survey-based figures), which is modified through various calculations and estimates. Discussions and differences in techniques will depend on choices related to various elements of the calculation: data sources, population covered, geographic and demographic details, methods used to estimate components of demographic change, assumptions about census/survey coverage, definitions and measurement of components of the legal population, etc. (Passel 2007:10).

In general the method of residual estimation is rejected in Europe, with reference to differences in census-traditions and systems of control. Heckman, for example, states that 'anyone without legal status detected in the census data collection would have to be reported to the authorities' (2004:1107).

For Heckman, the effects of control are very important:

Unlike in the United States, long-term or even permanent illegal stay in the country is very difficult in Germany. The country is much smaller and controls are more effective and regarded as legitimate (ID cards, 'verdachtunabhängige Kontrollen' as for example: 'Checking on a person who has not behaved in a suspicious way. Such controls are possible, for instance, in airports, railway or bus stations (Heckman 2004:1110).

For Heckman, the level of control is a prerequisite for the quality of data. This can be interpreted as a rather obvious fusion of research and state in producing knowledge. Means of control and policing in Europe (Jandl, Heckman) is seen as producing qualified data because these data are based on registration of individuals. For Passel and Massey and Capoferro, however, policing is seen as a factor that lowers the quality of data and estimates. Passel criticizes estimates based on the number of illegal border-crossers apprehended by police as unreliable because 'a very high proportion of the apprehensions are repeat apprehensions of individuals who are making a second, third, or higher crossing after having been apprehended' (Passel 2007:12).

For both Jandl and Heckman, control procedures and crime statistics are basic to the exercise of estimating the number of irregular migrants. For Heckman, border police statistics on apprehensions for border crossing will indicate the size and development over time of unsuccessful illegal border crossing, and asylum statistics will indicate the number of successful illegal border crossers.

Other statistical information constructed as relevant, according to Heckman, are to be found in data sources with registered 'suspected criminal offences of foreigners without legal resident status' (Heckman 2004:1110), and from cases of document-fraud by foreigners, including false marriage licenses, forged residence permits or forged working papers.

The display of governing through crime, as Inda conceptualizes it, is striking here. The interlacing of research, policing and state sovereignty in producing knowledge and truth is clear when it comes to enumerating irregular migrants and making migrants in illegality a domain for government.

4.3 Policing III: The dream of biometric identifiers

According to the 'seeing like a policing state' perspective, biometric identifiers are mentioned as solutions to tackle illegal border crossings and document forgery (Jandl 2007:312). Within a control regime based on individualized identification, a centralized state authority for issuing *the* required identifications and a high degree of state access to individualized, identifiable data, and the introduction of biometric systems all seem to be the dream of a bureaucracy: Borders being patrolled, no matter whether these borders are placed at the perimeter of the nation-state or whether the patrolling and control takes place on the territory of the nation-state and through individual profiling and random inspections in bus stations or public parks.

Biometric identifiers have increasingly become a key element in technology of EU border and migration management. SIS, SIS II, Eurodac and VIS are centralized systems that contain fingerprints of different groups of non-EU citizen. SIS II stores for three years fingerprints of third country nationals with entry ban, Eurodac fingerprints of asylum seekers for 10 years and fingerprints of migrants apprehended at border crossing, VIS contains fingerprints of all visa holders for 5 years (EU Commission 2010). Similar techniques are applied the Prüm system developed to 'fight against terrorism, cross-border crime and irregular migration'.

These systems aim at governing both a large group of third country nationals and EU criminal citizens or anti-citizens. The biometric identifier is stored in order to link a specific body to specific information related to status (asylum seeker, entry banned, convicted, etc.). In accordance with the tendency to use biometrics in border management, fingerprints are also integrated in passports in the EU, but this biometric information is restricted to establish only the link between the body and the passport. Fingerprints are not

stored in a central database and linked to other kind of information. What we see here is a biometric divide between citizens and non-citizens and between citizens and anti-citizens. Non-citizens and anti-citizens are positioned and managed technologically as risks through surveillance and storage of data, whereas citizens are managed as holders of access to privileges. The technique of both circuits is however using bodily coded information through fingerprints and emphasizes the general tendency of 'securitization of identity' (Rose 1999, 2000).

From this point the 'Way Ahead' strategy in the EU, is the development of new biometric systems, which will produce important numbers in the management of migration. All third country nationals will in the future have to register their biometric identifier at the external borders of the EU and register again when leaving the territory of the EU, in a centralized system based on a unique identifier – fingerprints. This will enable policing of overstayers in that an expiry of the residence permit will be reported to the authorities. And given, as the EU Commission emphasizes, that the majority of irregular migrants in the EU are overstayers, it will strengthen the 'fight' against illegal immigration through producing 'reliable data' and facilitate the identification and deportation of apprehend irregular migrants, and data can also be used in deciding which nationalities need visa.

'An entry/exit system should allow for increasing the number of successful returns of irregularly staying third-country nationals, as the system will identify those that have overstayed. However, it will be difficult to predict how many persons will actually be apprehended as a result. However, the potential impact needs to be seen against the complete absence of data on overstayers currently available to the responsible national authorities. Also, the system should be used in conjunction with other measures, notably identity checks within the Schengen territory and the possibility to identify undocumented persons using the VIS' (EU Commission 2011).

5   Body counts

The suggestion of biometric identifiers may be seen as a withdrawal from the principle of rights applied to human beings as an abstract of the universal individual all being equal, to the (re)introduction the concept of rights being engraved in your body, depended first and foremost on one's birth, kinship and geography. The acceptance or denial of access to Europe through governable information, embodied in fingerprints, face and iris profiles or DNA, separating citizens from anti-citizens through body-inscribed identification and managed through anti-citizenship technology, seems to be a growing imaginary in the government of migration.

Even though biometric borders can be characterized as a new kind of surveillance, Mark Maguire (2009) and Louise Amoore (2006) emphasize that biometric data in the process of governing mobility is hardly a new phenomenon; older forms of surveillance data are drawn upon.

Amoore points to 'the historical emergence of body counts to enumerate and account for colonial subjects' and she refers to Arjun Appadurai's (1996) discussion of systems of classifications in colonial India, where the enumeration and accounting:

> … disciplines the 'unruly body', bringing it back into a zone of calculation and manageability, recuperating it and accounting for it within 'normal' ranges of acceptability. Contemporary biometric body counts bare out much of what Appadurai signals

for the creation of 'boundaries around homogeneous bodies' that 'performatively limits their extent', flattening differences and idiosyncrasies into calculable categories (Amoore 2006:342).

Biometric technology is a materialization of a political thought mutated from practices of government linked to the panoptical perspective of government and to colonial forms of governing through bodily control and identities. One of the current biometric identifiers is fingerprinting, which has been a social technology to measure and identify the criminal body, developed in colonial India and technologized in the era of IT into databases of criminals and suspects (Cole 2001). Biometric passports or databases contain extended and new possibilities of governing through the body (and not through representations such as ID cards, personal registration numbers, names, etc.). The opportunity of large-scale databases, such as SIS II, gives the possibility to selecting and separate legals from illegals, citizens from excluded insiders and immanent outsiders. It is not only an idea anymore, but a reality, even though the future practice of the technology is yet unknown. The 'biometric passport' or identifier merges two mutated key technologies of the colonial nation-states; fingerprints and passport (Cole 2001; Torpey 2000) into a technical, depoliticised instrument targeting 'the Others'.

In the process of depoliticizing the management of irregular migrants, numbers produced by biometric systems will make estimation projects such as Clandestino more irrelevant. Numbers of overstayers will within some years be considered equivalent to the number registered in the system.

In the making of the 'illegal immigrant', terms and numbers are crucial in positioning the political subjectivity within the problematization process, and in the process of making the subjects governable and objects for government. Instead of asking, 'Who is the irregular migrant?', as if it were an entity to be discovered or revealed with attached or embodied features or attributes, one could ask. 'How is the irregular migrant constructed?' Numbers and terms can be made relevant in the production of knowledge and truth on migration and migrants in general, but these are essential to the construct of the 'illegal migrant'. Numbers and terms constitute 'illegal migration' as a governable space and migrants as governable subjects. The mental landscape of developing biometric securitization of migration is similar to the perspective described in estimation research as the 'seeing like a policing' state.

The quantification process is based on determining key terms and definitions, and developed and constructed within the political problematization of irregular migrants as social threats or victims of foreign criminals. The means to transform the control perspective of the 'seeing like a policing state' into social practice and technology has changed from vision to reality. The other perspectives – seeing like a bio-political state and human rights state – are made irrelevant, whereas the transnationalised lens, which Massey and Capoferro represented, actually in some respect is reflected in the accumulation of data on status and place, which will link number, identity and migration history and produce of data on transnational mobility.

6   Conclusion

Numbers tend to produce objectivity. They disguise how they operate as political numbers within a specific governmentality. Numbers – political numbers – make up calculable spaces, they do not merely

inscribe a pre-existing reality – they constitute it, as observed by Rose, and we seem to be in the middle of that process of constitution. Objects are being made visible, being rendered into calculable and programmable forms (Inda 2005). Heckman and Jandl state that the shape of data is linked to a specific administration, law enforcement and governmental thought, implicitly declaring that more control is needed to enhance the quality of the data.

Production of knowledge in the field of estimation offers different methods and versions of 'truth' and reliability. The truth is debatable and open to different political numbers reflecting different perspectives of 'seeing like a state' and not seeing like a state. The object of measurement is also debatable in that the political concept of 'illegal migrant' is blurred and fragile. Estimation opens for discussion on quality of data and how to obtain it, but the more or less fictitious character of the whole project causes a lot of cracks in estimates or guestimates as truths. But the situation of the current illegibility regarding irregular migrants also reflects a relatively high degree of protection from state surveillance and the possibility of maintaining zones of protection or invisibility in civil society. When production of these political numbers changes to the described biometric risk managing system which is developed to control migrants and facilitate deportation, the horizon of diverse productions of knowledge is reduced and the objectifying and depoliticizing effect on numbers of overstayers and irregular migrants increases. The truth becomes unquestionable and quality of data will be regarded as high. Heckman's point of view that control is a prerequisite for quality of data has been implemented so to speak.

Furthermore, the concept of irregular migrant can stay blurred and flexible because the key unit is now the body; managers of migration can ascribe and register different and changing statuses to a specific biometric identity. Rules and legislation can change, but the migrant body will still be the unique identifier irrespective of governmental changes.

Tightening up controls will likely increase the number of migrants being detained and deported, making residing on the territory more difficult. Body engraved profiles through biometric surveillance and profiling, selecting the privileged from the unprivileged on the territory, the desired from the unwanted, the non-deportable from the deportable is an on-going development, which is also linked to the ambition of enumeration and surveying irregular migrants.

We can trace a development from humans with documents to bodies captured by birth and geography, having the global geometry of power laid down in fingerprints, eyeballs, DNA, etc. and a possible transformation of the political rationality of problematizing and counting 'illegal migrants' to problematizing and counting 'illegal bodies'.

Despite significant differences in the way biometrics is used as technology it is an invasive device of government and will now apparently be the foundation for government of *all* mobile residents. The state may not be the enemy of (all) 'people who move around' (Scott 1998) but the European states are extremely preoccupied with the government of 'people who move around'.

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