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The Concept of "Security" in Horizon 2020 Research Projects on Border Security

The Automated Governing of Circulations

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der Technischen Universität Wien

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Wien, 26. November 2020

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DIPLOMA THESIS

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in

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by

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Registration Number 01208048

to the Faculty of Informatics

at the TU Wien

Advisor: Ao.Univ.Prof. Dr.phil. Gerald Steinhardt

Vienna, 26th November, 2020

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Michael Strasser, Bac

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Kurzfassung

Diese Arbeit analysiert das Verständnis von „Sicherheit“, das EU-finanzierten „Horizont 2020“-Forschungsprojekten im Rahmen des EU-Außengrenzschutzes unterliegt. Diese fast ausschließlich technisch orientierten Forschungprojekte proklamieren ein Mehr an Sicherheit durch die Überwachung des Grenzraums mittels automatisierter Drohnensteuerung, weitreichender Datensammlung, umfassenden Datenaustausches, Machine Learning und biometrischer Technologien. Aber was bedeutet „Sicherheit“ in diesem Kontext? Wessen Sicherheit wird verbessert, wenn die „Grenze“ das Objekt der Sicherheit ist? Und warum sind technische Systeme die bevorzugte Lösung für die implizierten Sicherheitsprobleme? Durch den Einsatz einer Variante der Wissenssoziologischen Diskursanalyse, die sich an den Gouvernmentalitätsstudien und der Kritischen Sicherheitsforschung orientiert, wird eine Auswahl von EU-Sicherheitsstrategien, der bestehenden IT-Infrastruktur und von öffentlich verfügbaren Beschreibungen von „Horizont 2020“-Forschungsprojekten als eine Kunst des Regierens analysiert. Die Arbeit zeigt, dass die IT-Infrastruktur für den EU-Außengrenzschutz einen Teil gouvernmentaler Strategien darstellt, deren Ziel es ist, globale Zirkulationen zu sichern und deren Regierung zu ermöglichen. IT-Systeme erscheinen als Lösung, die den gleichzeitigen Schutz der Bevölkerung sowie den reibungslosen Ablauf der Wirtschaft ermöglichen, und so die konfliktierenden Objekte des „flows“ (deutsch: Strom/Fluss) und des Territoriums in Einklang bringen. Durch die Analyse der Gouvernmentalität, deren Teil diese Systeme sind, leistet diese Arbeit einen Beitrag zur Ethik im Design von und der Forschung zu IT-Systemen. Durch die stark interdisziplinäre Natur des Themas leistet diese Arbeit ebenfalls einen direkten Beitrag zu den Gouvernmentalitätsstudien, Critical Algorithm Studies und der Kritischen Sicherheitsforschung sowie einen indirekten Beitrag zur Migrations- und Mobilitätsforschung und den Europastudien.

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Abstract

This thesis analyzes the understanding of "security" underlying EU-funded research projects that shall be deployed in the context of border security. These projects, which are almost exclusively of a technical nature, aim to improve security by surveilling the border area via automated drone deployments, wide-spread data collection and exchange, machine learning and biometric technologies. But what is the meaning of "security" in this context? Whose security is increased by setting the "border" as the supposed object of security? And why are technical systems the preferred solution to the implicated security problems? Employing a variant of the Sociology of Knowledge Approach to Discourse, informed by Governmentality Studies and Critical Security Studies, this thesis analyzes a selection of EU security strategies, large-scale IT systems operated by the EU, and public descriptions of Horizon 2020 research projects as an art of government. The thesis shows that the EU's IT infrastructure for border security is part of governmental strategies, which are concerned with the securing and making governable of global circulations. IT systems appear as the solution for establishing the security of the population and the smooth operation of the economy at the same time, by reconciling the conflicting objects of flow and territory. By analyzing the governmentality that these systems are part of, this thesis contributes, first and foremost, to ethics in the design and research of IT systems. Given the highly interdisciplinary nature of this topic, it also directly contributes to Governmentality Studies, Critical Security Studies and Critical Algorithm Studies and indirectly to Migration Studies, Mobility Studies and European Studies.

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CHAPTER 1

Introduction

The aim of this thesis is to analyze the understanding of security that underlies Horizon 2020 research projects financed by the European Union for the task of border security. Horizon 2020 is a Research and Innovation programme of the European Union, receiving € 80 billion in funding (European Commission, e). € 1695 million are earmarked for research projects in the "Secure Societies" challenge, which contains projects for multiple areas, including research regarding the external borders of the European Union and their management (European Commission, c). While most of the individual projects receive little media attention, some did. *iBorderCtrl*, for example, a system that is supposed to be put in charge of visa applications. By providing answers to a "virtual agent", powered by artificial intelligence and facial recognition software, travellers are risk assessed automatically. The project received particular attention as it claims to perform an automated lie detection test, based on "micro gestures", that largely influence the traveller's risk score and, in turn, their visa application (Gallagher and Ludovica, 2019). This is, however, just an extreme example of a larger trend in the border management of the European Union turning to computer powered systems for managing travel and migration into and from its territory. Most passports nowadays contain biometric data, with "Automic Border Control" systems being the newest trend. In December 2017, testing started at the Viennese airport to introduce so-called "E-Gates", a model of automated passport control, which was already deployed in London-Heathrow airport and Paris-Charle de Gaulle (derStandard.at, 2017). Similar trends of automation can be seen with regards to the detection of illegal goods, human trafficking and irregular migration. A lot of research and development work in this area is done via projects funded by the European Union with the involvement of major European and international IT companies (see Jones (2017)). At the same time, however, given the wide spread of these technologies, comparatively little research is conducted on the effectiveness and possible side-effects of these technologies, the drivers behind these research projects and the motivation of the different actors. Developing an understanding of these issues is crucial

to understanding upcoming developments in the automation of highly politicized areas, such as the European Union's external borders. Especially for computer scientists, be they researchers or practitioners, given their widespread involvement in these developments. This thesis, therefore, aims to investigate the drivers behind technological innovations in border management, which are funded via the EU's Horizon 2020 framework programme, by answering the following questions:

- What is the underlying understanding of "security" in these research projects?
- Which problems need to be solved according to this understanding of "security"?
- What is the preferred way of solving these problems?

By answering these questions, the thesis will provide insights into how social and political understandings inform research decisions, determine the course of research and how political decisions and the priorities of different actors determine which technologies are developed and for what purpose. At the same time, the thesis aims to show how technologies employed at the border influence border management and what constitutes "the border" in general.

1.1 Outline of the Thesis

Chapter 2 serves as an introduction to the field of Critical Security Studies, which form the theoretical framework of this thesis in the broadest sense. Although the approach laid out in this chapter will be revised and critized in the chapters that follow, it introduces important terminology and also serves as a starting point for examining security as a concept. Chapter 3 introduces a sociological lens for studying security, mainly through the theory of Didier Bigo. Even though a sociological approach was not chosen for the empirical analysis, this chapter introduces important theoretical insights that undergird the selection and interpretation of the empirical material. Chapter 4, then, introduces the main theoretical framework in a narrower sense. Michel Foucault's analyses of power and insights from the field of Governmentality Studies are explored through the lens of Critical Security Studies to provide the necessary theoretical concepts for the empirical analysis. The resulting methodological approach is described in Chapter 5. Chapter 6 to 10 describe the empirical findings.

1.2 Existing Literature

There is a variety of research on what is sometimes called the "digitization" of border management (see, e.g. Amoore (2006), Brom and Besters (2010), Broeders and Hampshire (2013), Leese (2016), König (2016), Trauttmansdorff (2017), Sontowski (2018)). A majority of this research is developed in journal articles or compilations of such articles and less in monographs. To the author's knowledge, there is no major academic work focusing

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on the entirety of either current EU security strategies, the EU's technical systems or the Horizon 2020 security research projects from a critical anti-essentialist perspective, although there are some on specific technical systems (e.g. Ellebrecht (2020))[1].

An important contribution is Didier Bigo's work, especially Bigo (2001b), Bigo (2001a), Bigo (2002) and Bigo (2008). Bigo and Tsoukala (2008a) is an important collection of articles on changing security practices after the terrorist attacks of September 11, 2001. In their study for the European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE), Bigo and others focus specifically on the predecessor of the Horizon 2020 research programme, the Seventh Framework Programme (Bigo et al., 2014). However, this study is conducted with the aim of guiding policy decisions and does not engage with the subject in a way that largely influences the approach taken in this thesis. Bigo's academic work will be explored in Chapter 3.

Another important contribution is the work of Louise Amoore, especially Amoore (2006), Amoore and De Goede (2005) and Amoore and de Goede (2008a). Her monograph *The politics of possibility* explore the changes in security practices and the effects introduced through the increased deployment of algorithmic systems (Amoore, 2013). The collection Amoore and de Goede (2008a) is instructive in understanding current security practices, especially Aradau and van Munster (2008). Centered around an approach to governmentality informed by the work of Michel Foucault, Judith Butler and Giorgio Agamben, as well as subsequent research on the topics introduced by those authors, this strand of research will be introduced in Chapter 4.

Walters and Haahr (2004) is one of the rare analyses of the European Union through the lens of governmentality and, therefore, holds important insights for this thesis. In their reports for the Non-governmental organization (NGO) Statewatch, Hayes (2009) and Jones (2017) meticulously researched the development of the European security research programmes thus far. Vavoula (2017), Vavoula (2016) and Vavoula (forthcoming 2021) provide a critical legal perspective on the major technical systems currently employed in the European Union. Huysmans (2006)'s approach to Critical Security Studies largely influenced the approach taken in this thesis.

1.3 A Note on Terminology

I use the singular "they" to refer to persons whose gender is not known, or not known to me. To highlight that the European Union is only one way to imagine the territory of the European continent, instead of "European", "EUropean" is used, following Vaughan-Williams (2015) (see also Walters (2002)). In the same vein, the word *irregular* in *irregular migrant* is placed in quotation marks, in order to highlight it as a governmental construct. The word "technology" will be used in the Foucauldian sense (see Chapter 4), with the word "technical" replacing the common usage of "technological".

[1] Critical legal perspectives do, however, exist. For example, Vavoula (2016).

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CHAPTER 2

Securitization Theory: From Traditional to Critical Security Studies

Classical Security Studies are concerned with military threats and the possibility and reality of military conflict between states. They, therefore, work with an understanding of security that is restricted to the security of states. Theoretical objections to the limitations of this notion of security and global developments, such as the rising threat of nuclear war threatening human life in general, resulted in an academic debate during the 1980s and 1990s. The debate revolved around *widening* the notion of security, allowing for the inclusion of, e.g. the security of individual human beings, and was consequently labelled the widening debate. It centered around the possibility, advantages and disadvantages of incorporating other conceptions of security, such as the security of individuals, the environment or the economy. A wider understanding of security entails two things: a change in the objects that require security (called *referent objects*) and a change in the nature of threats, as, e.g. threats to the state might not be threats to the environment and vice versa. In Classical Security Studies the referent object is always the state and the threat is always military conflict. This understanding was the informal consensus of Classical Security Studies until critique of this focus emerged. Hence, there was no conceptual work on the notion "security" up until the widening debate started. The object of study was never clearly defined (Huysmans, 2006, 15-22).

In the widening debate, then, it was argued that "security should encompass *more* than is currently the case" (Wæver, 2007, 66). Security Studies should not be occupied with the security of the state alone, it should allow for the study of other referent objects and their security as well. Furthermore, in this view, security is seen as something inherently positive. Hence, "the more security, the better" (Wæver, 2007, 66). The counter-argument, however, was that widening the notion of security would lead to

intellectual incoherence of the field (Buzan et al., 1998a, 3). The theory of *securitization* was developed by Buzan, Wæver and Wilde to allow for the widening of the notion of security while maintaining intellectual coherence. They are, in principle, sympathetic to the widening approach, but agree with the traditionalist view that widening raises the problem of "deciding where to stop, since the concept of security otherwise becomes a synonym for everything that is politically good or desirable" (Wæver, 2007, 67).

Their key move, however, did not consist in conceptually defining what "security" means. They delineated the *logic* of security that formed the informal consensus of Classical Security Studies and investigated what it means to apply this logic to non-military threats and non-state objects. Consistency of the knowledge of security studies is, then, no longer provided by studying the same type of objects, but by studying what it means to apply a military-type logic to non-military objects. Thus, instead of engaging in a debate on the meaning of "security", they explicated the informal consensus of Classical Security Studies and turned it into an object of study

What does this logic look like? Buzan, Wæver and Wilde first refer to it as "international security", the "military-political understanding of security" in a context where "security is about survival" (Buzan et al., 1998c, 21). Meaning that an existential threat to the referent object exists (or at least someone claims one exists), which in Classical Security Studies is the state. In this case, a reference to a threat that threatens "the state, incorporating government, territory, and society" is necessary to fall under this notion of security (Buzan et al., 1998c, 21). Or, more generally, anything threatening the "constituting principle – sovereignty, but sometimes also ideology – of the state. Sovereignty can be existentially threatened by anything that questions recognition, legitimacy, or governing authority" (Buzan et al., 1998c, 22). If the referent object in question would be the environment, global warming would constitute such an existential threat. These examples also highlight the fact that what constitutes an existential threat is dependent on the referent object and cannot be defined generally. Lastly, the threat to survival renders necessary the use of "extraordinary measures", as in the case of war.

> The invocation of security has been the key to legitimizing the use of force, but more generally it has opened the way for the state to mobilize, or to take special powers, to handle existential threats. Traditionally, by saying "security," a state representative declares an emergency condition, thus claiming a right to use whatever means are necessary to block a threatening development. (Buzan et al. 1998c, 21)

It is easy to see how this notion of security differs from, e.g. home security. Improving the security of one's house by installing an alarm system or an improved lock neither requires extraordinary measures, nor a reference to an existential threat. It is, in a sense, "normal" instead of extraordinary and therefore also requires little justification. It is exactly the flattening of this difference that Wæver criticizes, as do Classical Security Studies. He argues that this results in reducing security to its "everyday sense, which is only a semantic *identity*, not the *concept* of security" (Wæver, 2007, 70).

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As the reference to an "emergency situation" suggests, a *securitizing move* is a move that tries to push an issue beyond "the established rules of the game" of usual politics "and frames the issue either as a special kind of politics or as above politics" (Buzan et al., 1998c, 23). *Securitization* therefore differs from *politicization*, a term that Buzan et al. use in reference to issues that are in some form part of public discourse. Politicized issues would incorporate all issues that are, for example, part of parliamentary debate, or discussed in newspapers. There has to be a for and against on the issue and the belief that the issue can be resolved by employing "usual", established practices and policies.

> Politicization means to make an issue appear to be open, a matter of choice, something that is decided upon and that therefore entails responsibility, in contrast to issues that either could not be different (laws of nature) or should not be put under political control (e.g., a free economy, the private sphere, and matters for expert decision). (Buzan et al. 1998c, 29)

One can imagine this as three spheres. Non-politicized issues are part of a private sphere outside of the public discourse, where everyday issues reside which are not of collective interest or issues which are deemed as not needing political control. Politicized issues are part of a public sphere where issues and solutions are debated by different actors, such as politicians, journalists, intellectuals or social movements. Securitizied issues are part of a sphere of security beyond politics that no longer adheres to the logic of public discourse. When a state enters into war, it is done via a political decision and to achieve a political aim, but this decision changes the logic that governs the state (Wæver, 2007, 71, 93). Continuing to act via the logic of politics would mean to play "less well and losing the political aim, as well" (Wæver, 2007, 72). The sphere of security is governed by this logic of war, using extraordinary means to defend the referent object, like a nation state at war fending off an enemy. Like the political decision to enter into war changes the logic governing the nation state, a securitizing move tries to change the logic underlying a particular issue. Thus, moving an issue from the sphere of politics (politicization) to the sphere of security (securitization) radically changes the underlying logic and the way that the issue is handled. Therefore, more security is not necessarily something that is desirable.

For an issue to be securitized, the securitizing move referring to the issue has to be successful. This is the case, when the audience of the securitizing move agrees with the declaration of a threat as existential. Not necessarily in a "civilized, dominance-free discussion", but lacking major opposition (Buzan et al., 1998c, 25). The audience has to "accept" the securitization (Buzan et al., 1998c, 29). A prime example for a securitized issue at the time of writing is the handling of the Corona virus outbreak in most European countries. An existential threat (the Corona virus) to a referent object (the population in general or parts of the population at risk) was established, requiring extraordinary measures (e.g. curfew). The issue was not politicized, since there was no major opposition to the emergency measures in most parliaments and by the majority of the populations. Hence, there were successful securitizing moves by different actors: heads of state, health

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care experts, journalists, etc., claiming that the existential threat requires handling that is beyond the "usual". These actors, performing the securitizing moves, are called *securitizing actors*.

If a threat is "persistent or recurrent", securitized issues can become *institutionalized* (Buzan et al., 1998c, 27). Meaning, that simply by referring to the institutionalized issue, its securitization is apparent. There is no need to employ a securitization move explicitly, existential threat and referent object are known and implied when referring to the institutionalized issue. According to Buzan et al. this is the case, for example, when one is talking about issues of national defense. Or, in the case of the Netherlands, when one is talking about dikes, which are preventing the country from being flooded (Buzan et al., 1998c, 28). Issues that are not legitimized by public discourse, as for example the US black budgets (Gellman and Miller, 2013)[1], are not examples contradicting securitization theory, but had to be securitized at some point before they became a "black security box" (Buzan et al., 1998c, 28). "Not every act is presented with the drama of urgency and priority, because it has been established in a general sense that this is an entire field that has been moved to a form of treatment legitimate only because this area has been defined as security" (Buzan et al., 1998c, 28).

What is crucial, however, is that the announcement of an existential threat does not have to refer to a "real" threat. Buzan, Wæver and Wilde's approach is not concerned with judging whether the exceptional measures demanded by a securitizing move are appropriate or not, or whether the threat exists at all. Securitization theory is a *constructivist* theory, meaning that security issues are seen as socially constructed via intersubjective securitizing moves (Buzan et al., 1998c, 31). A securitizing move socially constructs a security threat through a speech act, i.e. where "the utterance itself [...] is the act" (Buzan et al., 1998c, 31). Speech acts are self-referential, they do not refer to something "more real" (Buzan et al., 1998c, 26). "Like a promise or baptizing result from successfully speaking the promise or naming the child, security questions follow from successfully speaking or writing 'security' or 'insecurity' in relation to a policy problem." (Huysmans, 2006, 24). They are intersubjective, because the constructed threat needs to be accepted as "real" by the audience, i.e. the securitization move has to be successful for something to be a security issue. Hence, whether something is a threat or not is independent of the "threatening" object itself. Buzan, Wæver and Wilde give the example of "hostile tanks crossing the border; even here, 'hostile' is an attribute not of the vehicle but of the socially constituted relationship. A foreign tank could be part of a peacekeeping force" (Buzan et al., 1998c, 30). There is even a commonly known term that is used to highlight that one feels like being construed as a threat unfairly. A term that can be used to counter a securitization move: accusing the securitizing actors of performing a *witch-hunt*.

Furthermore, as Wæver reminds us, there is no security-insecurity binary. Security is the combination of the identification of a threat and "some measures taken in re-

[1] These are budgets that are used for operations that are declared "classified" and, therefore, cannot be scrutinized by the public or by parliaments.

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sponse" (Wæver, 2007, 74). Insecurity is just the identification of a threat. What this means, is that, without the identification of a threat, there is a third state that is neither security, nor insecurity. "When there is no security problem, we do not conceptualize our situation in terms of security; instead, security is simply an irrelevant concern" (Wæver, 2007, 74).

If *securitizing* means moving an issue into the sphere of security via a speech act, trying to move an issue out of this realm of security is a *desecuritizing move*. And if security threats are socially constructed, the task of the security analyst cannot be the analysis of the "reality" of threats, since labelling something a threat constructs insecurity. If an analyst were to assess the (ir)reality of threats, the analyst would stop analysing and instead "join the game", i.e. contribute to securitizing or desecuritizing issues. The task of the security analyst, then, "is to understand the processes of constructing a shared understanding of what is to be considered and collectively responded to as a threat" (Buzan et al., 1998c, 26). Consequently, the security analyst analyzes the construction of security threats by analyzing securitizing moves and the possibilities of their acceptance.

Although the understanding of security as a social construct voiced by Buzan, Wæver and Wilde was a highly important step forward for the field of Critical Security Studies, what became the object of critique, is that the theory of securitization introduces two "splits". The first is one between what is called individual security and the international security mentioned earlier, which is constitutive of what counts as a securitizing move. As Hansen (2000) points out, this distinction limits the analysis relevant for security researchers to those issues that can be securitized in a way that allows them to meet this qualification of international security. If individuals or groups are, however, collectively silenced, they are unable to perform the necessary speech act on issues that threaten them and these issues are consequently not in the scope of security analysis. Hansen shows this via the example of honour killings of Pakistani women, who are prevented from voicing this threat to their survival. The corresponding issue would, then, not be part of the agenda of Critical Security Studies, assuming one follows the theory of securitization as laid out in Buzan et al. (1998c). The second "split" is one between what we labelled the sphere of security and the sphere of politics. This distinction has been criticized as blocking the analysis of the interplay between the two spheres. It limits the analysis of the construction of insecurities in the realm of the "normal", which can serve as the basis for performing a securitizing move. The Paris School of Critical Security Studies focuses on the analysis of those actors that are able to construct threats in non-exceptional times, an analysis strongly focused on, but not limited to, the practices of security professionals.

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CHAPTER 3

Beyond Securitization Theory I: Pierre Bourdieu and the Managers of Unease

The researchers of the Paris School agree with Buzan, Wæver and Wilde that security is a social construct and that this "social and political construction" is "related to speech acts" (Bigo and Tsoukala, 2008b, 4). Where they differ from Securitization Theory is that they decline that the speech acts are "decisive" and "that international security has a specific agenda, that this agenda is about survival, and that security can be conceptualized as 'beyond normal politics' and as a 'politics' of exception" (Bigo and Tsoukala, 2008b, 4-5). Similar to the critique of Hansen (2000) introduced at the end of the last section, they criticize the "split" between the "normal" and the "exceptional", but from a slightly different position. They are not only concerned that this might limit the theoretical lens of Critical Security Studies, such that certain issues are not seen as being a proper object of research, but also about the connection between these artificial "spheres". As Bigo and Tsoukala put it, with regards to their analysis of counter-terrorism practices, "[f]or us, the existential threat and the politics of terror cannot be distinguished so easily from the simple threat and feeling of unease" (Bigo and Tsoukala, 2008b, 5)[1]. Their focus is less on the utterance that officially declares something a threat and more on the construction of these threats that form the basis for the speech acts. These (in)securities are not (only) constructed through politics of exception, but mostly through "mundane bureaucratic decisions of everyday politics, with Weberian routines of rationalization, of management of numbers instead of persons, of use of technologies, especially the ones which allow for communication and surveillance at a distance through databases and the speed of exchange of information" (Bigo and Tsoukala, 2008b, 5). And, as Bigo states

[1] "Unease", here, is the English translation for the French word *malaise*.

elsewhere, "securitization results from power positions, not from individuals creating new frames, new roles for differences and repetitions in different contexts; it results from struggles inside institutions and between institutions for what is to count as the legitimate truth. To focus only on the role of political discourse in the securitization process is to underestimate the role of the bureaucratic professionalization of the management of unease" (Bigo, 2002, 74). Politics of exception that propose exceptional measures for exceptional "threats" are, thus, underpinned by the every-day practices of security professionals who have the authority to state what counts as a threat and how to hierarchize those threats. Furthermore, the way that these threats and their hierarchies are constructed is dependent on the struggle between the different professionals and their agencies who want to impose a definition of that which, from their perspective, counts as the "real" threat (Bigo, 2002, 85). Thus, (in)securitization, in the view of the Paris School, is not simply the result of a successful speech act enabling exceptional measures. Struggles for the definition of threats and respective counter-measures are a permanent process whose actors are not restricted to the sphere of politics and the counter-measures do not always call for exceptional means. Hence, the Paris School focuses on investigating the every-day practices of security professionals and how their internal and inter-agency struggles exert a definition of "threat" on the field of politics and society in general. The analysis of practices of security professionals is grounded in the sociological theory of Pierre Bourdieu, especially in his notions of *field* and *habitus* (Bigo, 2011, 226). The notion of habitus will be introduced in Section 3.1. Section 3.2 introduces the notion of capital, a necessary prerequisite for the definition of the notion of field, elaborated in Section 3.3. These terms are part of Bourdieu's "thinking tools" which he introduces in an effort to both work with and avoid the reproduction of antinomies. Antinomies are supposedly irreconcilable differences between two terms constructed as opposites, e.g. the individual and the group, soul and body or male and female. These fundamental oppositions structure the reality of a given society and can be analyzed by the sociologist. However, since the social sciences are part of a society, they are themselves structured by these antinomies.

> The rock-bottom antinomy upon which all the divisions of the social scientific field are ultimately founded, is namely, the opposition between objectivism and subjectivism. This basic dichotomy parallels a whole series of other oppositions such as materialism versus idealism, economism versus culturalism, mechanism versus finalism, causal explanation versus interpretive understanding. Just like a mythological system in which every opposition, high/low, male/female, wet/dry, is overdetermined and stands in homologous relations to all the others, so also these "scientific" oppositions contaminate and reinforce each other to shape the practice and products of social science. Their structuring power is the greatest whenever they stand in close affinity with the fundamental oppositions, such as individual versus society (or individualism versus socialism), that organize the ordinary perception of the social and political world. (Bourdieu 1988, 778, as quoted in Bigo 2011, 229)

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The construction of these antinomies is the result of an invisibilization of relations. By rendering them invisible it becomes possible to construct a dichotomy between, e.g. subject and object or material things and discourse (Bigo, 2011, 235). The notions of habitus and field try to avoid this dichotomy by focusing on the relations between actors. The question that Bourdieu ultimately seeks to answer is the following: if individuals have agency and free will, how is it, that they keep reproducing social structures? Rather than seeing "the extremeties" (the actors) as fixed and stable points forming relations between them, he approaches this question by seeing the relations as forming the extremeties (the actors) (Bigo, 2011, 236).

3.1 The Notion of Habitus

By approaching the resolution of the structure-agency antinomy from the view of structuralism, we can approach the notion of habitus. How do social structures affect the *habits*, the behavior, the individual's actions in general? Or, in other words, how does structure affect agency? According to Müller (2014), Bourdieu takes inspiration from Marx's notion of *Charaktermaske* (character mask) Müller (2014, 36). Marx views individuals' behavior as a representation of their economic role, i.e. their behavior is structured by their position in the economy. If the individual occupies the economic position of owning means of production (i.e. a capitalist owning, for example, a factory) its actions will be that of the capitalist's character mask: it will try to maximize profit and drive down the wages of the workers in the factory. The individual will perform these actions not because of individual traits (because it is, e.g. ruthless, greedy, etc.), but because of its economic position (Marx, 2005, 99-100, 163). The character of the individual is, hence, a mask that could be worn by anybody, assuming they take on the same economic position. Bourdieu takes up this notion of *position* as determining an individuals behavior, but he expands it beyond economic positions. The *habitus* of an individual is, thus, informed by the individual's position in society along different axes (e.g. rich-poor, male-female, etc.). Furthermore, he wants to incorporate the notion of agency into his concept of habitus. Therefore, the habitus does not fully determine the behavior of the individual but *dispositions* an individual to act in certain ways.

Maton gives the following definition:

> Formally, Bourdieu defines habitus as a property of actors (whether individuals, groups or institutions) [...]. It is "structured" by one's past and present circumstances, such as family upbringing and educational experiences. It is "structuring" in that one's habitus helps to shape one's present and future practices. It is a "structure" in that it is systematically ordered rather than random or unpatterned. This "structure" comprises a system of dispositions which generate perceptions, appreciations and practices. (Maton 2014, 50)

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"Disposition" is defined by Bourdieu as expressing:

> the *result of an organizing action*, with a meaning close to that of words such as structure; it also designates a *way of being, a habitual state* (especially of the body) and, in particular a *predisposition, tendency, propensity or inclination*. (Bourdieu 1977, 214, as quoted in Maton 2014, 50)

One is *dispositioned* to do something, if one has the tendency to act in a certain way (e.g. someone is dispositioned to take advantage of others). This disposition is more than a personality trait, it is an *incorporated structure*. One's habitus is acquired over the course of one's life, first through the social positions and resulting habitus of the parents (or primary care-takers) and thereby one's own initial social position and the habitus of the people in one's surroundings, as well as through institutions such as school or kindergarten. The habitus is thereby initially *structured*, the part of the social world that the individual is exposed to "imprints" its structure onto the individual. Later experiences influence the habitus, which is therefore not static, but changing according to the individual's path in life. All these experiences provide a way of perceiving and judging events, persons and objects and to appreciate some things over others. Through these perceptions, judgements and appreciations, one chooses some possible actions over others. And, crucially, the habitus also shapes what is seen as *possible* action. The habitus is thereby *structuring* one's practices. Finally, the habitus is itself a *structure*, since the actions taken by individuals are not random and unpredictable, but guided by the individual's habitus. The habitus forms a structure of the self, it acquires a degree of permanence and changing it requires long periods of exposure to other habitus[2]. That, which is commonly referred to as "leaving one's comfort zone" (and then staying there).

3.2 The Notion of Capital

The social position of an individual (or a group of individuals) is determined by their possession of different types of *capital*. Besides economic capital (wealth), Bourdieu identifies two other major types: social and cultural capital. Social capital is "who you know" – one's social network – and the value of this type of capital is thereby dependent on the amount of capital one's social contacts have acquired. Simply put, the higher the social position of the people I know, the higher my own. Cultural capital is acquired through education in the broadest sense. Meaning not only knowledge acquired through school or university, but also knowledge about the arts, or experiences gathered through travelling. Cultural capital, thus, encompasses things such as a master's degree in management, the appreciation of Picasso, as well as knowledge about South American culture acquired through a three months journey. But it also encompasses things such as "style" and morals. In short, that which makes an individual appear as "cultured".

[2]Readers familiar with Kant, thus, may think of habitus as similar to socially acquired categories that are subject to change. Yet, these categories are always *particular*, resulting from the individual's social position and guiding one's actions.

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Economic capital is somewhat elevated above the other types, as it tends to give easier access to them (Müller, 2014, 47-57).

3.3 The Notion of Field

Individuals, however, do not exist in isolation, they are always embedded in relations to other individuals. Their positions, in society in general and in specific "parts" of society, are determined only in relation to other individuals and institutions. To say that, e.g. an institution "holds 'a lot of power' (whatever the type of power one is looking at) only makes sense relative to institutions holding less power (or no power at all) and vice versa" (Bigo et al., 2007, 9). Changes in power of one institution, then, impact the power of all these other institutions. To describe the relations specific to certain "parts" of society, Bourdieu uses the notion of *field*. The following gives a short overview of commonalities between fields, i.e. properties of social relations that are commonly observed in sociological research. They are methodological reflections upon empirical observations, not a theoretical framework that is imposed on social relations during field research. Specific sociological investigations into specific social relations need to reflect and adapt these notions accordingly. The examples given in this section, thus, only serve illustrative purposes and would require sociological investigation to estimate their truthfulness given a specific field (Bigo, 2011, 237-238).

Similar to a football field, Bourdieu's field is a "boundaried site where a game is played" (Thomson, 2014, 66). The players of the game, called *agents*, can either be individuals or institutions. Their position in the field is determined by their capital. However, which type of capital is relevant in the field, is inherent to the field itself. And like positions in the game of football, their position in the field determines the type of moves that they can make, the strategy they can employ, and their relation to other agents. Furthermore, what can be done in the field is conditioned by the field itself. It is bounded and, thereby, the possible actions are bounded as well. Not everything can be achieved in the field and not every action "makes sense". And, like football, the game is competitive and the agents constantly try to improve their positions in the field by employing the capital they possess. What is at stake in the game is the acquisition of further capital, the type of which is again specific to the concrete field in question. Furthermore, the actions in the field are rule-bound and an agent in the field has to learn these rules to play the game. The acquisition of the rules forms the habitus of the agent and vice-versa. (Thomson, 2014, 66-68) When the habitus of the agent fits the rules of the game, the agent feels "at home", the game feels "natural" to the actor and there is a "feel for the game". If it doesn't, the agent feels to be in the wrong place, like it is "not for me" (Maton, 2014, 57). Acquisition of a "feel for the game" is time-dependent. Agents that have spent more time in the field, therefore, have a better "feel" than new-comers. However, depending on the new-comer's habitus before "entering the game", this can take more or less time. The more improved this "feel for the game", the easier the agent can use the rules of the game to their advantage (Hilgers and Mangez, 2014, 17). To paraphrase the common saying, "you have to know the rules, so you can bend them".

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A field, therefore, is a *field of struggle*, since the different agents in the field are in constant competition with each other. In this struggle, the agents can take different positions according to the amount of capital relevant in the field. These positions are hierarchized. The higher the amount of capital, the higher the agent's position and, through employing strategies, agents try to improve their position in the field. This struggle is bound by rules specific to the field which the actors have to internalize for their strategies to be successful. The field and the habitus, thus, interact (Maton, 2014, 51). The struggle is, furthermore, not simply performed for the sake of competition, but for the *stakes of the game*, i.e. the type of capital that can be acquired in the field. What is at stake in the game determines the attraction of the field. If the stakes are high, more agents are drawn to the field and want to "join the game". In this way, the field functions like a magnetic field. Finally, a field contains subfields and is in relation to other fields. The superfield influences the subfields it contains, by imposing its rules on them, and the agents themselves can be subfields of the field if the agent is an institution. Furthermore, positions in the field and the field itself can be *homologous* to other positions or fields. Meaning that there are other positions or fields functioning in the same way and, when an agent occupying a position in field A decides to "switch fields", the agent can occupy a homologous position easier than non-homologous ones. Similarly, an agent who formed his habitus in field A can switch to a homologous field B with little effort, since they operate in a very similar fashion. Homologous positions and fields, however, are never exactly the same, as the field is formed by the agents' actions and their position in the field. Therefore, fields are constantly changing, as each action influences the positions and rules of the field to some degree. If two fields would be exactly the same, they would have to consist of the same agents and would therefore be the same field (Thomson 2014, 68-69; Hilgers and Mangez 2014, 13-16).

Field autonomy, then, is a way to describe a field's relations to other fields. The more autonomous a field, the less it is dominated by other fields and the more its internal functioning is determined by the field itself. This is also true of the subfields mentioned above. Subfields are influenced by the superfield, but since all the rules are implicit and they do not represent metaphysical laws, they do not impose themselves automatically. Simply said, someone has to *do* the influencing, either via its incorporation in the habitus of the agents active in the subfield or via agents from the superfield interfering from a position higher up the hierarchy (Hilgers and Mangez, 2014, 6-7). If, however, a field acquires a high enough degree of autonomy, a specific type of capital emerges, "whose main holders constitute the elites of the field":

> Through its knowledge and practices, a corps of specialists is consolidated and proceeds to monopolize a rare, socially recognized knowledge of which it is the exclusive holder. It thereby becomes the repository of "the specific competence necessary for the production or reproduction of a deliberately organized corpus of knowledge", whose authority is reinforced by "the objective dispossession of those who are excluded from it", who are thereby constituted as the profane laity. [...] The greater its autonomy, the more the field is

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> produced by and produces agents who master and possess an area of specific competence. (Hilgers and Mangez 2014, 6-7 quoting Bourdieu 1991, 9)

The greater the field's autonomy, the more the agents of the field tend to interpret the world in terms of the internal logic of the field, i.e. the habitus of the field influences the agent's habitus more excessively. Fields are however, only *relatively* autonomous, they are internally structured between a heteronomous pole and an autonomous pole. This is an effect of the *field of power*, which is more abstract and not bound to a specific activity, it is "the space of relations of force between agents or between institutions having in common the possession of the capital necessary to occupy dominant positions in the different fields" (Hilgers and Mangez 2014, 8 quoting Bourdieu 1996, 215). The field of power is where a society's most important decisions take place and which determines the value of other fields' specific capital, i.e. their relative autonomy (Müller, 2014, 81). This implies that each field's struggle happens along two axes, one influenced by the field of power and one influenced by the field's own capital. The internal struggle is, therefore, also a struggle for the value of the field's specific type of capital. The struggle along these axes results in distinction inside the field (Thomson, 2014, 69). Finally, like a magnetic field, the pull of attraction of a field does not end at a hard boundary, but ebbs off. This can ensue struggles over the boundaries of the field, trying to keep some domains of activity or some agents out of it (Thomson, 2014, 70).

Habitus and field should not be seen as synonyms for agency and structure, but, as Bigo points out, as two different ways of investigating the same thing. Agents are always shaped by a habitus, which is shaped by their relations to other agents. What emerges from these relations are fields. Yet fields are not structures independent of the agents, they are simply the relations between the agents and are themselves shaped by their agents' habitus. Habitus and field are, thus, tightly interwoven and cannot be separated from each other. Agency and structure can only form an antinomy if the relations that shape them (habitus and field) are rendered invisible (Bigo, 2011, 238).

What do we gain from this sociological approach to Critical Security Studies? As the notions of field and habitus imply, labelling something a "security issue" can no longer be viewed simply as a speech act moving an issue from the realm of the everyday to the realm of exception. "Security issues" arise from inter- and intra-agency struggles over what constitutes a threat and these same struggles define the appropriate solutions (Bigo, 2002, 76). These agencies have their own particular interests and different views on what constitutes a (relevant) threat and how to act on that threat, depending on their particular expertise and particular practices (e.g. intelligence agencies proficient in surveillance practices tend to favor a surveillance-based approach and are mostly concerned with threats of clandestine groups rather than vandalism) (Bigo, 2001b, 196). What is presented as security issues and counter-measures, therefore, does not emerge from a coherent plan voiced by a single actor of the political field, but emerges from the interests of different (sub)fields and the amount of capital and ensuing credibility these (sub)fields possess. Official security strategies (e.g. counter-terrorist "action plans"),

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therefore, do not represent a single will of a purported "state actor", but represent the outcome of struggles between agencies "filtered" through the field of politics, which is itself a field of struggle (Bigo, 2002, 73). Security issues are, thus, highly influenced by the subfields of the agencies, their specific view of the world and their competition for resources and influence in the political field. "[T]he facts are constructed (or not) as problems by these specific actors: crime by the professionals of internal security, war by the professionals of external security", etc. (Bigo, 2001a, 92)

3.4 The Field of Professionals of the Management of Unease

What is "at stake" for the agents in the field of security professionals is "the authority to impose their definition of who and what inspires fear" (Bigo, 2008, 25). The institutions of the field are "authorised to state what security is" and struggle for the power to decide what counts as a threat (Bigo, 2001b, 195). The habitus of the field is based on a supposed superiority of "secret knowledge" that "non-professionals" do not have access to and that is acquired through the technologies at the disposal of the different agencies. Their authority derives from their means of knowledge acquisition. They know the threats before they emerge through, e.g. surveillance of "suspicious" persons and groups. The confidentiality of that knowledge requires that it is only shared within this community of security professionals, which "creates a community of mutual recognition and governs a logic of implicit acceptance of claims made by other professionals, not only with respect to the substance of these claims but also to the forms and technologies of knowledge acquisition" (Bigo, 2002, 74-75). It should be noted here, that this "habitus of secret knowledge" should not be understood as a conspiratory device employed by security agents to shroud themselves in secrecy as a way to conceal their hidden struggles, rather, the notions of field and habitus are employed to highlight the way these agencies operate. Especially secret services operate with this "secret knowledge" that is rarely called into question and rarely needs to be revealed (a request that is commonly countered with a reprimand that revealing this knowledge would endanger some individuals or an operation). The way this knowledge has been acquired is questioned even less. This habitus extends through the community of security professionals with the result that the validity and means of acquisition of knowledge shared between agencies and agents is not called into question, even by the agents themselves.

3.4.1 The history of the field

That the different security professionals (e.g. police, military, customs, etc.) are part of a single field is a relatively new phenomenon. Police and military emerged as distinct fields in the sixteenth century and have been institutionalized as such only since the nineteenth century. "The massive transformations of the construction of the parliamentary state and its legitimation were followed by the progressive *demilitarization of the police* and the differentiation between the two universes" (Bigo, 2001a, 102). This differentiation of the

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two fields is currently in a process of reversal, as the two fields are dedifferentiating and forming a common field. Hence, the respective administrative assignment of tasks to the military and the police is coming to an end as well. Internal security, the responsibility of the police, is transformed as the notion of security is deepened to concern the security of the individual citizens. Notions such as "security feeling" are appearing as the security of the citizen is becoming an increasing responsibility of the state. This concern for the citizen is not radically new, it emerged through the parliamentary system and processes of democratization. The "governing bodies [...] learned to take care of its populations and learned not to treat them as an enemy, even in times of revolt" and to take care of individuals "through all state channels – social security, civil security, road safety, and so on" (Bigo, 2001a, 104). The result being, that the police force came to be seen as something similar to a public service. In the 1980s and 1990s police issues were politicized in a discourse that linked security issues of the cities with migration, thereby establishing a link between the internal and the external. What operated under the name of security was "no longer conceived of as protection behind borders" and, in the process of European Integration, the border itself was reconceptualized as preferably being open in order to facilitate business (Bigo, 2001a, 105). The notion of (internal) security under the responsibility of the police, thus, widened as the internal issues were linked to so-called "cross-border threats" and, in turn, policing activities widened as well.

> This wider scope includes undertaking activities such as surveillance of illegal immigration, surveillance of cultural, religious, and social influences from the country of origin on the migrants and even on their offspring, surveillance and maintaining order in so-called problem districts, and control of transborder flows. (Bigo 2001a, 106)

This is not to say that security agencies started constructing minorities as a threat to internal security for the first time. What is new, is that the threats are defined with respect to their supposed transversality of the internal and the external and that they fall under the responsibility of the police. This focus on "transversal threats" and the ensuing demand for studies on, e.g. terrorism, drug trafficking or immigration from researchers in Security Studies by politicians is what prompted the development of Securitization Theory in the first place. The "widening debate" was not purely academic, it reflected (and influenced) the practices of other agents in the field of security (Bigo, 2001b, 192). This also shows, that the field is not constrained to security professionals and that other agents, such as academics, journalists, social movements, etc., can also participate in the definition of threats. Their influence on these definitions, depends, of course, on their position in the field.

What was labelled "external security" also underwent transformations, especially through the end of the Cold War and the resulting cutting back in military spending and the decline in inter-state armed conflict. Changes in borders now mostly occur through intra-state conflict and the resulting military missions are labelled "peacekeeping missions" and resemble policing activities more than military ones. "Identification, information

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gathering, and tracking become more important [...], which brings military and police work closer together and places the concept of information at the heart of any security system" (Bigo, 2001a, 107). The practices of these "peacekeeping missions" naturally lend themselves to internal security issues, a link that has been properly established in the mid-1990s, "that joined internal and external security, integrating the former into the latter" (Bigo, 2001a, 109, emphasis removed). Agencies that were formerly on the fringes of the two universes of internal and external security, such as border guards or police with military status, are now moving to the center of this new common space and are either afraid of loosing their status or seeing it as an opportunity (Bigo, 2001b, 188). Those who view it as an opportunity consequently highlight the "transversal" nature of these new threats that are neither solely "internal", nor solely "external", and, in turn, their own expertise in dealing with these threats (Bigo, 2001a, 103)

Guittet, for example, explores the transformations in the French military with respect to counter-terrorism. He urges that:

> A key issue that has to be highlighted and accounted for is the fact that the involvement of the armed forces in counter-terrorism inside the national territory cannot be perceived as a mere exceptional practice that would allow for the return to the *ex ante* state, once the "exceptional moment" is over. On the contrary, it reshuffles professional structures and blurs the boundaries between the domestic and the external fields of security, between the criminal and the enemy, between civil protection in the case of an emergency and civil defence in the case of a threat, between the protection of public order, the defence of the democratic order and the state of war. (Guittet 2008, 122)

Employing the military in cases of terrorist attacks facilitates a view of the individuals committing terrorist acts not as criminals, but as enemy combatants. This in turn implies a move from the logic of legality and law and order to a logic of war. Hence, instead of delinquent individuals able of rehabilitation, they are grouped under the heading of enemy combatants which can only be fought. At the same time, terrorists are not soldiers. They do not own coercive resources comparable to the military and therefore "adapt their violent strategies by avoiding direct confrontation or predictability". The aim therefore becomes the *identification* of those individuals that are considered terrorists and "[a]nti-terrorism thus becomes a matter of data collection as well as of police intelligence since it requires a mapping of clandestine networks" (Guittet, 2008, 127). The formerly *external* enemy is now *within* and internal and external security agencies cooperate in intelligence sharing for the purpose of counter-terrorism.

The structure of academic knowledge, however, "has blocked analysis by reproducing the mapping of state borders onto organizational division" (Bigo, 2008, 12). The division into domestic issues researched by political science and non-domestic issues researched by international relations mirrors the internal and external security division. An antinomy that structures academic knowledge, with "the official state border as the border on which

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the other boundaries are fixed, including linguistic, social and political identities, public and private limits, relations of domination and obedience, and forms of exploitation and solidarity" (Bigo, 2001a, 96). This inhibits the analysis of exactly those organizations that inhabit both the internal and external sphere, as well as the practices enacted across those spheres. Academic analysis, therefore, has to "dedifferentiate" the academic disciplines of the internal and the external. Bigo approaches this via "a political sociology of international relations" and his analysis of the "field of professionals of the management of unease" in particular (Bigo, 2008, 12-13).

3.4.2 The impact of the field

This merging of internal and external security is explained by the agents themselves "through the entanglement of migration, crime, and war" (Bigo, 2001a, 92). The new threats and risks arising from this "entanglement" are the "main justification for new structures and more co-operation between the agencies (the internal as well as external) as well as a rationalising of their budget in a period of financial crisis for security affairs" (Bigo, 2001b, 171). In other words, the changes outlined above restructured the fields of security professionals, most notably through the merging of internal and external security creating a common field, and this new configuration changes the relations in the field, most notably through the increased power of the agencies formerly on the fringe. As threat definitions are dependent on the relations in the field, what constitutes a threat is changing as well. The focus is now on threats that are "cross-border" and police cooperation and data exchange of agencies across borders are the "logical" consequence. Policing is happening in networks:

> networks of administrative bodies in which customs officers, immigration offices, consulates and even private transport companies and private security companies join forces with the national police forces and gendarmes; networks of information technology with the creation of national or European data files on wanted or missing persons, on those who have been denied residence, expelled, turned back at the frontier or refused asylum [...]; networks of liaison officers who have been sent abroad to represent their governments and enable information exchange; networks of semantics in which new doctrines and new concepts on conflict and political violence are developed. (Bigo 2001b, 185)

Furthermore, police and military practices are converging on policing practices of surveillance, data collection and risk management. Statistics are gaining importance as the exercise of control shifts from individual "delinquents", that are systematically scrutinized, to the permanent surveillance of "risk groups". At the same time, the decline in inter-state war posed problems for the defence research industry who pivoted to providing and developing the technology necessary for the police networks and border and immigration control (Bigo, 2001b, 185-187). An essential part of securitization, thus, becomes "the capacity [...] to constitute statistics [...] under [the security professionals']

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own categories [...] to produce 'a truth' on these statements" through corroboration by social science research that does not question how events and persons are grouped into these categories and thereby reproduce them (Bigo, 2001b, 195). Events that are gathered and grouped by the "secret knowledge" of the security professionals and their methodologies. The field extends, besides the actors of police, military and other security agencies, to "organisations having interests in selling certain technologies, associations of senior former military or police leaders, anti-immigrant associations, newspapers [and] television", as well as those researchers, who are reproducing the threats constructed in the field (Bigo, 2001b, 197).

Bigo analyses the field along four dimensions: as a field of forces, a field of struggle, a field of domination and as a transversal field (Bigo, 2008, 22). As a field of forces, it draws the actors in and exerts pressure on the agents involved in the field. The stakes of the game that the agents of the field rally around and "their similar ways of defining the potential enemy and of gathering knowledge on this enemy through diverse technologies and routines" result in a homogenizing effect, which tends to produce a "common adversary" (Bigo, 2008, 23). This adversary is not defined by a "global consensus", but by convergence of the different categories of threat of the different agencies (Bigo, 2008, 23). The way that the agents of the corresponding subfields, the field of the military, the field of the police, etc., view the world through the habitus structured by their respective field, determines the importance assigned to certain events, their meaning and their categorization. This is why, e.g. the military is concerned about the "threat" of diasporas of certain "rogue states", the intelligence services about the "threat" of Islamist terrorists and the police about the "threat" of first and second generation immigrants' disposition to committing crimes (Bigo, 2002, 77-78). The figure of the immigrant is emerging as this common adversary via the convergence of the threats defined by the different actors. The immigrant represents pure transversality and, thus, emerges as the convergence point of the different threats. A figure that is notably not defined by nationality. The opposition foreigner-national does not fit the widened internal security space which "second country nationals" (migrants from other EU countries) are a part of. It does not represent a legal status at all, the migrant is neither defined by citizenship, nor by an asylum claim, nor by an undocumented status. The immigrant is the pure transversal Other (Bigo 2002, 71; Bigo 2008, 23).

As a field of struggles, the agents of the different subfields compete over the hierarchization of the different threats and the methods to counter them, as well as the boundaries of the field. Interviews with different agents (from the military, police, customs, liaison officers, etc.) show their different and diverging subjective positionings (see, e.g. Bigo (2000), Guittet (2008)). There are inter- and intra-agency struggles over the methods, as well as the threats, and interventions from the political field in terms of explicit restructuring of agencies and budget allocations play an important role as well. The latter are, of course, themselves dependent on struggles within the field of politics. The relations of power shift according to the actions taken in the struggle and the field is, therefore, constantly changing and could even differentiate again. Networks play an important

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role in inter-agency struggles as well, with agencies using their transnational network to compete on the national level with other agencies, e.g. through the acquisition of "better" information (Bigo, 2008, 23-25).

As a field of domination, it imposes its definition of what should be considered a threat on agents in other fields, e.g. the field of politics. Authoritative through their "secret knowledge", the field is "at the heart of the field of power, as a bureaucratic field composed of experts having the capacity to claim that they know better than others, even if others are the professionals of politics, including the head of states" (Bigo, 2008, 27). The internal struggle of the field is combined with the domination of other fields, as the agents try to convince agents of the political field of their hierarchization of threats in order to strengthen their own position. Conversely, the agents of the political field can only frame something as a threat in conjunction with the agents of the field of security. If the security professionals contradict them, their position in the political field is worsened. Lastly, through their authority to qualify threats, the agents "struggle to exclude other actors (churches, human rights organizations, Red Cross, alternative medias) by disqualifying their points of view on the definition of threats and on the public policies aiming to prevent the threats" (Bigo, 2008, 27).

As a transversal field, the field of security cannot be reduced to either the national, nor the EUropean level. The field is composed of the relations of different actors through their cooperation in different transnational networks, which in turn influence the national level. A decision, for example, in the network of the police, on the level of an EU member state, can have repercussions for police agents in another member state. The field is not a combination of separate national entities combined on a "higher level". The field is transversal in that changes relay themselves throughout the network. Furthermore, through the different missions, e.g. the "war on terror", different agencies come into contact with another that previously were not. Consequently, these different agencies compete inside the boundaries set by the different missions harking back to the overall subfield of the agency. Making, e.g. the subfield of the police "privilege organized crime and terrorism over prevention or community policing" or the subfield of the military "allocate more public discourses and sometimes resources to the so-called 'transversal threats' and their prevention than to the (previous) questions of deterrence and proliferation" (Bigo, 2008, 31).

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CHAPTER 4

Beyond Securitization Theory II: From Securitization to Dispositif

Huysmans (2006) argues that analyses of security cannot be limited to either speech acts or struggles between agencies, as the declaration of threats and counter-measures always entails a political rationality. In his analysis of the securitization of migration, Huysmans claims that policy documents rarely frame migration as a threat explicitly. Yet, by linking the issue of migration to other issues, such as terrorism or organised crime, and without giving an explicit explanation of the connection of the linked phenomena, issues are embedded into domains of insecurity. These domains discursively connect a phenomenon to other phenomena that are explicitly constructed as threats and can thereby render something as a security issue. However, by linking these phenomena linguistically, the phenomena are also linked to different practices. By embedding a phenomenon in a domain that is dominated by practices of policing, it is also implied that the phenomenon is a policing issue and that the practices of the police need to be applied to this phenomenon. These practices, then, have a certain history, institutions and routines and are related to certain technologies and knowledge (Huysmans, 2006, 3-4, 30-44). Crucially, these security framings are often developed in the bureaucratic institutions and agencies of the field of security professionals and, therefore, predate political framings. They "define the problems" to some extent, as well as structuring social relations and "individual and collective identities" through everyday bureaucratic technologies, such as forms, or practices of racial profiling (Huysmans, 2006, 8). Policing practices, for example, work with institutions like the prison, surveillance technologies and the knowledge of criminology. If the phenomenon in question is, however, embedded in a domain that frames it as a threat to the security of an individual, it may be linked to the practices of human rights law. This would relate it to institutions such as the court system and judicial knowledge. Through the framings in a certain domain of (in)security, a specific political rationality is entailed. Rationality, here, refers to the Foucauldian

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understanding of the term, where rationality

> [...] means any way of reasoning, or way of thinking about, calculating and responding to a problem, which is more or less systematic, and which might draw upon formal bodies of knowledge or expertise. It does not imply the hegemony of a particular Reason as prescribing how we must think or reason. It remains "rationalist" to the extent that it privileges systematic ways of thinking over symbolic, mythic or poetic modes. (Dean 2010, 24)

Consider, as an example, the framing of traffic accidents as a security issue[1]. One possible framing would be a lack of road maintenance and a lack of government spending on infrastructure. Another would be one of undisciplined drivers that constantly exceed the speed limit. Furthermore, we assume that both framings have individual security as their referent object, i.e. that it is the drivers and other traffic participants that are in danger and not, e.g. the state. The former implies solutions such as a change in the government's budget or an increase in taxes. On the other hand, the field of the private economy might use it as a chance to push for privatization of road maintenance, claiming that private companies can handle these issues more effectively. The latter framing places the issue in the domain of policing knowledge and practices and, as we know from the last chapter, if beneficial to security professionals, they will try to frame the issue that way. Policing irresponsible drivers entails a view of (parts of) the population as actors that need to be "held in check" by the powers of the state. But if the population is rendered as a collective of responsible, rational individuals, instead of policing, a public awareness campaign might be envisioned. No matter how we frame the issue, then, security is always "a political practice by virtue of always bringing into play and being connected to certain conceptions of politics." (Huysmans, 2014, 13)

Framing an issue as a security issue, thus, "redefine[s] both the nature of the problem and the solutions" (Huysmans, 2006, 32). What both examples had in common, however, is a reference to the object of the state and that of the subject. Multiple visions of the state were introduced: the state as the protector, the state as the inefficient bureaucracy, the state as the disciplinary apparatus and the state as the provider of information, but in each vision the state was referenced as a unit capable of action. Multiple visions of the subjects were introduced as well: as passive and needing protection, as enterpreneurial and needing economic freedom, as irresponsible and in need of discipline and as rational actors that can be convinced by civilized discourse. Our examples reproduced the concepts of "state" and "political subject", we just equipped them with different attributes. In Foucauldian terms, we presented different *rationalities of governing* or *governmentalities*. As Huysmans argues, the aim of Critical Security Studies can not be to offer conflicting renderings of politics by reproducing the basic objects of governing. Analysis, therefore, has to make a shift similar to the one introduced by Securitization Theory. While

[1] According to the World Health Organization these cause 1.35 million deaths each year, far outweighing, in a quantitative sense, other issues commonly understood as security issues.

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Securitization Theory introduced the threat as social construct and, thereby, guided the researchers away from arguing about the "reality" of a threat, Huysmans tries to guide researchers away from arguing about differing political rationalities. The aim of Critical Security Studies becomes the analysis of the political rationalities, the governmentality, underlying different domains of insecurity (Huysmans, 2006, 30-44).

4.1 Relations of Power

Similar to Pierre Bourdieu, Michel Foucault follows a relational approach. Yet, instead of social relations in general, Foucault is concerned with relations of power. He analyzes power not from a sociological perspective, but from a historical-philosophical one with the aim of showing that things that seem natural and unchangeable to us are in reality "embedded in a history of power" (Bublitz, 2014, 273, my translation). He is, however, not concerned with *what* power is and *where* it comes from, rather, he tries to analyze *how* power works. Foucault's conception of power is directed against approaches to power, where power is conceptualized as being in the possession of a person, a group or a class and can be wielded over other persons, groups or classes. Most notably the Marxist conception of power, where power is seen as a representation of economic class divisions and as a uniform system of bourgeois repression. Here, power is portrayed as a function of the laws of capitalist development and changes in the execution of power are derived from changes in the forms of production. There is a split between the materialist mode of production and the "immaterial" ideology produced as a form of class repression as a result of the underlying material conditions, i.e. a base-superstructure division and an entailing differentiation between scientific knowledge and ideology. Science and power are, therefore, disconnected. Furthermore, the use of power is understood in purely negative terms, i.e. use of power is repression (Lemke, 2019, 87-96). Foucault, by contrast, conceptualizes power as active, as pervading all of society and as functioning instead of functional.

> Power must, I think, be analyzed as something that circulates, or rather as something that functions only when it is part of a chain. It is never localized here or there, it is never in the hands of some, and it is never appropriated in the way that wealth or a commodity can be appropriated. Power functions. (Foucault 2003, 29)

The concept of power that Foucault argues against, which he labelled the juridical concept of power, is based on three "postulates" (Lemke, 2019, 96-97):

1. Power as a commodity or substance. Power can be possessed and is in the hands of a group or class.
2. Power can be localized. It is exercised vertically, from those in power (above) on those without power (below) and is exercised by a centralized institution (the state).

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3. Power is subjugation. It functionally reproduces domination of, e.g. the capitalist class or the patriarchy.

In contrast to this, Foucault defines power as a technology[2]. Regarding a disciplinary exercise of power, what he calls disciplinary power, he states that

> it is a type of power, a modality for its exercise, comprising a whole set of instruments, techniques, procedures, levels of application, targets; it is a "physics" or an "anatomy" of power, a technology. (Foucault 1995, 215, as quoted in Lemke 2019, 68)

Envisioning power as a technology goes hand in hand with granting power relations a status of "relative autonomy", i.e. "articulating their technological specificity in conjunction with economic, politico-legal and scientific factors" (Lemke, 2019, 70). This "relative autonomy" also means that this type of power can be employed in different contexts and different political and economic systems. It is not bound to the "capitalist mode of production", although this "mode" may facilitate the emergence of a certain type of power and certain types of power facilitate certain economic systems. The type of power in question here, disciplinary power, emerged independently of capitalist economies and formed a sort of symbiosis with it in the production of uniform subjects utilizable in capitalist production. Changing the mode of production, however, does not necessarily change the way that power functions (Lemke, 2019, 70-72). Another important consequence of this conceptualization is that it entails a certain view of history. Namely that forms of power, and, by extension, "their technological specificity in conjunction with economic, politico-legal and scientific factors", are historically contingent. Meaning that, at a concrete moment in time, the way that power works cannot be deduced from any universal law. There is no necessity of any kind that forces the functioning of power in a certain way, at a certain moment in time, and nothing that forces it to function in any specific way in the future, i.e. there is no teleological development of history according to certain metaphysical principles (Bublitz, 2014, 273-277). This does not mean, however, that history develops at random. Types of power, for example, have a certain logic that they follow, yet this logic is never fully determining and always embedded in other historically contingent developments that mutually influence one another, which can result in sudden

[2] In Foucault's work, the term "technology" has an ambivalent meaning. On the one hand, it refers to forms of social and political control, where the "technological is [the] domain of practical mechanisms, devices, calculations, procedures, apparatuses, and documents", i.e. where technology refers to "methods and procedures for governing human beings" (Inda 2006, 6; Behrent 2013, 55). On the other hand, it has a positive meaning, when employed for an analysis of power. Here, the word "technology" emphasizes the productive aspects of power, which will be explained in more detail below (Behrent, 2013, 56). In the current context, the focus is on power *as* technology, emphasizing the productive aspects of power, whereas the phrasing "technologies *of* power" emphasizes the control aspects of power. It is important to note, however, that this is solely a matter of emphasis, as the control aspects and the productive aspects of power cannot be separated. Indeed, it is exactly the analysis of the productive aspects of social control that distinguishes Foucault's work and that is one of the major reasons for his wide reception.

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rifts and ruptures. Or, as Walters and Haahr (2004, 142) summarize it, although not in reference to history as such: "It is better understood as the tangled outcome of multiple trajectories, each with their own complex temporality".

Power as a technology is, then, neither commodity nor substance and can, therefore, not be in the possession of any group or individual. For Foucault, power spans a network that encompasses all of society. There is no "outside" of power relations. Power works through individuals in all places of society; inside and through the institutions of the state and the economy, the family, the friends and the everyday interactions. "In other words, power passes through individuals. It is not applied to them." (Foucault, 2003, 29). "Passing through", however, not as a passive subject, but as actively involved. It is, therefore, impossible to localize power as well. It is not exercised vertically and not by a centralized institution, power is everywhere[3]. However at all those "points" in the network, resistance to power is possible. "Where there is power, there is resistance" (Foucault 1978, 95, as quoted in Bublitz 2014, 274). Power is, then, defined very broadly as "actions upon others' actions", thereby incorporating the ability of resistance as well as the pervasiveness of power (Gordon, 1991, 5). This, however, entails the problem of why there is little resistance by people that could, in a non-Foucauldian understanding, be described as "powerless". The reason for this, according to Foucault, are the productive effects of power. Power is not simply negative and repressive, but creates knowledge, discourses and desires. It says "Yes", not only "No" (Bublitz, 2014, 274).

An analysis of power, then, aims to specify the relations that allow for social integration and the establishment of a social order via the exclusion of "the other" (Foucault 1978, 93, as quoted in Bublitz 2014, 274-275). These relations are established through specific strategies aiming at the "unification of heterogeneous elements" (Bublitz, 2014, 274, my translation). These "unifications" form *dispositifs*[4] in which knowledge, practices, architecture and media apparatuses are strategically interlaced and, thereby, "optimize" their power (Bublitz, 2014, 275, my translation). The different elements support each other and "cristallize" into institutions and institutional practices and form social hegemonies. Institutions are "cristallizations", because they emerge from relations of power and attain a certain stability, not vice-versa (Bublitz, 2014, 275, my translation). Analyses of power are, therefore, concerned with the investigation of *dispositifs* and their power-knowledge nexus.

4.2 The Dispositif and the Power-Knowledge Nexus

The most detailed description of the *dispositif* given by Foucault, according to Link (2014, 239), is the following:

[3] According to Foucault, power traverses all our social relations, but this does not mean that all social relations are reducible to power relations. Nor does it mean, that all social relations can be explained by an analysis of power. Power is always present, but not necessarily dominating a social relation (Lynch, 2011, 15).

[4] I will stick to the French word *dispositif* instead of the often-used translation "apparatus", as the latter invokes images of physical constructs, which the *dispositif* is not.

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> [...] firstly, a thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions – in short, the said as much as the unsaid. Such are the elements of the [*dispositif*]. The [*dispositif*] itself is the system of relations that can be established between these elements. Secondly, what I am trying to identify in this [*dispositif*] is precisely the nature of the connection that can exist between these heterogeneous elements. [...] Thirdly, I understand by the term ["dispositif"] a sort of – shall we say – formation which has as its major function at a given historical moment that of responding to an *urgent need*. [...] (Foucault 1980, 194, emphasis in the original, "apparatus" replaced with "*dispositif*")

Link interprets the *dispositif* as a way of thinking a horizontal dimension, the "interdiscursive dimension of knowledge", and a vertical dimension, the "socially stratifying dimension of power". (Link, 2014, 239, my translation). The vertical dimension offers two "positions" which can be occupied by arbitrary individuals, that of the "disposing subject" and that of the "disposed subject"[5]. The former is the subject through which power affects the latter, in turn forming it in a particular way, i.e. forming a particular type of subject. However, the same subject can occupy both positions and "dispose" itself. Examples for these positions would be those of "doctor-patient, psychiatrist-neurotic, pedagoge-pupil, in general expert-layperson" (Link, 2014, 240, my translation). The horizontal dimension connects different elements of knowledge from different specialized discourses, "especially those from the natural and the human sciences" and their respective practices (Link, 2014, 240, my translation). By way of dividing the horizontal dimension into more and more specialized discourses and disciplines, a monopoly of experts is created on a certain discourse. The *dispositif* can, therefore, be thought as a two-dimensional power-knowledge nexus that combines elements of different specialized discourses with elements of power to "form" individuals in a certain way, in order to solve a certain problem. It can, therefore, be said, that knowledge "guides the way" that power works in this nexus by making a certain *subject* knowable and thereby "shapeable". The power relation of, e.g. police-criminal works via knowledge of specialized discourses that allows the application of practices deemed appropriate for "criminal subjects" via institutions such as the prison. However, this strategic purpose of the *dispositif* does not mean that it is an all-encompassing "tool" to produce subjects as one desires. The *dispositif* is bounded and the desired effects of the knowledge complex that inform the strategy do not necessarily produce the envisioned effects. The combination of the different elements of knowledge form a discourse, which provides a way of making statements that can be assigned a truth value and a boundary for those statements that are allowed in the discourse. For example, masturbation was once framed as a harmful practice in a particular

[5] Link derives these terms from the meaning of the French word *dispositif*, an alternative translation would be "arranging" and "arranged subject", although depriving the notion of another dimension of meaning.

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discourse of experts (Link, 2014, 240). A similar example is that of homosexuality, which was, and sometimes is still, framed as an "illness" and an ensuing knowledge formation which would allow the production of statements that would evaluate, for example, the "reasons" for this "illness". Different framings of homosexuality, that do not presuppose homosexuality as something to be "healed", would then be outside the discourse and deemed "unscientific". The doctor, or psychoanalyst, could then exercise power over the "homosexual subject" via the institution of therapy. Furthermore, the psychoanalyst could analyze the therapy sessions and create new knowledge about the subject, thereby contributing to the knowledge formation. If the psychoanalyst detects "symptoms" of homosexuality on themselves, they might exercise "self-treatment", thereby occupying the position of both disposing and disposed subject. Both the construction of an individual as a "homosexual subject" and the knowledge creation on this subject qualify as what Foucault calls productive effects of power. As mentioned above, power does not simply suppress individuals, it creates subjects and knowledges about them.

The crucial novelty of the concept of power-knowledge is that knowledge that aids power is not problematized as "false", in contrast to other analysis of power such as ideology critique. What is of interest is how certain knowledge gains the status of truth at a certain point in time, e.g. how the knowledge about homosexuality as an "illness" can gain the status of scientific knowledge. The relation between power and knowledge emerges as an internal relation closely tied to the human sciences, which makes the concept of power-knowledge itself a historically contingent concept (Lemke, 2019, 87-96). A relation established by specific dispositifs.

> From this perspective, the discourses of teachers, judges, social workers, doctors and psychiatrists no longer represent external factors to power. They do not offer knowledge, which then comes to be instrumentalized. Instead, such knowledge has a straightforward function: to formulate and define the distinctions between normal and abnormal that prevail in social and institutional practices. A "normalizing discourse" emerges. (Lemke 2019, 93)

4.3 Technologies of Power

Foucault's analyses center around three major technologies of power: sovereign power, disciplinary power and those targeting whole populations. What we labelled "juridical conception of power" in Section 4.1 is not simply false. This concept entails a view of power that is closely tied to sovereign power, which was historically most significant in the times of absolutism. Its significance for analysis diminished when the significance of sovereign power diminished and disciplinary power gained importance in conjunction with the advent of bourgeois society. Or, put differently, the intensification of disciplinary power required a concept of power apt to analyze this technology which is not possible with a concept geared towards sovereign power (Lemke, 2019, 87-96).

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Sovereign Power

Sovereign power, then, works very much in the way that we mentioned above: it can be possessed, it can be localized and it is mostly negative, i.e. exercised as subjugation. Sovereign power is, first and foremost, in the hands of the king and exercised via juridical means, e.g. laws and prohibitions, and concerned with the territory over which the king's jurisdiction spans. Yet, this concept of power is used by both monarchical and anti-monarchical forces. Theories of parliamentary democracy, for example, are about sovereign power, where the sovereign is no longer the king, but "the people" (Lemke, 2019, 96-98). The theory of sovereignty is concerned with the legitimate basis of exercising power and is based on "three 'primitive' elements: a subject who has to be subjectified, the unity of power that has to be founded, and the legitimacy that has to be respected", i.e. "[s]ubject, unitary power, and law [...]" (Foucault, 2003, 44). It is exemplified by the theories of the social contract and Hobbes' theory of Leviathan (Lemke, 2019, 96). In Foucault's interpretation, Leviathan is an answer to a discourse that questions the legitimacy of sovereign rule by highlighting the historicity of this rule. This discourse is itself a counter-discourse to the "philosophico-juridical discourse", the dominant way history was written up until the sixteenth century. The philosophico-juridical discourse enshrines the eternal rule of the sovereign by recounting a long history of justified rule culminating in the current sovereign. Its counter-discourse, labelled by Foucault the "historico-political discourse", is "a discourse that cuts off the king's head, or which at least does without a sovereign and denounces him" (Foucault, 2003, 59). Sovereignty is, in Hobbes' theory, established by the subjects who subject themselves to the unity of the Leviathan which is established via their will and forms a representation of the subjects and whose legitimacy, therefore, needs to be respected.

Disciplinary Power

Foucault takes up the reversal of the aphorism of Clausewitz for his analysis of disciplinary power from the historico-political discourse (Foucault, 2003, 15).[6] This implies, first, that "the role of political power is perpetually to use a sort of silent war to reinscribe that relationship of force [from war, MS], and to reinscribe it in institutions, economic inequalitites, language, and even the bodies of individuals." (Foucault, 2003, 15-16) Second, "political struggles, these clashes over or with power, these modifications of relations of force–the shifting balance, the reversals–in a political system, all these things must be interpreted as a continuation of war." (Foucault, 2003, 16) Third, "that the last battle would put an end to politics, or in other words, that the last battle would at last–and I mean 'at last'–suspend the exercise of power as continuous warfare." (Foucault, 2003, 16) He calls this conception of power "Nietzsche's hypothesis." (Foucault, 2003, 16)

[6] The aphorism of Clausewitz states that "war is the continuation of politics by other means", its reversal, consequently, states that "politics is the continuation of war by other means". The "historico-political" discourse on power subscribes to the reversal of the aphorism of Clausewitz and Foucault places himself in the tradition of this discourse, to some extent, because he too wants to free his theory of power from "the king's head".

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Analyses of power undertaken according to Nietzsche's hypothesis, therefore, focus on strategies and struggles as the execution of power.

Where sovereignty is primarily concerned with territory, disciplinary power is primarily concerned with bodies and aims to increase the utility and the docility of those bodies at the same time. Meaning that it tries to augment certain skills while, at the same time, making sure that these skills will not be used for resistance.

> It views the human being as a complex machine and seeks to enhance the man-machine's abilities and potentials while integrating them into systems of economic production and systems of political rule. (Lemke 2019, 137)

The way this is accomplished is by forming individuals. Disciplinary power creates "useful" individuals by acting on time and space and putting them under constant surveillance. Individuals are ordered in space by partitioning a given space into individual cells, "in order to break up collective activities that deter from the goal of utility, such as desertion or vagabondage." (Hoffman, 2011, 29) The individual cells are then assigned certain functions, such as the different positions on a factory line. Lastly, space is distributed according to rank, such as in schools where the front row is often reserved for the "good" students. In these spaces the bodies are controlled by partitioning time into timetables to prevent idleness. Behaviour is broken down into movements which is then temporally "indexed" and the movements are improved and adapted to the objects used by the individuals (Hoffman, 2011, 29). Examples abound in schools, the military and factories. Once the body is under control, its activities are directed towards a particular end. For example, school is organized towards the particular end of graduation which finishes with an exam. When discplinary power can be exercised, the bodies can be organized to form a combinatory individuality, to "obtain a level of efficiency greater than that realized by the mere sum of the activities of these bodies" (Hoffman, 2011, 30).

Power Targeted at Populations

Forms of power directed at the population are explained in greater detail in the next section, as an analysis of these forms of power is the primary concern of this thesis.

4.4 Governmentality

Foucault started to reflect on the "Nietzschean hypothesis" in his 1978 lectures at the Collège de France, subsequently published in English in Foucault (2003). He also wanted to move beyond the "hypothesis of Reich" (referring to the psychoanalyst Wilhelm Reich), the thesis that states, that power is repression. This repression-hypothesis presupposes an individual possessing an "original freedom" whose rights to this freedom are being repressed and that this "original freedom" is outside relations of power, which try to contain this freedom (Lemke, 2019, 131). Yet, Foucault does not simply criticize this conception as wrong. On the contrary, he claims that this negative conception of power is

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itself an effect of modern power. Opposing power to freedom is one of the conditions for accepting modern power, or, as Foucault puts it: "Power as a pure limit set on freedom is, at least in our society, the general form of its acceptability" (Foucault 1978, 86, as quoted in Lemke 2019, 132).

Tracing the "politico-historical discourse" from its original non-biological form to its later transformation as a biological-medicinal discourse centered around the state, Foucault is forced to change his conception of power. He realizes, that besides the individual disciplining of bodies, power tries to regulate populations in general as well. This forces him to reevaluate his way of analysis, moving away from analysing power solely as disciplinary and disciplinary power as the only modern form of power. "The concept of biopower means giving up the tendency to equate power and discipline. Disciplinary procedures come to represent one mode of exercising power among others" (Lemke, 2019, 141). It also entails a change in his perspective on sovereign power. He now frames sovereign power as a power that mainly works as a subtraction mechanism, as the skimming off of goods, products, services, etc. (Lemke, 2019, 136). In its extreme, it has the "sovereign 'right of life and death'" (Lemke, 2019, 136). The regulation of populations, however, tries to do the opposite. "In contrast to sovereign might, which either put to death or let live, the new power let die and granted life. Power over death transformed into power over life – biopower – which did not bear on legal subjects so much as living beings" (Lemke 2019, 136). Regulating the population, however, does not simply work like disciplinary power at a macro-level. Whereas sovereignty conceived of its populace as a "sum of individuals" held together by the social contract, biopower targets a whole new "autonomous (biological) entity [...]. An entirely new 'body' joins individual and society: the population" (Lemke, 2019, 138). It focuses on mass phenomena inherent in populations, e.g. birth rates and death rates, "conditions of variation, controlling matters of probability and modifying effects in order to avert or balance out the dangers that result from communal existence conceived as a biological whole" (Lemke, 2019, 138). As a political rationality, labelled biopolitics, it is a technology of *security*, that tries to secure the productivity of the body of the population. Whereas disciplinary power is organised around particular institutions, such as the school, the military, the factory and the prison, biopower, emerging in the mid-eighteenth century, is organised around the state. In the nineteenth century disciplinary power and the regulation of the population become connected in the form of concrete *dispositifs*, with the *dispositif* of sexuality as one of the most important. As sexuality sits directly "in-between" the individual body and the population (Lemke, 2019, 139). With it, the strategic conception of power becomes inadequate. Foucault realizes that (disciplinary) power is not simply repressing those "below", those "below" often cry for the disciplining of others.

> In reality, people themselves perceived it as necessary – among themselves, even in the poorest families, and especially in the most destitute groups. Internment is imposed as a kind of necessity for solving the problems that people have with each other. Grave problems in families, including the poorest, could not be solved without the police, without internment. Thus, a

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> whole literature results, where people tell the authorities how unfaithful a husband has been, how much a wife deceived her spouse, how unbearable the children are. They demanded the internment of the accused themselves, in the language of the reigning power. (Foucault 1994, 391, as quoted in Lemke 2019, 145)

With this realization, "government" becomes the central object of analysis to explain this "completely incomprehensible will", this "gigantic demand aimed at the state" (Foucault 1994, 618, as quoted in Lemke 2019, 145).

4.4.1 The Concept of Government

In contrast to usual definitions of "government", Foucault, as with his understanding of power, employs a rather wide definition of what "government" means. He defines it as the "conduct of conduct" (Dean, 2010, 17). As a verb, "'to conduct' means to lead, to direct or to guide, and perhaps implies some sort of calculation as to how this is to be done" (Dean, 2010, 17). Second, as a reflexive verb, "to conduct oneself" has moral and ethical implications, as in "to conduct oneself properly". And third, as a noun, conduct "refers to our behaviours, our actions and even our comportment, i.e. the articulated set of our behaviours", as in "code of conduct" (Dean, 2010, 17-18). Hence, conduct can be regulated, either by one-self (as reflexive verb) or by others (as verb) according to some standard, norm or ideal (as noun). Dean expands the definition of government as the "conduct of conduct" as follows:

> Government is any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through the desires, aspirations, interests and beliefs of various actors, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes. (Dean 2010, 18)

Rational, here, is defined in the same manner as we defined rationality at the beginning of this chapter. Let us point out some first implications of this definition of government. First, there is no reference to "the state", but to "a multiplicity of authorities and agencies", which entails a wide understanding of governing. To put it bluntly, instead of simply the state, everyone who "conducts conduct" governs. We do not start from a clear-cut definition of who governs and then investigate why this entity should be allowed to govern or not. "Conduct of conduct" is an anti-essentialist definition of government that does not presuppose the state as the sole actor in charge of governing. What is investigated, is the *activity* of "conducting conduct", to explore, among other things, who is implicated in the activity of governing. Second, as the reflexive verb "to conduct oneself" implicates, this understanding of government includes a moral dimension. The regulators of conduct know what constitutes "good conduct" and try to regulate the

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conduct of others in order to adhere to this norm or ideal. Studies working with this definition of government hold that this is true for all authorities and agencies involved in government and, thereby, also for the authorities of the state. We can see this moral dimension, for example, in discussions about the integrity of politicians or whether it is "moral" to receive unemployment benefits if one is unwilling to work (Dean, 2010, 19). Third, this definition opens up the perspective of self-government, be it of individuals or of institutions or groups.

> To analyse government is to analyse those practices that try to shape, sculpt, mobilize and work through the choices, desires, aspirations, needs, wants and lifestyles of individuals and groups. [...] One of the points that is most interesting about this type of approach is the way it provides a language and a framework for thinking about the linkages between questions of government, authority and politics, and questions of identity, self and person. (Dean 2010, 20)

Fourth, the formulation that government "seeks to shape conduct" indicates that, government does not simply create conduct. Conduct is shaped, meaning that there needs to be some form of freedom inherit in those whose conduct is shaped. Government, therefore, tries to "shape the field of action and thus, in this sense, attempts to shape freedom" (Dean, 2010, 21). There is a possibility to think and act differently than envisioned by the conductors of conduct. It is important to highlight the difference to the repression hypothesis here. Whereas repression refers to some "original freedom" that is held in check by laws and prohibitions, i.e. purely negative and through sovereign power operating through those laws and prohibitions, government assumes freedom of the agents as well, but it tries to form this freedom in accordance with some ideal conduct. It is not an opposition to "true" freedom, it "sculpts" it in a way appropriate to the specific conduct it wants to establish. Whereas the repression hypothesis opposes a "true" freedom to a "false, repressed" freedom, government could be said to be trying to establish "good" forms of freedom over "bad" forms of freedom. What constitutes "good" and "bad" freedom differs, however, quite dramatically and the "margin of the exercise of freedom" might be "extremely narrow" (Dean, 2010, 23). Dean gives the example of torture as a governmental practice, where the tortured person is "urged to take responsibility for her own state, and the pain she is causing herself, and to take such action as will remove that pain" (Dean, 2010, 23). In this case, the tortured person's "bad" freedom of escape, suicide or remaining silent is trying to be prevented and the "good" freedom of making a confession or giving out some information is brutally encouraged.

4.4.2 The Concept of Governmentality

Governmentality, then, "deals with how we think about governing, with the different rationalities or [...] 'mentalities of government'" (Dean, 2010, 24). These mentalities of government are collective ways of thinking about the practice of governing, "the bodies

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of knowledge, belief and opinion in which we are immersed" (Dean, 2010, 24)[7]. The thinking, that is "involved in practices of government", which is "explicit in language and other technical instruments but is also relatively taken for granted, i.e. it is not usually open to questioning by its practitioners" (Dean, 2010, 25). These mentalities are collective in "the way we think about exercising authority", by drawing "upon the expertise, vocabulary, theories, ideas, philosophies and other forms of knowledge that are given and available to us" (Dean, 2010, 25). Dean gives the example of properly managing the economy as a self-evident way of governing. Different forms of knowledge are involved, e.g. the expertise of economists, and there is ample discussion about which way the economy should be managed. But that it has to be managed in the first place is rarely, if ever, questioned (Dean, 2010, 25-26). Hence, Inda defines "governmentality" as follows:

> [They are] intellectual machineries that render reality thinkable in such a manner as to make it calculable and governable. They point to the forms of political reasoning ensconced in governmental discourse, the language and vocabulary of political rule, the constitution of manageable fields and objects, and the variable forms of truth, knowledge, and expertise that authorize governmental practice. (Inda 2006, 4)

Or, to put it in simpler terms:

> A rationality of government [is] a way or system of thinking about the nature of the practice of government (who can govern; what governing is; what or who is governed), capable of making some form of that activity thinkable and practicable both to its practitioners and to those upon whom it was practised. (Gordon 1991, 3)

Governmentality, together with disciplinary and sovereign power, forms a "triangle: sovereignty, discipline, governmental management which has population as its main target and apparatuses of security as its essential mechanism" (Foucault, 2009, 107-108).

An analysis of governmentalities is, first, concerned with the knowledge, truth claims and the fields and objects involved in them. This includes what Dean calls the visibilities of government and the *episteme*. Visibilities are those objects that are rendered as governable, the "visual and spatial dimension of government", i.e. "who and what is to be governed, how relations of authority and obedience are constituted in space, how different locales and agents are to be connected with one another, what problems are to be solved and what objectives are to be sought" (Dean, 2010, 41). *Episteme* are the "forms of knowledge that arise and inform the activity of governing" and how they give rise to

[7] Governmentality is usually understood to be a neologism referring to either "governmental rationalities" or "governmental mentalities". Consequently, there are interchangble uses of the labels "mentalities of government", "rationalities of government", "political rationalities" and "arts of government".

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specific forms of truth (Dean, 2010, 42). Secondly, analyses of government are concerned with how "government is conceptualized into existence in programmatic form", i.e. the ways that governments propose to change and administer reality by enacting solutions to problems that they are supposed to solve according to their rationality by way of their *episteme* (Inda, 2006, 6). This problem-raising of government, i.e. the formulation of the nature of particular problems that need solving, is also called the "problematizing" nature of government (Inda, 2006, 5). Thirdly, an analysis of government is concerned with the technologies employed by a specific governmentality, where the "technological is that domain of practical mechanisms, devices, calculations, procedures, apparatuses, and documents through which authorities seek to shape and instrumentalize human conduct" (Inda 2006, 6). These are things such as "surveys, reports, statistical methodologies, pamphlets, manuals, architectural plans, written reports, drawings, pictures, numbers, bureaucratic rules and guidelines, charts, graphs, statistics and so forth – that represent events and phenomena as information, data, and knowledge" (Inda, 2006, 7). Fourth, regimes of government are "concerned with the forms of individual and collective identity through which governing operates and which specific practices and programmes of government try to form" (Dean, 2010, 43). Governmentalities always build upon specific identities of those that are governed as well as those doing the governing. They posit a specific type of conduct to adhere to. They try to foster a certain self-understanding of the governed and the governing. And finally, the "shaping" of conduct is exercised to attain to certain goals. Dean (2010, 44) refers to these as the "ultimate ends and Utopian goals" of governing, "the *telos* of government". These can be, for example, the creation of an "active citizen" or an "informed consumer" (Dean, 2010, 45).

4.4.3 A Very Short Genealogy of Governing

Foucault locates the first governmentality in the doctrines of reason of state that emerged during the fifteenth and sixteenth century in a discourse on "the problematic of government in general" that lasted until the end of the eighteenth century (Foucault, 1991, 88). Here, the state, for the first time, reaches the status of an autonomous object that can be investigated and known through statistics, the science of the state, by the new figure of the politician (Gordon 1991, 8; Dean 2010, 104; Lemke 2019, 166). The object of governing is the state and the goal of this governmentality is to preserve and improve the state's strength (Gordon, 1991, 9). What is most relevant to us, is that the concept of *security* emerges as the security of the state and the differentiation into external and internal security starts to take place. Externally, the state's strength depended on the strength of the military. Internally on the complete management of the governed, the establishment of "the sensorium of a Leviathan" (Gordon, 1991, 10). Bigo (2001a, 113) likens this model of security to the figure of a torus (see Figure 4.1), symbolizing that the state needed

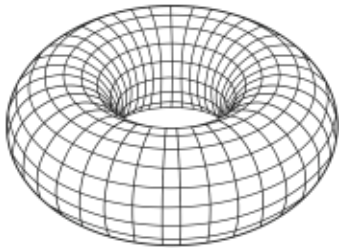

Figure 4.1: Torus

Source: YassineMrabet (2007)

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security from the outside (other states), as well as the inside (the population).

This understanding changed with the governmentality of Liberalism, where first, the population is established as possessing natural properties, i.e. birth-rates, death-rates, illnessess, etc., that have a certain regularity, and the establishment of the human sciences as the knowledge of these natural properties. And second, through the concept of "political economy", where the economy reaches the status of an autonomous object that cannot be governed through the all-encompassing knowledge of the sovereign (Lemke, 2019, 172-175). A new object emerges, that of society, and under liberal critique the means and ends of the state have to be justified with regards to this new object, which is the natural environment of the *homo economicus* (Lemke 2019, 178; Gordon 1991, 23). In Kantian terms, Liberalism posits a "*critique of state reason*, a doctrine of limitation and wise restraint, designed to mature and educate state reason by displaying to it the intrinsic bounds of its power to know" (Gordon, 1991, 15). A limit best represented by Adam Smith's invisible hand. The state's security becomes a result of the state's prosperity, which, in turn, can only be reached through the exercise of the "natural freedom" of the individuals, i.e. through a *laissez faire* approach towards the "natural processes" occurring in society and economy. In contrast to reason of state, in Liberalism, individuals are holders of a "natural freedom" and their "natural self-interest" leads to the public good of all. Violations of freedom, then, become not only to be seen as illegitimate, they display ignorance of how to govern properly (Gordon, 1991, 15-20). However, mechanisms of security must be set in place to ensure the proper functioning of those "natural processes". The freedoms of the individual are not the limit of government, but their freedom has to be organised through mechanisms of security. Freedom, thereby, becomes part of governmentality (Lemke, 2014, 263).

What emerges in the later half of the nineteenth century is a new politico-epistemological object, the social. Liberalism viewed society as a sum of individuals. The social, however, emerges as a seemingly independent subject which can "no longer be derived from its parts" (Lemke, 2019, 200). The technology of social insurance emerged as a way to circumvent both a possible revolution and an intervention in market processes in a society experiencing the regularity of industrial accidents. The insurance technology transforms law from two opposing parties in which an accident is the result of a faulty exercise of freedom into a web of social interdependence where everyone poses and is at the same time exposed to a certain risk to and from everyone else. This interdependent web, the social, is investigated by the expert knowledge of sociology and instead of following universal laws, the social follows the constancy of probabilities. Members of the social are not a collection of universal attributes, but are averages of their environment (Lemke, 2019, 217-223). Bigo

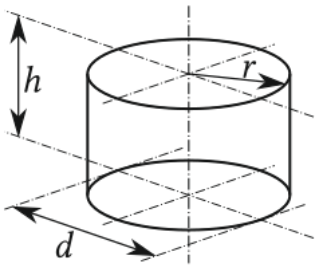

Figure 4.2: Cylinder

Source: Sandoval (2019)

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(2001a, 114) refers to this as the cylindrical model of security (see Figure 4.2). External security is still occupied with military strength against rival states, but internal security comes to encompass the citizens of the state, a process that started with Liberalism, as the necessity to allow for the exercise of "natural freedom" entails a necessity to give up the complete mistrust and control of the population.

In the 1970s the model of the welfare state came under attack from both the political Left and the political Right. And in the new governmentality of Neoliberalism, individuals were no longer envisioned as having needs and wanting protection, but as a "source of energies" that can be tapped (Dean, 2010, 179). Energies whose free flow needs to be facilitated, which is hampered by the bureaucracy of the welfare state. Here, freedom is no longer a "natural property" of the individuals, as envisioned by Liberalism, but, as in the case of Hayek, an artifact of a process of civilization and discipline. Freedom, in this understanding, is, therefore, neither natural, nor artificial.

> He conceives nature, culture and rational design as three separate processes, each of which gives rise to "rules of conduct". These rules are stratified: at base, the "instinctive" drives; above these, "traditions" restraining the first; and finally, the "thin layer of deliberately adopted or modified rules". So drives, traditions and consciously adopted rules operate within the respective spheres of nature, culture and reason. (Dean 2010, 183 quoting Hayek 1979, 159-160)

The rules of culture, which freedom belongs to, emerge from "spontaneous social orders" such as "the market, language, morals and law" (Dean, 2010, 183). Choice is no longer an act corresponding to one's interests, choice becomes an optimization problem according to one's environment. It is both calculable and modifiable by modifying the environment of the subject. It operates at "the intersection of economic rationality and behaviourism" and the citizens become "rational choice" actors (Dean, 2010, 186). These subjects are understood as trying to maximize their own benefits and pleasure through rationally calculating the pros and cons of each of their available actions at a given moment. Consequently, these calculations are dependent on the possible paths of action that are provided by the environment the actor resides in at a given moment in time. It is, therefore, only logical to think that by modifying the environment one can modify the actions of the rational-choice actor (Valverde and Mopas, 2004, 243). On the one hand, the individual's freedom needs to be respected, on the other hand, this freedom is not simply given but learned through the disciplinary measures of spontaneous social orders. Hence, the neoliberal notion of freedom can both be used to limit the reach of government and at the same time impose governmental practices that foster the culturally appropriate variants of freedom, through, e.g. the deliberate construction of markets (Dean, 2010, 187). The limitation of government is achieved through technologies of performance. These technologies aim to gauge the "effectiveness" of government by submitting governmental entities to permanent "monitoring, evaluation, indicators, contracts, performance measures, audits, and output targets" (Inda, 2006, 14). The

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necessary cultural freedoms of the individual are fostered through technologies of agency. "They seek to shape, guide, and mold the will and competencies of individuals so as to make them capable of acting as free and active citizens" (Inda, 2006, 15). They create an ethical subject that is able to take good care of itself, without requiring help from the state. Those who fail to comport themselves ethically, the anti-citizens that do not exercise their freedom in a way that makes them self-reliant, are handled by the technologies of anti-citizenship. These try to either "re-insert" the subjects into the "circuits of work and consumption" or, if these fail, they are deemed unable to appropriately exercise their freedom and are punished (Inda, 2006, 52). Since the anti-citizens are unable or unwilling to exercise their freedoms correctly, imprisonment becomes a popular form of punishment as a way of excluding these subjects from the society of the citizens (Inda, 2006, 55). If the technologies of re-insertion constantly fail, it is not the failure of these technologies, but of the individual's conduct. Criminals, then, turn into rational-choice criminals where knowledge of the individual person, its biographical experience and the possible causes of their actions become irrelevant. "They are free to commit crime or not to commit crime" (O'Malley, 1992, 265). This fosters an understanding of "once a criminal, always a criminal" (Inda, 2006, 57).

4.5 Giorgio Agamben and the State of Exception

The Italian philosopher Giorgio Agamben proposes a different view on sovereign power and biopolitics. He claims that there is a connection between the two concepts, drawing on the Aristotelean understanding of life as bios and zoë. Zoë is the concept of natural, unqualified life common to all living creatures. Bios, on the other hand, refers to ways of living through which different species and groups can be distinguished and also includes concepts such as a personal "way of life". Zoë is excluded from the political life of the polis and located in the household, the *oikos*, and concerned with survival (Lembcke, 2016, 206). This distinction and the aim of the polis, as proclaimed by Aristotle, to free humans from their natural (animalistic) life, leads to the creation of bare life. Bare life is that part of human life that is designated natural, i.e. that which is on the "threshold between nature and culture" (Lembcke, 2016, 207, my translation). Zoë, then, becomes inclusively excluded through the sovereign polis. It is at once included, as the counterpart of the political life of bios, and at the same time excluded from the political realm. This produces bare life as the historically contingent part of zoë that is part of sovereign decisions, in contrast to zoë, which is universal (Vaughan-Williams, 2015, 49). The nature of biopolitics, then, is that the distinction is no longer drawn between bios and zoë, but inside zoë itself. Thus, in contrast to Foucault, biopolitics is not a phenomenon of modernity, but integral to sovereign power. Consequently, the phenomenon that Foucault analyzed is, for Agamben, simply an intensification instead of a new way in which power is exercised (Lembcke, 2016, 208). The paradigmatic case of this inclusive exclusion, that creates bare life, is that of the Roman *homo sacer*. In Roman law, the figure of the *homo sacer* describes an individual that is banned from the community and may be killed by anybody. It can, however, not be sacrificed to God. For Agamben, this figure is created

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by a dual exclusion. On the one hand, *homo sacer* is excluded from religious law and can no longer be sacrificed to God. On the other, *homo sacer* is excluded from earthly law in that anyone can kill them without committing an offence (Lembcke, 2016, 202). However, this figure is created by the sovereign ban, which declares them *homo sacer*, the "central mechanism" through which sovereignty operates (Vaughan-Williams, 2015, 50). *Homo sacer* is the "materialization" of bare life, in that they are abandoned by law, but law does not abandon them, since anyone can kill them without legal punishment (Lembcke, 2016, 202, my translation). The sovereign ban is, then, defined solely through the relation between the sovereign and *homo sacer*, it has "no content except this relation itself" (Lembcke, 2016, 203, my translation). Furthermore, both the sovereign and *homo sacer* are "at the same time outside, as well as inside the legal order" (Lembcke, 2016, 203, my translation). Consequently, the ban is the mechanism that "holds together [...] bare life and sovereign power" (Agamben 1998, 109, as quoted in Vaughan-Williams 2015, 50). The ban includes bare life through its exclusion, making it enter into a zone of indistinction, in which legal norms and facts coincide (Lembcke, 2016, 211). This inclusive exclusion, what Agamben calls "the relation of exception", is the central structure of sovereign power, a structure that can also be found in the state of exception (Agamben 1998, 19, as quoted in Erlenbusch 2013, 46). Declaring a state of exception creates a zone of indistinction by upholding (the power of) the law and declaring it void at the same time (Geulen, 2016, 69-72). Crucially, this state of exception became the norm and now forms "the dominant paradigm of government" (Agamben, 2005, 2). Its paradigmatic space is that of the camp for the *homines sacri* of modernity, such as the stateless and the refugees (Lembcke, 2016, 211). It is "the space that is opened when the state of exception begins to become the rule" (Agamben 1998, 168-169, as quoted in Lembcke 2016, 211).

4.6 Judith Butler's Spectral Sovereignty

Agamben's work has been thoroughly critized, especially his interpretation of Foucault (Mein, 2014, 198). Collapsing biopolitics into sovereignty, or at least making them "indistinguishable" from one another, leads to a "problematic generalization and fails to explain the underlying political interests giving rise to the suspension of legal norms" (Erlenbusch, 2013, 50). In her essay *Indefinite Detention*, Butler (2004) takes up and revises the ideas of Agamben, addressing these issues. By engaging with the indefinite detention of so-called "enemy combatants" in the US Guantanamo Bay war prison, she seeks to analyze what she sees as a "new exercise of state sovereignty" in the state of exception (Butler, 2004, 51). Taking inspiration from Agamben's work, but rejecting his idea of the internal connection between biopolitics and sovereignty, she addresses the state of exception and the related exercise of sovereign power through the role of sovereignty in the governmentalized state. Since this state is no longer grounded in the sovereignty of the monarch, the governmental state possesses no "unified sovereign subject" (Butler, 2004, 52). Sovereignty is no longer the state's source of legitimacy and the unified locus of its power. In the state of exception sovereignty reemerges as an

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"anachronism", that is exercised through the executive branch and the state's bureaucracy, seeking "to do away with the separation of powers" (Butler, 2004, 54). It reemerges as a "spectral sovereignty within the field of governmentality" (Butler, 2004, 61). The suspension of the law through the state of exception becomes a tactic of governmentality, allowing for sovereignty to reemerge and governmentality and sovereignty to converge. The "petty sovereigns" of the army bureaucracy, legitimized neither through democratic nor legal means, but solely through governmentality, "abound" (Butler, 2004, 56). In the state of exception, laws are suspended and power operates on the rules established through governmentality, which "reinstate" sovereign power and are wielded by the petty sovereigns who hold the power to "deem" someone dangerous and thereby legitimize their indefinite detention[8] (Butler, 2004, 62, 59). This "deeming" is not a judgement grounded in evidence, rather "the danger has to be understood quite clearly as a danger in the context of a national emergency" (Butler, 2004, 71). The reemergent sovereignty extends itself through official speech acts that equivocate the state's actions with judicial legitimacy. For example, the Bush administration claiming that it operates according to the Geneva Convention while, at the same time, declaring the detainees of Guantanamo Bay "enemy combatants" instead of prisoners of war, which would be the prerequisite for the application of the Geneva Convention (Butler, 2004, 80-82).

> Sovereignty is what is tactically produced through the very mechanism of its self-justification. And that mechanism, in this circumstance, turns again and again on either relegating law to an instrumentality of the state or of suspending law in the interests of the executive function of the state. (Butler 2004, 82-83)

Spectral sovereignty, then, is a "lawless" power and can be deployed as a tactic by governmentality as a way to manage populations outside the law (Butler, 2004, 95).

> So, even as governmental tactics give rise to this sovereignty, sovereignty comes to operate on the very field of governmentality: the management of populations. [...] "Managing" a population is thus not only a process through which regulatory power produces a set of subjects. It is also the process of their de-subjectivation, one with enormous political and legal consequences. (Butler 2004, 98)

4.7 Sovereignty, Risk and Algorithms

Both welfarist and neoliberal governmentalities employ technologies of risk. The former through the technology of social insurance, which spreads the risks emerging from the social throughout the population (Rose, 2001, 7). Risk is thereby democratized, as it

[8] Detainees in Guantanamo Bay may be acquitted by an (extra-legal) military tribunal, but still be held in detention if they are "deemed dangerous" (Butler, 2004, 75).

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is handled collectively through the institutions of the welfare state from unemployment insurance to public retirement funds (Valverde and Mopas, 2004, 242). Neoliberal governmentalities transform these technologies of risk, i.e. social insurance, by privatizing the risks. The active citizen is expected to manage risks by themself, which, as an enterprising subject and an expert on their own needs, will be done in a far more "efficient" manner than through the institutions of the state and the experts of the social. Since individual biographies are no longer relevant for the rational choice actor, foundations of crime, be they based on race, class, or gender, are no longer interesting as causal explanations, but, if of any interest at all, turn themselves into risk factors. Since the rational choice criminals are responsible for their actions, gaining knowledge of the individuals to causally explain their actions turns irrelevant and the only thing left to do is to modify the environment in a way that minimizes risks and punish and constrain those individuals that use their freedom in an irresponsible manner, should the technologies of reinsertion fail (O'Malley, 1992, 261-265). Furthermore, this understanding of the rational choice criminal entails a change in its visibility. Technologies of the early penitentiaries and the rehabilitation programmes of the welfare states were concerned with achieving biopolitical goals by governing the criminal as a concrete individual and tried to act upon it in order to change their behaviour. Since rational choice actors are already free calculating actors responsible for their own actions, transforming the individual into something else no longer makes sense. Neoliberal technologies of risk, then, are not concerned with a concrete individual, rather, they "brea[k] the individual into a set of measurable risk factors" (Valverde and Mopas, 2004, 240).

According to Valverde and Mopas (2004) these technologies are connected to what they call "targeted governance". Targeted governance is the common denominator of such vastly different things as targeted drone strikes and neoliberal unemployment relief. It is an essentially anti-universalist art of governing that tries to "efficiently" target certain objects through "apolitical, knowledge-driven, 'evidence-based' policy" (Valverde and Mopas, 2004, 245). In the case of unemployment relief, knowledge is necessary to target only those that "really" need support, excluding purported "welfare moochers". In the case of the drone strike, knowledge is necessary to identify the "terrorists" inside the mass of the population. Targeted governance is concerned with "effectively" handling problems without any resort to universal goals. Whereas the welfare state aimed at universal goals, e.g. abolishing poverty altogether, Neoliberalism views these goals as utopian and unrealistic. Yet, although targeted governance promotes a certain locality, it is "dialectically intertwined with a vision of successfully targeting *everything*" (Valverde and Mopas, 2004, 246-247). The drone strike accepts the idea that there will always be "enemies to freedom" and abandons the idea of universal peace. Yet, by (purportedly) targeting only a single risky individual selected through apolitical non-ideological information, it does so in the name of establishing global security for "liberal democracy". It tries to install a global order by targeting *every* terrorist one by one. Targeted governance, thus, "does not necessarily mean governing less. There are always more targets; and there are endless ways of fiddling with existing 'smart' weapons, smart drugs, and targeted social programmes. The logic of targeted governance is in its own way as endless, as

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utopian, as the better-known logic of totalitarian control" (Valverde and Mopas, 2004, 247-248). Whereas liberalism was concerned with "too much" state interference in the natural flows of society, Neoliberalism seems to be concerned with governing "too much *all at once*" (Valverde and Mopas, 2004, 247-248).

This "very advent of the idea of risk as a means of governing coincides with a security apparatus that no longer seeks to prevent, to order or to withhold, but instead to preempt, to allow to play out, to make probabilistic judgements" (Amoore and de Goede, 2008a, 10). Targeted governance, as Aradau and van Munster argue, is based on a dispositif of risk. The re-introduction of "catastrophe" as the "dominant political imaginary of the future" through the events of 9/11, conjoined the neoliberal rationality of privatized risk with a *dispositif* of precautionary risk (Aradau and van Munster, 2008, 23,24). *Dispositifs* of risk have to be understood as rationalities and technologies, as "ways of thinking and acting, involving calculations about probable futures in the present followed by interventions into the present in order to control that potential future" (Rose 2001, 7, as quoted in Aradau and van Munster 2008, 25). The technology of social insurance is a technology of probabilistic risk. It tries to make the future actionable in the present through a projection into the future from past data by using statistics. It is "a way of organizing reality, taming the future, disciplining chance and rationalizing conduct" (Aradau and van Munster, 2008, 25-26). For Amoore (2013), however, through the war on terror, modern state sovereignty is characterized by "the idea that uncertain futures — however probabilistically unlikely — be mapped and acted upon *as possibilities*" (Amoore, 2013, 1). This idea was ushered in through the war on terror's imagination of the terrorist attack as a "low probability, high impact" event. The terrorist attack is an event that breaks with probabilistic risk, which was based on "scientific calculus and group profiling" (Aradau and van Munster, 2008, 30). Probabilistic insurance technologies try to categorize people into statistically estimated social groups and estimate each group's risk (Aradau and van Munster, 2008, 30). They are a technology of what Lyon calls "social sorting" (Lyon, 2003). The single terrorist attacker with the ability to enact a catastrophic event cannot be inferred from statistical projections of past data (Amoore, 2013, 12). The *dispositif* of probabilistic risk, then, becomes a *dispositif* of possibilistic risk, following an anticipatory logic:

> it acts not strictly to *prevent* the playing out of a particular course of events on the basis of past data tracked forward into probable futures but to *preempt* an unfolding and emergent event in relation to an array of possible projected futures. It seeks not to forestall the future via calculation but to incorporate the very unknowability and profound uncertainty of the future into imminent decision. (Amoore 2013, 9)

Furthermore, in retrospect, the terrorist attacks of 9/11 and the Madrid and London bombings were understood as a failure to "connect the dots". The US joint inquiry on the attacks of 9/11, for example, concluded that "on September 11, enough relevant data was resident in existing databases", therefore, "had the dots been connected, the events could

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have been exposed and stopped" (US Joint Inquiry 2003, 14, as quoted in Amoore and de Goede 2008b, 174). This data are seen as "digital footprints" left behind by everyday transactions and the "low probability, high impact" event of the terrorist attack becomes a "culmination of a series of mundane 'mandatory' actions, purchases, communications and journeys" (Hall and Mendel, 2014, 371). Moving past the techniques of data collection and classification based on probability, mundane transactions are collected and, via data mining, people and objects are classified into "degrees of risk" (Amoore and de Goede, 2008b, 176). Marketed by the business and technology consulting firm Detica (now: BAE Systems Applied Intelligence) as "threat prints", the data of the different transactions form an abstraction that is "held together" by the association rules established by data mining (Hall and Mendel, 2014, 376). They arrange and connect the different data items, "for example, *this* nationality with *that* length of stay with a last-minute cash payment; *this* intinerary with *that* age group with *this* credit card", promising the detection of the yet unknown threat through the earliest traces left behind in the databases (Hall and Mendel, 2014, 374). Intelligence information, e.g. about new smuggling routes, is constantly fed back into the system through a collaboration of software designers, police, immigration and customs. Events, such as an attempted or successful terrorist attack, are analyzed in retrospect, looking for the data items that could have been used in order to have detected the threat as it emerges (Hall and Mendel, 2014, 373-375). Future possibilities are projected and "arrayed" in order to act on them, preempt certain possible futures and actualize those in which the threat does not materialize (Amoore 2013, 9; Hall and Mendel 2014, 375)[9]. Governing unknown futures through these practices of targeted governance, individuals become "dividuals", split up into their risk factors (Deleuze 1992,

[9]For a more detailed account of the changes in the *dispositif* of risk, see, e.g. Aradau and van Munster (2008) and Ewald (2002). For an analysis of these changes in the context of security see Amoore (2013), especially Amoore (2013, 79-104) for the context of border security. What remains to be noted here, is that the object, to which the precautionary principle is applied, matters. By attempting to estimate the risk of a single individual, instead of, e.g. a chemical substance, one moves from the realm of necessity to the realm of contingency. Natural substances are defined by natural laws and their risk, once estimated, remains constant. Following the precautionary principle one targets, e.g. the use of asbestos in construction, which means that the specific act of using asbestos in construction is prohibited. This is in stark contrast to the preemptive actions described here. By acting on the possible futures of an individual, one tries to forestall actions that this individual *might* take. Essentially, one tries to compute the possible future course of action of an individual, which is, of course, impossible, as an individual's future is always contingent. Necessity enters the picture as the necessity to act on this contingency, in order to make it a necessary impossibility. With Hegel, we could say, that this *dispositif* is concerned with a determinate negation of the future. It does not positively establish a certain imagined future, but establishes possible futures that do *not* include the specific future in which the catastrophic contingency materializes. This puts the "suspicious" individual in the impossible situation of having to prove that this estimated future is not its "real" future, i.e. it has to prove, that the determinate negation of the future is identical with the future. It should be clear, that this is vastly different from the former application of the precautionary principle, where a certain well-defined act is prohibited and dangerous action (e.g. the act of using asbestos in construction) and prohibited action coincide. In the context of border security, dangerous action (e.g. a terrorist attack) and prohibited action (e.g. infringing on the right to freedom of movement by preventing a border crossing) diverge and the dangerous action is, furthermore, already prohibited. The "suspicious" individual is, then, left to prove that not prohibiting its action does not lead to the already prohibited dangerous action.

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3-7, as quoted in Amoore 2013, 8). This way of profiling, no longer based on statistical groups, leads to "forms of surveillance that target everybody, as the potential terrorist could be any of us" (Aradau and van Munster, 2008, 30-31). The threat print forms a "signature" of life, promising insight into the "true" intentions of the risk assessed individual as it appears in the form of its abstraction at the border crossing point, where the traveller "becomes pixelated into multiple transactions, journeys, associations and then recomposed" (Agamben 2009; Hall and Mendel 2014, 372). The border crossing point is, therefore, a "biopolitical border" where data traces are left behind and knowledge about a population is produced (Walters, 2002, 572-573). A population produced not only through the classical biopolitical techniques, but also through the speculative knowledge about the yet unknown population of emerging threats. "[A]cross the gaps of what can be known [...] new subjects and things are called into being" (Amoore, 2013, 3). The "sovereign lines that designate the exceptional spaces of the war on terror", Amoore and de Goede (2008b, 174) argue, can, then, not be limited to the logic of the camp, exemplified by spaces such as Guantanamo Bay, Abu Ghraib or extraordinary rendition, as it is precisely on the basis of these mundane transactions that people are often forced into these spaces.

> On 26 September 2002, a Syrian-born Canadian citizen, Maher Arar, was detained by INS officers while in transit via New York's JFK airport. Separated from his family and denied legal representation, Arar was interrogated on his past travel and his associates. As "evidence", the officers produced a rental lease he had signed in Ottawa in 1997. He was then chained and shackled and sent to Syria, where he was imprisoned and tortured for 12 months. (Amoore and de Goede 2008b, 183)

The techniques constitute a move beyond disciplinary techniques towards techniques of *dispositifs* of security. Circulation is guaranteed and the "digital traces" left behind in the various transactions along the way appear as the solution to securing these circulations, detecting threats as they emerge. "Put simply, where disciplinary surveillance predicts, surveys and prohibits, the apparatus of security preempts, visualises and opens to circulation" (Amoore and de Goede, 2008b, 174). The dividuals are not inclusively excluded as in Agamben's relation of exception, i.e. the binary established via the sovereign ban, but "included by means of a dividuated and mobile drawing of risk fault lines" (Amoore, 2013, 8). In other words, the technical means of governing by risk "permit the mobile drawing of lines within and between individuals, with knowledge data giving the impression of a 'smart, specific, side-effects-free, information-driven utopia of governance'" (Amoore and de Goede 2008a, 9 quoting Valverde and Mopas 2004, 239). They enact a "mobile norm", replacing the norm of the Bell curve disciplinary power tries to establish with a norm that is constantly shifting and adaptable, "break[ing] subjects and objects into elemental degrees of risk such that the norm is always in a process of becoming" (Amoore, 2013, 65). These mobile norms, however, still tend to target the marginalized (Amoore and De Goede, 2005). They also exhibit a form of

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greediness, as the "apparent 'false positives' we might highlight as symptomatic of the excesses and slippages of the risk-based techniques are successes on the register of refining the mobile norm. The false hits of multiple security interventions that prove negative can never be errors in the terms of the derivative, for they too are folded back into association" (Amoore, 2013, 67).

Many of those US government officials that were key figures in defining the exceptional measures that guide the war on terror left government institutions to acquire top positions in private companies selling the very technologies authorized by their previous decisions. This revolving door effect exemplifies that there is an "emerging indistinction between public executive powers and an apparatus of administrative, commercial, and private expertise", between "the public and the private, reasons of state and practices of economy, and sovereign power and commercial authority" (Amoore, 2013, 3,4). A revolving door effect that is also visible in the Horizon 2020 research projects, with extraordinary influence of private IT and security companies (see Jones (2017, 31-42))[10]. Picking up Deleuze and Guattari's understanding of the *dispositif*, as its "common central point" being "a point of resonance on the horizon", instead of a point where "all the other points melt together", these spheres do not converge, but form "an intensifying resonance across [...] economy and security, an infiltration of each one into the other, such that a moving complex emerges—a complex of the governing of emergent, uncertain, *possible* futures" (Deleuze and Guattari 1987, 247, as quoted in Amoore 2013, 4; Amoore 2013, 5). What connects the different spheres is, then, not something that can be described as, e.g. privatization, but the *dispositif* of unknown possible futures, sought out by both security and economy: the latter as a source of profit, the classic idea of economic risk, and the former through its aim of preventing terrorism imagined as "low probability, high impact" events. In the war on terror, then, state sovereignty turns to economy's knowledge of making visible the yet "unknown consumer" through techniques such as data mining to secure against the "unknown terrorist" and economy turns to state sovereignty as a source of profit (Amoore, 2013, 3,6). The expert knowledges of private consulting, risk management, software and biometrics engineering then become part of the petty sovereigns that Butler (2004) identified as the dispersed locus of sovereign power, a dispersal that is enabled through the technology of consulting, forming "novel, plural, and challenging arrangements of sovereign power" (Amoore, 2013, 7).

[10] Atos, Thales, Airbus and Leonardo (Finmeccanica) are some of the main beneficiaries of EU security research funds (Jones, 2017, 66). Finmeccanica, Thales and Airbus are also major EUropean arms traders (Jones, 2017, 23). Former and sometimes active employees of these companies are part of advisory groups that have large influence over the priorities set by EUropean Framework Programmes with regards to security research (Jones, 2017, 37, 17). A study by Martin Ehrenhauser, who at the time was a member of the European Parliament, shows the revolving door effect with regards to one of the major lobby groups for the security and defence industry, the European Organisation for Security (EOS). The chairman of EOS, until 2013, was Magnus Olivius, formerly responsible for the European Commission's counter-terrorism policy (Ehrenhauser and Sander, 2013, 9). EOS members, like Atos, Thales, Airbus, etc., largely benefit from EUropean security research funding. Magnus Olivius is now the head of the Agencies and Networks Coordination sector of the Directorate-General for Migration and Home Affairs of the European Commission (see https://op.europa.eu/s/osPS).

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4.8 The Concept of Security

We have now, finally, arrived at a point where we can establish a theory of analyzing security, broadly following Huysmans (2006). By engaging with Agamben and Butler, we can see, in retrospect, that the structure analyzed by Buzan, Wæver and Wilde (1998b) (see Chapter 2) is precisely the structure of declaring a state of exception through a speech act[11]. With Bigo, we have to add, that the success of these speech acts depends on the position of the uttering agent in the field of (in)security and that it is precisely through this field that the preconditions of these utterances, who and what is a legitimate threat, are largely established. We, thereby, also moved from the construction of security, to the construction of insecurity and now know that "security issues" cannot be limited to the declaration of states of exception. Furthermore, insecurity is constructed in a field that does not exist in a vacuum of security professionals, but always overlaps with other fields and is always part of the larger field called society (see Chapter 3). By engaging with Foucault, we know that security is a historically contingent concept grounded in a governmentality that nowadays takes on the form of variants of Neoliberalism. The agents of the field of (in)security are themselves, to use Bourdieusian terminology, structured by and structuring this governmentality. It is the concrete art of governing, then, the governmental rationality, that informs the definition of threats, the referent object and the technologies of governing that respond to these threats. And it is the task of the security researcher, as Huysmans (2006) argues, to analyze these arts of governing.

[11] See Huysmans (2006, 124-144) for the relation between securitization and the Schmittean state of exception.

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CHAPTER 5

Methodology

This chapter describes the methodological approach to data selection and analysis. Section 5.1 describes the initial data collection steps and Section 5.2 the selection process for the final corpus. Data for analysis was chosen following Mason's understanding of theoretical sampling, as sampling data on the basis of their relevance to the research questions (see Chapter 1) and the theoretical and analytical framework (Mason, 2002, 124). Section 5.3, then, describes the methodological approach taken to analyze the documents in the final corpus.

5.1 Initial Data Collection

In an inital process of corpus building, following Keller, an initial corpus was collected by taking the different Work Programmes as "Urtexts" from which references were followed to either concrete documents (e.g. the Internal Security Strategy) or IT-systems (e.g. Entry-Exit System) (Keller, 2007, 85). The corpus was then saturated with all documents published by the European Commission with regards to the IT-systems found in the text, as well as all documents published by the research projects financed under those Work Programmes. These are the documents published in the Community Research and Development Information Service (CORDIS)[1], the "Fact Sheet", "Reporting" and "Results in Brief" published in CORDIS and the documents published on the websites of the research projects[2].

This yielded a large amount of data that had to be reduced to allow for sensible empirical analysis. For this reason, the corpus was first limited to documents relating to the second Work Programme (2016-2017) and projects that related to external security were

[1] https://cordis.europa.eu/

[2] Data from the websites was only used in so far as they contained documents not yet published in CORDIS.

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removed[3]. This Work Programme has two versions, the first was published on October 13th, 2015. The second on July, 25th 2016. The timeframe to apply for funding for the research projects ended on August 24th, 2017.

Settling on this Work Programme instead of one of the other two has two reasons. The first, and very pragmatic, reason is that some research projects tend to publish all the documents that they created, including research papers, magazine articles, etc., only once their project is completed and not directly when the documents were created or published in journals or magazines. As a result, most of the research projects financed via the third Work Programme (2018-20) have released very few documents so far and it is hard to tell whether further important documents will be published. Second, in the time frame around the first and the second Work Programme, especially in the year 2015, a host of new security-related policy documents were published by the European Commission, sometimes replacing older ones. This includes such substantial documents as the Internal Security Strategy which was replaced by the European Agenda on Security. Furthermore, during the so-called summer of migration of 2015, many migrants and refugees tried to travel to Europe, an event that resulted in heated public debates and an increased importance of "border security" in the public political discourse[4].

5.2 Final Corpus

While collecting and reading the material it became clear that the concept of the "Security Union" is a central theme, with *The European Agenda on Security* at its heart. This agenda is complemented by the document *A European Agenda on Migration* and is supposed to work in tandem with it. *The European Agenda on Security* states that it is built on "existing sectoral strategies", referring to a number of documents (European Commission, 2015c, 4). Two of these, the *EU Maritime Security Strategy* and the *Strategy for Customs Risk Management*, were frequently referenced in the Work Programmes with certain projects specifically working to implement these strategies and were therefore included in the final corpus.

The European Agenda on Security is one of the policies that the European Commission highlights on their website and for which it provides a selection of relevant legislative documents[5]. These include the per-month progress reports "towards an effective and genuine Security Union", the first nine of which are part of the time frame of analysis. As these reports mostly track the implementations of certain policy and legal directives at the Member State level, they are excluded from the corpus. The same is true of the other reports related to the Security Union theme which are excluded for the same reason. "Staff Working Documents" and "Action Plans" mostly lay out concrete implementation

[3] In the Work Programme 2016-2017 this applies to the project financed under the call SEC-13-BES-2017.

[4] This does not mean, however, that this change in *public* political discourse had any effects on the less public inter-agency discourse that is under scrutiny here.

[5] https://ec.europa.eu/home-affairs/what-we-do/policies/european-agenda-security/legislative-documents_en

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guidelines and plans on how to implement policy. They are less concerned with narratively arguing the necessity or usability of the corresponding policy and are therefore excluded.

Nine legislative proposals were put forward, each of which contains a short section in the beginning labelled "Context of the Proposal" which has a subsection "Reasons and objectives of the proposal" (or equivalent) that is chosen for analysis. Besides these proposals, two further documents are not excluded by the criteria listed above (COM(2016) 379 final, COM(2016) 602 final).

The technologies mentioned in the Work Programme 2016-2017 are *EUROSUR*, *CISE* and the *Smart Borders Initiative*, the latter referring to the *Entry/Exit System* (EES) and the *Registered Traveller Programme* (RTP). With regards to EUROSUR, the original European Commission proposal is analyzed (COM(2008) 68 final), as well as the Communication accompanying the regulation adopted by the European Parliament and the Council (COM(2011) 873 final). COM(2009) 538 final is the plan for the implementation of CISE adopted by the European Commission. COM(2011) 680 final, COM(2013) 95 final and COM(2013) 97 final are the original Communications by the European Commission laying out their plan for EES and RTP. The revised version (COM(2016) 194 final, COM(2016) 196 final) is accompanied by a European Commission communication on "Stronger and Smarter Information Systems for Borders and Security" (COM(2016) 205 final). The resulting selection of documents that are being examined in full is listed in Table 5.2. Proposals by the European Commission whose section "Reasons for and objectives of the proposal" (or equivalent) which will be analyzed are listed in Table 5.3.

The Work Programme for 2016-2017 financed nine research projects, one of which was removed as it related to external security (see above). For these projects only their entries in CORDIS were analyzed[6], as most of the published documents are ruled out by the criteria described above, not containing additional material that narratively argues for their necessity, usability or contribution to security. Exceptions to this are three research papers which are included in the analysis: Abomhara et al. (2020), Ruoslahti (2018) and Abomhara et al. (2019) (section 1 and section 2).

5.3 Detailed Analysis

The detailed analysis is based on Keller's approach to discourse analysis, called the Sociology of Knowledge Approach to Discourse (SKAD), which aims to analyze discourses via an adapted version of grounded theory (Keller, 2011). According to Keller discourses can be analyzed with the help of four main concepts. Discourses always employ "Deutungsmuster" (interpretive schemes) which "depic[t] fundamental meaning and action-generating schemata, which are circulated through discourses and make it possible to understand what a phenomenon is all about" (Keller, 2011, 58). These interpretive schemes often imply classifications, e.g. responsible and irresponsible subjects, which are "a more or less elaborate, formalized, and institutionally fixed form of social

[6]Meaning their *Fact Sheet*, *Reporting* (if available) and *Results in Brief* (if available).

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typification processes" that "create the experience of this reality" (Keller 2011, 57; Keller 2008, 85, my translation). "Phänomenstrukturen" (phenomenal structures) structure the discourse along certain dimensions. This simply means that discourses name certain "elements or dimensions" of their object and connect them to a "specific form" (Keller, 2008, 87, my translation). Finally, these elements are connected via narrative structures, "a configurative act which links disparate signs and statements in the form of narratives" that is "also a basic modus of the human ordering of the experience of the world" (Keller, 2011, 58).

The selection of documents from the corpus for detailed analysis, as well as the selection of text segments, is done via theoretical sampling, in Corbin and Strauss's understanding of the term, and the minimum-maximum contrast method until the point of saturation is reached with regards to the research question. Meaning that, with regards to the phenomenal structure, interpretive schemes, classifications and narrative structures, no new concepts emerge. If necessary, the data corpus can be extended if criteria emerge that cannot be answered by the initial corpus (Keller, 2008, 91-92). The detailed analysis of the selected documents or text segments is done via coding in a manner that can be mapped onto the three stages of coding developed by Corbin and Strauss (2015). In the stage of open coding, the researcher reconstructs the building blocks of the phenomenal structure. This means identifying the dimension of the phenomenal structure, e.g. the cause of a problem, as well as its empirical content, e.g. "cause: technological progress". The unit of analysis here are not sentences, or words, but segments of text. Axial coding then tries to "order" the phenomenal structure, i.e. the way that the empirical contents of the different dimensions are connected. Selective coding is, then, the process of reconstructing the narrative structures that connect the different elements into a distinct story line, unique to the discourse at hand (Keller, 2008, 94-95, 97). The interpretive schemes are developed after the phenomenal structure has been reconstructed by analyzing the passages of text indexed by an empirical code in a sequential manner. Keller gives the example of the code "solution: technology". All text passages assigned to that code are selected and the pattern of interpretation is reconstructed by analyzing the passages sentence by sentence to find a concept that captures the overall meaning of the code. Classifications, then, result from the interpretive schemes. For example, if technology is not seen as a solution, but as a problem, the riskiness of technology implies two subjectifications: responsible subjects, that do not use technology, and irresponsible subjects, that do use technology (Keller, 2008, 98). Interpretive schemes and classifications are not analyzed for every code, but for those relevant to the research questions.

Furthermore, the detailed data analysis takes inspiration from Marttila's empirical approach to research on governmentality. Marttila (2013) takes Dean's four invariant dimensions of governmentality as a coding heuristic to develop empirically grounded types (see Kelle and Kluge (2010)). For Kelle and Kluge, the rule of thumb with regards to coding is to use a system of categories developed a priori which is "empirically unsubstantial" that is then empirically substantiated via coding (Kelle and Kluge, 2010, 70, my translation). They define "empirically unsubstantial" as "general theoretical

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concepts, viz. 'sensitizing concepts', that allow for the theoretical classification of empirical facts" (Kelle and Kluge, 2010, 62, my translation). Hyperbolically, one could say that they "basically fit always and every situation" (Kelle and Kluge, 2010, 68, my translation). Dean's four dimensions of government fit their description of an "empirically unsubstantial" heuristic and can, therefore, be transformed into an a priori system of categories that is to be substantiated with "empirically substantial" codes. This yields a provisional phenomenal structure consisting of four categories: ontology, ascetics, deontology and teleology. Ontology encompasses the "possible cognizable objects of knowledge and their assumed nature of being" (Marttila, 2013, §11). Ascetics the "means, institutions, strategies and rationalizations" (Marttila, 2013, §12, emphasis removed). Deontology the envisioned properties of the subjects, as it "assign[s] individuals certain roles and plights toward social institutions" (Marttila, 2013, §13). Finally, teleology comprises the (ethical) goals and ideals that government aspires to (Marttila, 2013, §14).

In accordance with Marttila's later approach, instead of the sub-dimensions proposed by Dean, ascetics is further sub-dimensionalized as: problems, solutions and strategies (Marttila, 2014, 269). This adaption is made because Dean's sub-dimensions are quite strict and could enforce the concepts on the empirical data and the sub-dimensionalization as "problems, solutions and strategies" is closer to the research question of the thesis. Furthermore, the ontological dimension can be sub-dimensionalized as "causes" and "facts". As the discursively constructed objects of government appear "at the level of the text as *causes*" and as supposedly ontologically given "facts" (Schmidt-Wellenburg, 2009, 322, emphasis in the original, my translation). The deontic dimension is sub-dimensionalized with the two dimensions "governing subjects" and "governed subjects", whereas the teleologic dimension is left as is (Marttila, 2013, §23). This yields the initial set of categories displayed in Figure 5.1. It is important to note, however, that these categories may be extended or categories may be removed depending on the empirical data.

Dimension	**Categories**
Ontology	Facts, Causes
Ascetics	Problems, Solutions, Strategies
Deontology	Governing subjects, Governed subjects
Teleology	Goals

Figure 5.1: Initial set of categories

The following chapters describe the "story line" of the discourse, mentioned above, by describing the most important discursive threads, informed by the different dimensions of governmentality. As the different dimensions are interconnected, a total separation and one-by-one discussion would not lead to a clearly understandable presentation of the material. An overview over the presentation of the results is given at the beginning of Chapter 6, as well as at the beginning of each chapter, listing the results presented therein.

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COM(2008) 68 final	Examining the creation of a European Border Surveillance System (EUROSUR)
COM(2009) 538 final	Towards the integration of maritime surveillance
COM(2011) 680 final	Smart borders – options and the way ahead
11205/14	European Union Maritime Security Strategy
COM(2014) 527 final	EU Strategy and Action Plan for customs risk management
COM(2015) 185 final	The European Agenda on Security
COM(2015) 240 final	A European Agenda on Migration
COM(2016) 205 final	Stronger and Smarter Information Systems for Borders and Security
COM(2016) 379 final	Communication supporting the prevention of radicalisation leading to violent extremism
COM(2016) 602 final	Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders

Figure 5.2: List of selected documents

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COM(2011) 873 final	Establishing the European Border Surveillance System (EUROSUR)
COM(2013) 95 final	Establishing an Entry/Exit System (EES) to register entry and exit data of third country nationals crossing the external borders of the Member States of the European Union
COM(2013) 97 final	Establishing a Registered Traveller Programme
COM(2015) 750 final	Amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons
COM(2015) 625 final	On combating terrorism and replacing Council Framework Decision 2002/475/JHA on combating terrorism
COM(2016) 194 final	Establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of the Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes
COM(2016) 196 final	Amending Regulation (EU) 2016/399 as regards the use of the Entry/Exit System
COM(2016) 491 final	Establishing a Union certification system for aviation security screening equipment
COM(2016) 731 final	Establishing a European Travel Information and Authorisation System (ETIAS)
COM(2016) 826 final	On countering money laundering by criminal law
COM(2016) 881 final	On the use of the Schengen Information System for the return of illegally staying third-country nationals
COM(2016) 882 final	On the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks
COM(2016) 883 final	On the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters
COM(2017) 352 final	On the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

Figure 5.3: List of selected proposals

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CHAPTER 6

An Ontology of Flows

This chapter starts the discussion of the empirical results of the analysis. As the ontological objects are the target of governmental practices, the ontological dimension presents a logical starting point. This chapter describes the fundamental ontological entities of threats, flows and channels. Section 6.1.3 describes the different types of threats identified by the analyzed governmentality, Section 6.2 their common properties and Section 6.3 the causes of these threats. Section 6.4 describes the ontological objects of flows and channels. Chapter 7 goes on to describe another set of ontological objects that are related to the theory of "multi-level governance". Section 7.1 describes broad approaches to securing against the identified threats and Section 7.2 describes the changes in the conception and application of border control practices, focusing on what can roughly be described as "non-digital" practices. Chapter 8, then, focuses on the largely "digital" practices, the use of technical systems to govern border control problems. Chapter 9 investigates the possible changes introduced by the analyzed Horizon 2020 research projects and Chapter 10 attends to the deontological and teleological dimension of the analyzed governmentality and the classifications resulting from the interpretive schemes.

6.1 Untangling the Terrorism–Organised Crime–Cybercrime–Migration Nexus

The main threats, according to *The European Agenda on Security* (from now on: *Agenda on Security*), are terrorism, organised crime and cybercrime.

> Whilst the EU must remain vigilant to other emerging threats that might also require a coordinated EU response, the Agenda prioritises terrorism, organised crime and cybercrime as interlinked areas with a strong cross-border dimension, where EU action can make a real difference. (European Commission 2015c, 2)

The three threats are rendered as separate, but interlinked entities. It needs to be highlighted, that this linkage is non-obvious and that these threats pursue quite different goals. The EU Directive on combating terrorism, for example, lists "seriously intimidating a population" as one of the aims of terrorism (European Parliament and the Council of the European Union, 2017, art. 3 para. 2 (a)). This is naturally quite different from the aims of organised crime, which is largely economically motivated and does not aim at "seriously intimidating a population". This is supported by the Agenda itself, which states that "[t]he primary goal of organised crime is profit" (European Commission, 2015c, 17). Cybercrime, as the name suggests, differs from other forms of crime in its use of information technology for criminal activities, but most likely pursues similar objectives as organised crime. Why these different forms of crime are "interlinked" warrants an explanation, as well as their purported "strong cross-border dimension". Especially so, because these common ontological attributes imply a common response to these threats, resulting in a common set of practices that apply to all three of these phenomena, thereby structuring the ascetic dimension of the governmentality.

6.1.1 The Terrorism-Crime Nexus

One reason for their "interlinkedness" is that:

> Organised crime also feeds terrorism and cybercrime through channels like the supply of weapons, financing through drug smuggling, and the infiltration of financial markets. (European Commission 2015c, 12)

Similarly, the Communication *amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons* states that:

> The Paris, Copenhagen and Thalys train terror attacks, underlined the link between organised crime and terrorism notably in obtaining firearms. (European Commission 2015a, 2)

As we can see, the two phenomena are linked through the issue of arms trafficking and drug smuggling. Furthermore, the first quote suggests, that "organised crime" provides the link between terrorism and cybercrime. This indication is further corroborated in section 3.2 of the document, "Disrupting organised crime", by references to money laundering, linking organised crime, cyber crime and terrorism[1].

> The Commission will support the implementation of this legislation to make it harder for criminals to abuse the financial system, and work on a supranational assessment of risks that will address, among others, terrorist financing and virtual currencies. (European Commission 2015c, 17)

[1]The legislation referenced in the quote is the *4th Anti-Money Laundering Directive and Regulation on information accompanying transfers of funds.*

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There is only one further occurrence of "virtual currencies" in the text, namely under section 3.3 "Fighting cybercrime" (European Commission, 2015c, 19). Another connection between cybercrime and "virtual currencies" is established indirectly by claiming that cybercrime "abuse[s] anonymisation techniques and anonymous payment mechanisms for illicit online trade in drugs or weapons, for criminal transactions and money laundering" (European Commission, 2015c, 13). "Trading in drugs or weapons" is one of the practices linked to organised crime described in section 3.2 of the text (although this point is not taken up afterwards with regards to cybercrime in its respective section). Therefore, a discursive link between terrorism, organised crime and cyber crime is established through the focus on practices of weapons smuggling and money laundering (through traditional means and virtual currencies).

6.1.2 The Migration-Crime Nexus

Of special interest is the ontological object of ("irregular") migration, which appears as a conflicted entity that is both in danger and a source of danger. Through a linear reading of the documents, it is possible to identify the point at which this contradiction is introduced in the empirical material, namely in the document *A European Agenda on Migration* (from now on: *Agenda on Migration*). This understanding of "irregular" migration has been identified by others as well. It is, therefore, not entirely new and is commonly referred to as the securitization of migration (see, e.g. Huysmans (2006, 45-62), or Vaughan-Williams (2015) dedicated to theorizing this conflicted understanding). Therefore, the following will explore how this understanding is constructed in the empirical material at hand and should not be understood as the first occurrence of this construct.

The first practice of organised crime, that is referred to in the *Agenda on Security*, is "smuggling of migrants" (European Commission, 2015c, 16). This is the only practice of organised crime that is referred to twice, stating two pages later that: "One of the *major problems* the EU is currently facing is that criminal networks exploit individuals' need for protection or their desire to come to Europe" (European Commission, 2015c, 18, emphasis added). This establishes a link between organised crime and migration. A link that is immediately reinforced by listing "trafficking in human beings" as the next practice of organised crime, a practice that constitutes forced migration (European Commission, 2015c, 18). This link is made explicit in the Communication *Enhancing security in a world of mobility*:

> [...] Europol has pointed to how some of the suspects involved in migrant smuggling are also involved in other crime such as drug trafficking, document forgery, property crime and trafficking in human beings. (European Commission 2016b, 13)

And that "Europol has pointed to concerns that in the last two years, criminal gangs have been increasingly investing more in the production of fake documents to support a growing criminal market associated with the migrant crisis" (European Commission,

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2016b, 10). Organised crime is therefore at the center of all these phenomena, providing the nexus between terrorism, cybercrime and migration. This common link is established through the focus on practices of smuggling (be it weapons, drugs, or migrants), document forgery, human trafficking and money laundering.

Crucially, migration as such is not rendered a security problem, but it is discursively connected to other objects which are rendered as a security problem. This link between migration and organised crime is taken up in the *Agenda on Migration*. While migration is first rendered as a natural phenomenon, highlighting the unique reasons for emigration, organised crime immediately enters the picture:

> To try to halt the human misery created by those who exploit migrants, we need to use the EU's global role and wide range of tools to address the root causes of migration. (European Commission 2015b, 2)

"Those who exploit migrants" is a reference to organised crime, who, as quoted above, "exploit individuals' need for protection and their desire to come to Europe". This quote is interesting, as it makes a two-fold claim: organised crime is responsible for "the human misery" (referring to the deaths in the Mediterranean Sea), but it is not the "root cause" of migration. Yet, the "root causes of migration" need to be "addressed". Suggesting that, to stop the "human misery" in the Mediterranean Sea, the crime of migrant smuggling needs to be stopped. And to stop the crime of migrant smuggling, migration as such needs to be stopped[2].

For our current purposes, it is enough to note that the security dimension of migration is first and foremost introduced through references to organised crime. But this is not the only way that migration is problematized, whereas "[m]igrants who have been legally admitted by Member States should not be faced with reluctance and obstruction – they should be given every assistance to integrate in their new communities", "[u]nsuccessful asylum claimants who try to avoid return, visa overstayers, and migrants living in a permanent state of irregularity constitute a serious problem" (European Commission, 2015b, 7). Why? Because "[t]his corrodes confidence in the system", "offers strong arguments for those looking to criticise or stigmatise migration" and "it makes it harder to integrate those migrants staying in the EU as of right" (European Commission, 2015b, 7). It is obvious that these issues do not emerge from the "irregular" migrant *per se*, but from the supposed effect that "irregular" migration entails. However, this establishes a link to the problem "social cohesion", that is referred to as a security issue by the *Agenda on Security*.

> This Agenda has to be seen in conjunction with the forthcoming European Agenda on Migration, which will address issues directly relevant to security,

[2] As will become clear later on, the European Commission does not plan to fully stop migration, only certain kinds of migration.

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> such as smuggling of migrants, trafficking in human beings, social cohesion and border management. (European Commission 2015c, 4)

What is disregarded here, is that whether someone is deemed a "regular" or an "irregular" migrant is a matter of jurisdiction and fully under the control of the European Union and its Member States. If these were the only issues raised by "irregular" migration, a simple change of their legal status by the authorities with the power to do so would solve the problem.

Thus far, migration was implicitly linked to security threats, but not understood as a threat itself. Therefore, there is no need to "fight" any forms of migration. But this distinction is removed later in the *Agenda on Migration*, where "irregular" migration turns from a complex phenomenon into something that needs to be fought.

> As outlined by President Juncker in his Political Guidelines, a robust fight against irregular migration, traffickers and smugglers, and securing Europe's external borders must be paired with a strong common asylum policy as well as a new European policy on legal migration. (European Commission 2015b, 6)

"Irregular" migrants become linked to "traffickers" and "smugglers", all three of which need to be "fought". This shift from being "exploited individuals" towards something that needs to be fought occurs without argument. Those who were formerly rendered as victims exploited by organised crime now turn into something that needs to be fought alongside the other threats. Whereas "securing Europe's external borders" and the "fight against irregular migration, traffickers and smugglers" still appear as separate issues, this distinction is later removed as well:

> A clear and well implemented framework for legal pathways to entrance in the EU (both through an efficient asylum and visa system) will reduce push factors towards irregular stay and entry, contributing to enhance security of European borders as well as safety of migratory flows. (European Commission 2015b, 6)

Via the concept of "irregular migration" the nexus terrorism–cyber crime–organised crime–(irregular) migration–border security is established. This nexus is confirmed by the Communication on *Stronger and Smarter Information Systems for Borders and Security*:

> The European Agendas on Security and on Migration have set the direction for the development and implementation of EU policy to address the parallel challenges of migration management and the fight against terrorism and organised crime. (European Commission 2016k, 2)

Although the "challenges" are "parallel", implying that they are two separate issues, their parallelism suggests that they can be "addressed" by the same practices.

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6.1.3 The Migration-Terrorism Nexus

The connection between migration and terrorism is intensified further by the same document through linking "terrorism" and "irregular migration" explicitly. The Communication starts by stating that "Europe is a mobile society" and that "more than 50 million non-EU nationals visited the EU" in 2015 (European Commission, 2016k, 2). Then shifting the focus on "irregular migration" in the second paragraph:

> Beyond these regular travel flows, in 2015 alone, conflict in Syria and crises elsewhere triggered 1.8 million irregular border crossings at Europe's external borders. EU citizens expect external border controls on persons to be effective, to allow effective management of migration and to contribute to internal security. The terrorist attacks in Paris in 2015 and in Brussels in March 2016 bitterly demonstrated the ongoing threat to Europe's internal security. (European Commission 2016k, 2)

This paragraph already implicitly links "irregular migration" and "terrorism" via the concepts of border control and internal security. The link is then made explicit by the claim that "[t]here is evidence that terrorists have used routes of irregular migration to enter the EU and then moved within the Schengen area undetected" (European Commission 2016k, 2). A further expansion takes place by linking EU citizens to the phenomenon of "terrorism": "EU citizens are known to have crossed the external border to travel to conflict zones for terrorist purposes and pose a risk upon their return" (European Commission, 2016k, 2). Linking these phenomena and implying that they can be addressed by the same practices is crucial, as it imports the logic of counter-terrorism into border control. As discussed in Section 4.7, the logic of counter-terrorism is rooted in the concept of the catastrophic event and thereby fundamentally changed the *dispositif* of risk.

Linking diverse phenomena discursively as shown above constitutes what Huysmans calls a domain of (in)security (Huysmans, 2006, 4, 81). Different phenomena are connected in the discourse about security threats, with or without explicit argument, implying that they can be addressed through the same set of practices. Policy addressing cybercrime then becomes policy addressing terrorism and policy addressing migration becomes policy addressing organised crime. This construction blurs the differences between the different objects, reducing them to a common set of properties. They, then, appear as "interlinked" and "cross-border". What connects these phenomena is not some form of natural correspondence, but a select group of practices that the European Commission chose to focus on. These are: weapons trafficking and money laundering (traditional, as well as in connection with virtual currencies) which provides a connection between terrorism and organised crime. The focus on migrant smuggling and human trafficking leads to a securitization of migration by linking those who where smuggled or trafficked to organised crime. The securitization is strengthened through the claim that there are persons that entered the EU irregularly that carried out terrorist attacks afterwards,

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linking migration and terrorism. A further practice that is focused on, which provides a connection between all three phenomena, is that of document forgery.

> The European Counter Terrorism Centre in Europol is working on the link between fraudulent documents and terrorism, while document security is a key issue in the work of the Europol European Migrant Smuggling Centre. (European Commission 2016b, 10)

This quote shows further, that the focus on these practices institutionalizes the domain of insecurity. The same document proposes the "[s]trengthening [of] the internal governance of the European Counter Terrorism Centre" by "including other relevant partners", such as The European Border and Coast Guard (EBCG/Frontex), "where appropriate and necessary" (European Commission, 2016b, 13). I do not want to suggest, that the links established between terrorism, organised crime and cybercrime are untrue, that organised crime is not involved in migrant smuggling, or, that noone ever migrated to the EU and committed a terrorist attack later. What I want to highlight is, that by discursively constructing these phenomena as linked, instead of highlighting that the focus is on a select set of practices, insecurity is imported as an ontological attribute of the objects, making invisible the distinctions between the phenomena. This ontological inscription, then, allows for the implicit shift from "irregular" migrants as victims to something that needs to be "fought", rendering the "irregular" migrant as this conflicted object that is both in danger and a source of danger. It is only through this contingent rendering that it is possible to state that:

> Beyond these regular travel flows, in 2015 alone, conflict in Syria and crises elsewhere triggered 1.8 million irregular border crossings at Europe's external borders. EU citizens expect external border controls on persons to be effective, to allow effective management of migration and to contribute to internal security. The terrorist attacks in Paris in 2015 and in Brussels in March 2016 bitterly demonstrated the ongoing threat to Europe's internal security. Both elements brought into sharper focus the need to join up and strengthen the EU's border management, migration and security cooperation frameworks and information tools in a comprehensive manner. Border management, law enforcement, and migration control are dynamically interconnected. (European Commission 2016k, 2)

Border management, law enforcement, and migration control are "dynamically interconnected" precisely because of this specific understanding of the objects in the domain of insecurity.

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6.2 Properties of the Domain of Insecurity

As quoted above, one of the fundamental properties of this domain is its "cross-borderness". All ontological objects of this governmentality, that are deemed a threat, are defined by the property that they are not confined to a single national territory. This is true of cybercrime, which is characterized as "by its nature borderless, flexible and innovative" (European Commission, 2015c, 19). It is true of organized crime, which is reduced to "cross-border organised crime", through the exclusive focus on smuggling activities, be it humans or goods, such as weapons, but mainly on migrant smuggling and human trafficking (see, e.g. (European Commission, 2015c, 12)). It is true of migration, which is by definition "cross-border". And it also true, as already indicated above, of terrorism. Terrorism is problematized in two ways. First, if the terrorist is entering from outside EU territory and therefore "used routes of irregular migration to enter the EU" and, hence, crossed a border. Secondly, if the terrorist is an EU citizen and "crossed the external border to travel to conflict zones for terrorist purposes". The latter phenomenon, labelled "Foreign Terrorist Fighter", is the primary cause of concern of the European Commission with regards to terrorism, as stated in the *Proposal for a Directive of the European Parliament and of the Council on combating terrorism and replacing Council Framework Decision 2002/475/JHA on combating terrorism*:

> While the foreign terrorist fighters constitutes [sic] the primary source of concern, the threat posed by home-grown terrorists, radicalised lone attackers and "frustrated" terrorist travellers (for example following seizure of their passport) should not be underestimated. (European Commission 2015d, 2)

As indicated by the above quote, the "home-grown terrorist" is distinguished from the "foreign terrorist fighter" solely upon the characteristic of lack of travel. It has to be highlighted that both are EU citizens, or individuals living on EU territory, and that the distinction is not drawn upon the notion of citizenship, but upon the "cross-borderness" of the threat.

> The cross-border dimension of the terrorist threat is not limited to travel to conflict areas in third countries. Terrorists consider evasive techniques to avoid raising suspicion: *they circulate* within the EU and may transit through countries other than their country of residence/nationality with a view to circumvent controls and surveillance. In addition, recent attacks perpetrated in the EU demonstrate that *terrorists travel* to other Member States to carry out attacks or for logistical reasons (e.g. funding, procurement of weapons). (European Commission 2015d, 3, emphasis added)

As should be clear from Section 3.4, a focus on "cross-border" threats by agencies that operate on the EUropean level is not very surprising, as this problem field constitutes their focus. The "ripple effects" of the field, described in the same section, however, could lead to a focus on the same practices on the national level.

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The second fundamental property of the domain of insecurity is change. "[S]erious and organised cross-border crime is finding new avenues to operate, and new ways to escape detection" (European Commission, 2015c, 12). Cybercrime, as stated above, is characterized by its "borderless, *flexible and innovative*" nature (European Commission, 2015c, 19, emphasis added). And the "terrorist threat has grown and evolved in recent years" (European Commission, 2015d, 2). The *Agenda on Security* summarizes this as follows:

> In recent years new and complex threats have emerged highlighting the need for further synergies and closer cooperation at all levels. [...] Threats are becoming more varied and more international, as well as increasingly cross-border and cross-sectorial in nature. (European Commission 2015c, 2)

Be they threats in general, organised, financial or cyber crime, these threats are "new", they are "finding new avenues to operate, and new ways to escape detection", are enabled by new technologies such as "virtual currencies and mobile payment" and are "flexible and innovative". Cyber crime is especially interesting, as it is *ontologically defined* as "flexible and innovative". Meaning that it is in its nature to constantly vary and change form[3].

The third property is that the threats are seen as "cross-sectorial", as in the quote above. This property seems to logically result from the way that the domain of insecurity is constructed. By reducing the different phenomena to a distinct set of practices and attributes, certain qualities appear more prominent, while others are rendered invisible. Hence, certain strategies for governing appear more apt than others. Or, as the *Agenda on Migration* puts it:

> As outlined by President Juncker in his Political Guidelines, a robust fight against irregular migration, traffickers and smugglers, and securing Europe's external borders must be paired with a strong common asylum policy as well as a new European policy on legal migration. Clearly, this requires an enhanced coherence between different policy sectors, such as development cooperation, trade, employment, foreign and home affairs policies. (European Commission 2015b, 6)

This property is explored further in Section 7.1.

[3]Exploring the cause of this distinction is outside the scope of this thesis, which is not concerned with cyber crime. It remains to highlight the oddity of this rendering, as it would seem to be in the nature of any sort of criminal activity to try to constantly avoid detection and therefore needing to constantly change its approach. All forms of crime are, therefore, innovative in their nature.

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6.3 The Causes of Insecurity

Organised crime groups are understood as economic operators, whose "primary goal [...] is profit" and are, therefore, seen to operate on a market-based logic (European Commission, 2015c, 17). As their property of "cross-borderness" indicates, these organised crime groups are operating inside and outside of the EU, but the main concern seems to emanate from outside. For example, "[t]rafficking of firearms has a critical external dimension, given that many illegal firearms in the EU have been imported from neighbouring countries where large stockpiles of military weapons remain" (European Commission, 2015c, 17, emphasis removed). And "[m]ost of the [migrant] smugglers are not based in Europe, and those who are arrested on the boats in the Mediterranean are normally the last link in the chain" (European Commission, 2015b, 8). An exception being "new psychoactive substances" (NPS), the production of which "increasingly takes place in the EU" (European Commission, 2015c, 17).

So-called "extremism" is understood as a complex, non-linear phenomenon (European Commission, 2016l, 3), strongly associated with "social exclusion" (European Commission, 2016l, 12), "hate speech as well as the dissemination of extremist or terrorist material online" (European Commission, 2016l, 6) and "a strong sense of personal or cultural alienation, perceived injustice or humiliation reinforced by social marginalisation, xenophobia and discrimination, limited education or employment possibilities, criminality, political factors as well as an ideological and religious dimension, unstructured family ties, personal trauma and other psychological problems" (European Commission, 2016l, 3). What is crucially missing from the Communication *supporting the prevention of radicalisation leading to violent extremism* is any mention of white supremacist terror. "Xenophobia and discrimination" are not seen as drivers of radicalisation towards white supremacist ideologies, but rather, as can be seen in the quote above, as drivers of social exclusion of those *affected* by racism, leading in turn to *their* radicalisation.

When it comes to ("irregular") migration, the causes are "civil war, persecution, poverty, and climate change", as well as "insecurity, inequality and unemployment" (European Commission, 2015b, 7, 8). Combined with "raised expectations" and "opportunities" created by "Globalisation and the communication revolution" (European Commission, 2015b, 2). An active market for migrant smuggling is seen as an "incentive" for "irregular migration" (European Commission, 2015b, 8).

6.4 Flows and Channels

As already visible in some of the quotes in the last section, the cross-border movements that the threats outlined above circulate in are understood as flows and channels. Hence, there are travel flows:

> The Smart Borders initiative would improve the management and control of travel flows at the border by reinforcing checks while speeding up border

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> crossings for regular travellers. (European Commission 2011b, 4)

Migration flows:

> The Commission will also undertake an evaluation and assessment (fitness check) of the existing acquis on legal migration with a view to identifying gaps and inconsistencies and consider possible ways of simplifying and streamlining the current EU framework in order to contribute to a better management of legal migration flows. (European Commission 2015b, 14)

Information flows:

> [Europol's European Counter-Terrorism Centre] has already helped to increase the flow of information shared among the law enforcement authorities working on counter-terrorism, adapting infrastructures to the needs of the counter-terrorism community. (European Commission 2016b, 12)

Financial flows:

> [Reinforcing the European Counter-Terrorism Centre] would target the timely detection of [...] international flows of terrorist financing and illegal firearms [...]. (European Commission 2016b, 13)

And cargo flows:

> Better access to data, customised state-of-the-art data analytics, and stronger cooperation will provide the customs an enhanced 360° view on cross-border cargo flows. (PROFILE 2020)

The language on "channels" is less coherent than on flows, but the underlying ontological understanding, of flows flowing inside channels, is. Hence, there are cargo channels:

> Organised crime also feeds terrorism and cybercrime through channels like the supply of weapons, financing through drug smuggling, and the infiltration of financial markets. (European Commission 2015c, 12)

The SIENA platform, a "secure electronic communication network" between Europol and other agencies, works as an information channel (European Commission, 2016k, 24):

> SIENA should therefore be Member States' channel of first choice for law enforcement information sharing across the EU. (European Commission 2016k, 6)

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Or, with regard to terrorism:

> The Internet has become the primary channel used by terrorists to disseminate propaganda, issue public threats, glorify horrendous terrorist acts such as beheadings, and claim responsibility for attacks. (European Commission 2015d, 3)

With respect to migrant smuggling and migration in general, these are either "pathways" or "routes".

> Cooperation to crack down on the local and international criminal groups that control smuggling routes will be a major focus of the intensified cooperation set out above. (European Commission 2015b, 8-9)

> The EU has obligations towards those in need of international protection, who need to be channelled towards the asylum system. On the other hand, those who have not used the legal pathways available and who have no right to stay need to return or be returned. (European Commission 2016b, 3)

Financial channels come in the form of the means of payment, hence the focus on, e.g. virtual currencies. What is notably absent from this concept are channels for travel flows that are non-migratory in nature.

Clearly, these are not physical channels, but a placeholder for something else. The "routes", "pathways", "channels" and "virtual currencies" are a reference to the form in which flows circulate. The form that these flows take are structured according to a binary, namely whether the flow is state-regulated or non-state-regulated, i.e. whether the flow is under governmental control or not. As Foucault described it, security is concerned with "organising circulation, eliminating its dangers, making a division between good and bad circulation, and maximizing the good circulation by eliminating the bad" (Foucault, 2009, 18). On page 62, when discussing that the European Commission tries to stop the crime of migrant smuggling by stopping migration, I mentioned that the Commission is not concerned with stopping migration altogether. What it is concerned with, is governing the circulation of people, such that they can separate the "unwanted" people from it. Migrant smuggling and human trafficking prohibits this, as it allows for a circulation of persons that is not under governmental control. Similarly, money laundering is a problem, because it allows "bad elements" to enter the governed financial flow. Hence, it is an "infiltration of the licit economy by organised crime" (European Commission, 2015c, 17). Weapons trafficking, and smuggling of goods in general, is an ungoverned flow that needs to be brought under governmental control. We can see that almost all practices that were identified in Section 6.1.3, with the exception of document forgery, are related to the problem of governing circulation. But on closer inspection, document forgery is related to circulation as well, as identity documents function as a regulated

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form of access control, allowing the identification of elements of the flow of people and in turn the separation of the "good" from the "bad" (Torpey, 2000, 37). The circulation of people, goods and money each need to have their unwanted elements removed.

Governing circulation, thus, means that the "bad" elements in the flow need to be removed, but it also means that the "good" elements need to be accelerated. Thus, the travel of those who are not deemed a threat needs to be facilitated.

> Straightforward travel for the millions of Europeans and non-Europeans crossing the border must offer lighter and streamlined procedures to benefit both EU citizens and "bona fide" third country travellers. (European Commission 2016b, 3)

This interest in facilitating wanted circulations is not even restricted to EU territory:

> To mirror the success of Europe in establishing a single market underpinned by labour mobility, the EU has also launched a EUR 24 million initiative to support free movement in the Economic Community of West African States. (European Commission 2015b, 16)

The *Common Information Sharing Environment* (CISE), an information-exchange platform, states as one of its goals:

> Dissemination: The right information should be moved to the right decision maker at the right time. (European Commission 2009, 8)

It is also visible with regards to regulation on the acquisition of weapons. While stating that "[t]he use of firearms by serious and organised crime and terrorist organisations can inflict huge damage upon society", it tries to "gran[t] more flexible rules for hunting and target shooting" at the same time (European Commission, 2015a, 2). It, thereby, follows the same logic as the amended *Firearms Directive 91/477/EEC*, that tries "to facilitate the functioning of the internal market in firearms within the EU, while guaranteeing a high level of safety for EU citizens" (European Commission, 2015a, 2). EU customs authorities must, at the same time, ensure security of the international supply chain and the European Union, as well as "facilitate and accelerate legitimate trade and promote EU competitiveness" (European Commission, 2014a, 2).

Governing circulation, therefore, has to fulfill a dual function: enhancing the speed of the "good" elements in the flow and, at the same time, weed out the "bad" elements. This divides circulations into channels where governmental intervention is possible, "regular" channels, or not possible, "irregular channels". Reflecting the desire for inclusion "via targeted and risk-managed channels" (Amoore, 2013, 8).

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CHAPTER 7

Multi-Level Governance of the Evasive Threat

This chapter continues the discussion of the ontological dimension by describing another set of objects, which are best described as exhibiting the logic of the theory of "multi-level governance". Section 7.1, then, describes the connection of these objects to the ones described in the last chapter and describes the broad approaches taken as a counter-measure to the identified threats. Section 7.2 describes what can be called "non-digital" border control practices, the transformation of the space in which border control takes place and the change in the understanding of border control practices itself.

We start, by a very brief description of multi-level governance. Multi-level governance is a theoretical concept developed to analyze how decisions are made in the European Union (Ian and Matthew, 2004, 2-3). It understands governance as happening across multiple territorial levels on a horizontal axis, from the local to the international. On a vertical axis, power is exercised through different state and non-state actors (Ian and Matthew, 2004, 3-4). We are not concerned here with how much, or how little, of this theory is represented in the empirical documents, but simply note that this theory seems to be a source of inspiration for a group of ontological objects present in the data. The territory of the European Union is seen to consist of a local, a regional, a national, a EUropean and an international level. The actors on the vertical axis consist of the different state and non-state actors on each level, but the main focus is on state agencies. Local actors consist, for example, of local police forces, or prison guards. But also social workers, teachers or healthcare workers (European Commission, 2015c, 16). National actors are, for example, national governments and national authorities, such as national law enforcement authorities (see, e.g. European Commission (2009, 3)). The actors on the EUropean level are the different EU agencies and institutions, such as the European Commission, Frontex or the European Union Agency for Law Enforcement Cooperation (Europol) (see, e.g. European Commission (2016l, 2)). On the international

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level, there are international organisations, such as the United Nations or Interpol, as well as third countries (see, e.g. European Commission (2015c, 6)). Third countries can be part of the "European Neighbourhood", or be so-called "partner countries", meaning that a bilateral agreement between the third country and the European Union and its Member States exists (see, e.g. European Commission (2015b, 7)). The "European Neighbourhood" consists of those countries for which bilateral agreements established under the European Neighbourhood Policy exist. These are Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territory, Syria, Tunisia and Ukraine (European Commission, b).

7.1 Security Cross-Sector, Cross-Border

Securing against threats is imagined to happen in this theoretical model, with different responsibilities for the different actors at the different levels. But the "cross-border" nature of the domain of insecurity permeates the different territorial entities and different threats are understood as operating across the different levels. Organised crime is understood to "often thin[k] globally but ac[t] locally" and is understood as internationally organised (European Commission, 2015c, 18). As we have seen in the last chapter, terrorism either emanates from the "outside" or from the "inside" through either the "home-grown terrorist" or the "Foreign Terrorist Fighter". Both internally emanating forms of terrorism are understood as having complex root causes, which involve actions that span from the local up to the EUropean level and across different policy domains.

> This Communication addresses the EU's contribution to support Member States in preventing radicalisation leading to violent extremism in the form of terrorism. This multifaceted and complex challenge can only be met through a combination of actions across several policy areas and bringing together competent authorities, and societal and community actors at all levels – local, regional, national and European. (European Commission 2016l, 3)

Furthermore, the "Foreign Terrorist Fighter" and the terrorist entering from outside EU territory is part of the international level, through the practice of international travel. And, as we have seen, there is a fear of "circulation" of terrorists at the EUropean level. Migration is understood as migration from outside the EU territory into the EU, meaning that inner-EUropean migration is not part of the concept, and therefore emanating from the international level. Migrant smuggling, however, is also seen to happen between Member States, involving the EUropean level.

> The key lies in cooperation against the smuggling of migrants inside the EU and with third countries. (European Commission 2015c, 18)

The domain of insecurity, therefore, traverses all the different levels, emanating and influencing each of them. Securing against the threats, therefore, has to happen on

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every level. Furthermore, the threats are seen as "cross-sectorial", meaning that they span different policy sectors. Most prominently, the financial sector is involved through financing different criminal activities or profit generated from them. The firearms sector is involved through the practice of arms smuggling. The practice of travel involves the sectors concerned with any form of transport. Securing against the threats, therefore, also has to happen across sectors. The "five key principles" that the *Agenda on Security* proposes, therefore, include an "inter-agency and [...] cross-sectorial approach" aimed at securing against the domain of insecurity across the different sectors through the cooperation of all agencies involved, as well as the private sector (European Commission, 2015c, 4).

> Given the increasing nexus between different types of security threats, policy and action on the ground must be fully coordinated among all relevant EU agencies, in the area of Justice and Home Affairs and beyond. (European Commission 2015c, 4)

The *Strategy and Action Plan for customs risk management* proposes actions that are:

> [...] aimed at closing the identified gaps to achieve strengthened capacities for EU customs authorities progressively and more systematic cooperation with other agencies, economic operators and international trading partners. (European Commission 2014b, 3)

The *European Union Maritime Security Strategy* defines the "cross-sectoral approach" as follows:

> Cross-sectoral approach: all partners from civilian and military authorities and actors (law enforcement, border control, customs and fisheries inspection, environmental authorities, maritime administration, research and innovation, navies or other maritime forces, coast guards, intelligence agencies), as well as EU agencies, to industry (shipping, security, communication, capability support) need to cooperate better, respecting each other's internal organisation; (Council of the European Union 2014, 4)

Security objectives then become part of nearly every policy:

> Specific actions in a wide range of EU policies contribute to security objectives, including in the area of transport, finance, customs, education, maritime security policy, information technologies, energy and public health. (European Commission 2015c, 4)

Cooperation must also span the different levels, meaning that the "inter-agency approach" involves not only EU agencies, but also national and international agencies.

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> The Union's capacity to cooperate with the UN, NATO, regional partners like the African Union or ASEAN, as well as multilateral civil cooperation platforms, has a direct impact on its ability to safeguard its interests and to strengthen regional and international maritime security. (Council of the European Union 2014, 10)

The involvement of the international level also requires another "key principle", namely "bringing together all internal and external dimensions of security" (European Commission, 2015c, 4). Meaning reinforcing "links between Justice and Home Affairs and Common Security and Defence Policy", as already indicated by the definition of the "cross-sectoral approach" given in the *European Union Maritime Security Strategy*, requiring cooperation with "international partners" (European Commission, 2015c, 4).

We can see that the multi-level governance approach exists as an ontological device and that the domain of insecurity spans the majority of the space created by the horizontal and vertical axes. The threats are seen to traverse every level and a variety of actors, requiring full horizontal and vertical cooperation. Every ontological object of the European Union is either in danger, or a source of danger, or both. This is clearly reflected in the statement that "EU internal security and global security are mutually dependent and interlinked" (European Commission, 2015c, 4). Echoing Hardt and Negri's description of *Empire*, which, according to them, is the novel form of sovereignty in globalized capitalism, as "a superficial world, the virtual center of which can be accessed immediately from any point across the surface" (Hardt and Negri, 2001, 58). Furthermore, "the internal security of one Member State is the internal security of all Member States and of the Union as a whole" (European Commission, 2016b, 2). This understanding of mutual dependency of the Member States is mirrored in the understanding of migration management, with the *Agenda on Migration* stating that:

> No Member State can effectively address migration alone. (European Commission 2015b, 2)

What is most important for us, however, is that this ontological understanding is a static one of different territorial entities across which different actors operate. This is in contrast to the flows of people, goods and money inspected in the last chapter, which are a kind of ontological opposite through their "cross-border" nature that traverses territorial boundaries.

7.2 Broadening the "Line in the Sand"

Cooperation on the international level, i.e. cooperation with third countries and international organisations, and on the EUropean level is focused on "fighting" the "cross-border" threats on the one hand and migration control on the other. The former mainly takes the form of cooperating with law enforcement agencies to coordinate actions against "threats"

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and information and knowledge exchange, but is not limited to that. Other measures include engagement in international organisations and informal networks, such as the Global Counter Terrorism Forum, and the "deployment of security experts" (European Commission, 2015c, 4). These strategies are deployed on the international, as well as on the EUropean level, facilitating cooperation between international agencies, organisations and fora, agencies in third countries, EU agencies and Member State agencies. Differences between supposedly "internal" and supposedly "external" forms of cooperation are almost indistinguishable and follow an approach of coordinated actions based upon shared information. Differences in "internal" and "external" cooperation then boil down to the amount and type of information that is exchanged, but the differences do not run along the lines of "internal" and "external", but rather depends upon the type of relationship the European Union has with the country in question. The practice of information exchange will be explored more in-depth in Section 8.1.

Since migration is directly linked with the other threats in the domain of insecurity, the distinction between migration control and security issues is blurred as well. The Communication *supporting the prevention of radicalisation leading to violent extremism*, for example, links the phenomenon of radicalisation to international cooperation, cross-border crime and border management:

> Where possible, EU support [for partner countries] is framed within wider reforms aimed at strengthening security capacities in partner countries since organised crime, smuggling and illicit trafficking as well as weak border management have proven links with violent radicalisation. The EU and its Member States must be better equipped to cooperate with law enforcement agencies in third countries. (European Commission 2016l, 14)

The document establishing the migration-terrorism nexus discussed in Section 6.1.3 explains further, that:

> Both elements [migration and terrorism, MS] brought into sharper focus the need to join up and strengthen the EU's border management, migration and security cooperation frameworks and information tools in a comprehensive manner. Border management, law enforcement, and migration control are dynamically interconnected. (European Commission 2016k, 2)

Cooperation on migration control with third countries uses a three-fold approach of financial assistance, operational cooperation against migrant smuggling and human trafficking and facilitation of deportations. Financial assistance is given to "tackl[e] global issues like poverty, insecurity, inequality and unemployment which are among the main root causes of irregular and forced migration" and takes the form of developmental aid (European Commission, 2015b, 8). But border surveillance and management also takes an important place in financial support.

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> While Community financial assistance is already provided to most neighbouring third countries in order to support them in managing their borders, the specific need for developing operational cooperation between those third countries and Member States calls for increased EU financial and logistical support on border surveillance. (European Commission 2008, 6)

Through the linking of the "internal and external dimension", Common Security and Defence Policy (CSDP) missions become part of migration control strategies.

> Third, migration will become a specific component of ongoing Common Security and Defence Policy (CSDP) missions already deployed in countries like Niger and Mali, which will be strengthened on border management. (European Commission 2015b, 5)

Financial assistance for migration control and operational cooperation against migrant smugglers and traffickers constitute an outsourcing of border controls. As Vaughan-Williams describes, the outsourcing of immigration and asylum controls intensified in the early 2000s, including to "historically undemocratically elected regimes" (Vaughan-Williams, 2015, 24). One of the main instruments have been so-called "Mobility Partnerships", a bilateral framework, that "project[s] EUrope's ability to control movement far beyond what are traditionally considered to be the territorial limits of EUrope" (Vaughan-Williams, 2015, 25). They grant visa liberations to economic migrants beneficial to the EUropean labour market, while, at the same time, expecting third countries to more actively police "irregular" migration and have been set up with an array of countries, e.g. Azerbaijan, Morocco and Armenia. Frontex holds additional agreements with third countries regarding border control, for example with Nigeria (Vaughan-Williams, 2015, 25). These bilateral agreements "trade political and economic concessions against the intensification of border control, frequently including the deployment of military or quasi-military resources" and thereby "intertwine so-called migration management and securitisation politics" (Mose and Wriedt, 2015, 281, 283). Mose and Wriedt give some examples of the border control practices enacted as a result of the bilateral agreement with Morocco, which acquired "advanced status" in 2008 and has been congratulated for the measures taken.

> Through cooperation with Moroccan authorities, persons without documents are not only prevented from crossing the border, but also barred from approaching the zones close to the territorial frontier. Moroccan Forces Auxiliaries stop zodiacs at the coast before they can embark on the journey towards Spain. Self-organised forest camps close to the border fences of Ceuta and Melilla are regularly subjected to violent raids and destruction. Persons in a refugee or migrant position in cities close to the border are taken and transported to cities further south against their will. (Mose and Wriedt 2015, 285)

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It remains to note that, once these border control practices are outsourced to third countries, these are often outsourced further to private actors (such as security companies or local militias) creating a "cyclical industry" where these actors profit from inflating the threat posed by "irregular" migrants (Vaughan-Williams, 2015, 26). Similarly, so-called carrier laws outsource border control practices to private companies, who are forced to collect data on so-called "stowaways", "irregular" migrants hiding on-board a vehicle. In the maritime industry, for example, the captain of a vessel needs to conduct an interview and fill out a questionnaire to collect a range of personal data on the "stowaway", such as height, skin colour and facial shape, reasons for the journey, etc. Usually, this information is then "passed on to legal representatives of ship-owners' Protection and Indemnity (P&I) Insurance Clubs who, in turn, make further arrangements with external private security companies for stowaways to be repatriated" (Vaughan-Williams, 2015, 24).

Since financial assistance is aimed at "tackling global issues", this assistance represents a strategy of prevention. The "root causes" of unwanted elements in the flow need to be addressed, in order to stop unwanted elements from circulating in the first place. Cooperation against migrant smuggling and human trafficking has the same goal. However, this strategy is slightly different in that it tries to stop the movement of unwanted elements, whereas financial assistance tries to prevent unwanted elements from emerging in the first place. The strategy of deportation, then, tries to remove unwanted elements from the territory. The outsourcing of these practices to private actors and third countries, therefore, constitutes an expansion of the space in which EUropean border controls take place.

But the territory in need of border control expands to the inside of EU territory as well. For example, the European Commission argues for the expansion of functionalities of the European Dactyloscopy (EURODAC) system, a fingerprint database containing the biometric data of asylum seekers and irregular migrants, to "address a current gap concerning the ability to track secondary movements of irregular migrants between Member States" (European Commission, 2016k, 9). "Fingerprint registration of asylum seekers" is necessary in order to allow for "identification and monitoring of their secondary movements within the EU" (European Commission, 2016k, 23). This is done, on the one hand, to prevent so-called "asylum-shopping", i.e. to stop someone from applying for asylum in another Member State by either avoiding registration in the Member State first entered or by applying for asylum for a second time (European Commission, 2015b, 12). On the other hand, "the identification and monitoring of irregular migrants is required to ensure re-documentation by authorities in their countries of origin and thus facilitates their return", i.e. deportation (European Commission, 2016k, 23). Logically, to prevent this "secondary movement", controls need to be enacted inside EU territory to stop peoples' movement. With regards to "Foreign Terrorist Fighters", the European Commission "foresees the criminalisation of travel to any country, including to those *within the EU* and including to the country of nationality or residence of the perpetrator" (European Commission, 2015d, 7, emphasis added). The Schengen Information System, an information-sharing system for security and border management, "was upgraded in early

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2015 [...] to reinforce the efforts of Member States to invalidate the travel documents of persons suspected of wanting to join terrorist groups outside the EU" (European Commission, 2015c, 5). Again the focus is on stopping unwanted elements from moving, thereby necessitating internal controls, whereas the strategy of prevention happens on the "inside" through the efforts of stopping radicalization (see European Commission (2016l)).

The strategy of prevention is enacted through a variety of techniques, such as developmental aid to third countries and the cooperation of a variety of internal actors to prevent individuals from becoming "radicalized". The strategy of stopping unwanted elements, on the other hand, expands the space where border control practices are enacted to the "outside", as well as the "inside", and, thereby, violates these traditional categories. This is reflected in the definition of the tasks of external border control as "detection, identification, tracking and interception", which already expresses a focus on controlling movement (European Commission, 2008, 6). Whereas the common-sense understanding of the border is that of a line in the sand demarcating two territories, separating the "inside" from the "outside", the above definition exceeds this understanding, mirroring the dual function of governing circulation. "Detection, identification, tracking and interception" is militarized language reminiscent of the tasks of missile-defense systems. As the US Department of Defense 2019 Missile Defense Review states: "Successfully operating in today's complex missile threat environment demands that we *detect* launches as soon as possible, *track* them, and *intercept* them as early in flight as feasible" (Office of the Secretary of Defense, 2019, XVIII, emphasis added). What characterizes missile defense is that a threatening object emanates from outside one's territory, that is originally unknown, and, therefore, needs to be detected. It's trajectory then needs to be tracked along the way to identify the target of the missile and whether it is heading towards one's territory. To prevent the threat from materializing, the missile needs to be intercepted. Border control, in this understanding, expands throughout the space outside the sovereign territory into the rest of the world and, as we have seen, to the inside of the sovereign territory as well. It is concerned with governing cross-border flows[1]

[1]To avoid any misunderstandings, it should be noted that the dispersal of the space in which border control practices are enacted is not a new phenomenon which sees its first articulation in the quoted documents. See, for example, Walters (2002, 575) who states that EUropean border control can be understood as "networked", in the sense of Deleuze's "society of control" (Deleuze, 1992) (see also Walters (2006)). Jeandesboz (2017, 266) describes earlier EUropean concerns with flow-based border control. What is especially interesting, is that both authors describe struggles between different actors (such as different Member States), showcasing the contingency of the resulting strategies and the struggle in the different fields.

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CHAPTER 8

Risky Travellers and the Logic of Counter-Terrorism

Traditional borders pose a problem when governing circulations. This chapter first introduces a set of problems related to the governing of circulations and then describes the envisioned strategies and solutions for handling these problems in Sections 8.1 to 8.5. Sections 8.6 to 8.9 describe the existing technical systems enacting the described strategies and Section 8.10 summarizes the results, thus far, connecting them back to the concept of the "border".

Through the processes called globalization, the flows of people, goods and capital become more and more globalized and less confined by national territories. During the 1990s, this led many to announce a "borderless world", or at least a decrease in the significance of borders, a "debordering" (Andreas, 2000, 2). In retrospect, this turned out to be false, with borders and migration control being on the top of the political agenda in many states around the world and a "rebordering" through enhanced policing (Andreas, 2000, 2). Traditional border crossing points appear as choking points in the governing of circulation, where its dual function becomes problematic. The European Commission is painfully aware of this fact:

> Measures to manage the external borders must meet the dual objectives of enhancing security and facilitating travel. (European Commission 2011b, 2)

Achieving this dual objective, however, becomes difficult when the circulation of wanted elements should go on unhindered. As governing circulation is concerned with facilitating and improving the flow of those elements, any undue disruption of the flow turns problematic and especially so, should the volume of the flow increase:

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> As international travel flows continue to rise, there is growing pressure to process large volumes of people at border crossing points without delays. [...] Maintaining the current level of checks is becoming increasingly expensive given the ever growing volumes of people and goods on the move, and increasingly more disruptive of flows. (European Commission 2016f, 36, 38)

Hence, if more people and goods are "on the move", the conceptual understanding is that of "pressure". The understanding of the border is clearly that of "a line as thin as possible" between two sovereign territories, hence, "a line of sovereignty", a concept that clashes with that of the flow (Bigo, 2001a, 114). The traditional border crossing point, then, appears as a point on this line through which the flow must pass and an increase in volume is consequently understood as exerting pressure on this point. The European Commission grapples with this fact of reconciling sovereign territory and the concept of the flow:

> The concept of "borders" has changed in recent times. The purpose and function of borders have been, and remain, to delineate and demarcate one sovereignty from another. However, borders must also allow for the smooth movement of people and goods. (European Commission 2016f, 38)

The themes of an increase in flows and the exerted pressure appear frequently in the text, as an almost natural phenomenon.

> The EU must prepare itself to meet the challenges of the increasing numbers of travellers in an ever globalising world. (European Commission 2011b, 13)

> As international travel flows continue to rise, there is growing pressure to process large volumes of people at border crossing points without delays. At the same time, the smuggling of people across the borders is growing. (European Commission 2016f, 36)

It appears as almost natural, because slowing down movement and decreasing the number of travellers arriving at the border crossing point appears impossible. Lifting of visa requirements, then, appears as an identifiable trend, but as almost unrelated to increasing traveller numbers.

> The number of visa-exempt third country nationals to the Schengen countries will continue to grow, with an expected increase of over 30% in the number of visa exempt third country nationals crossing the Schengen borders by 2020, from 30 million in 2014 to 39 million in 2020. (European Commission 2016c, 2)

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This shows the liberal nature of this governmentality. The flows of goods and people are circulated by economic actors and liberal thinking prohibits major interference in the economy. Its objective remains to ensure the security of those circulations, but direct intervention in the flow would mean direct intervention in the economy. Therefore, slowing down wanted elements in the flow in order to increase security appears unthinkable (Amoore, 2006, 161). The sole purpose of the *EU Strategy and Action Plan for customs risk management*, for example, is to cope with "the growing volume of trade movements" (European Commission, 2014a, 2). But the same document highlights, multiple times, the importance of increasing the flow of goods and of avoiding disruptions:

> The Strategy also takes account of the importance for the EU of facilitating and accelerating trade, the central role of economic operators, and the necessity to avoid undue disruption of logistics and supply chain processes. (European Commission 2014b, 3)

This apparent contradiction is inherent to governing circulation with classical techniques for border control. As we have seen, however, this does not appear as a fundamental problem in the governmental discourse. It is not taken as a point of reflection, but rather incorporated as a quasi-natural fact that needs to be dealt with. The problems appearing at the level of discourse are derivatives of the more fundamental problem just explored. What appears is the problem of disruption as a result of "pressure". Moreover, this problem is framed as one of cost-efficiency and of convenience.

> The long queues, especially at airports, present a poor image to visitors to the European Union and both airport operators and airline companies consistently request faster and smoother passenger flows for increasingly shorter connection times. (European Commission 2011b, 4)

Furthermore, as we have seen on page 82, "[m]aintaining the current level of checks is becoming increasingly expensive". The central technology for solving this problem "cost-effectively" and without disruptions is that of risk-management.

> [The current level of checks] would remain sustainable if thorough checks could be limited to fewer individual goods and people pre-selected further to a preliminary (and non-disruptive) risk-based screening of the flows. (European Commission 2016f, 38)

The technology of risk-management appears as an effective way of governing, targeting resources on those elements in the flow that need to be scrutinized and diverting attention away from those that appear harmless.

> Risk-based approaches are typically used to select risk measures that are more proportional to the actual threat, while maintaining or even reducing

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> the remaining risk: relaxed if possible, more stringent when needed. This implies that for people and goods that pose no significant threat, invasive checks at border crossing points can be limited. This should lead to less and shorter interruptions in the flow of people and goods [and] more freedom for passengers [...]. (TRESSPASS 2019)

While this appears as a logical solution to the problem, it creates a more complex one instead. This problem, however, does not appear as one in the discourse, but is seen as solvable. The problem created by selective border checks is figuring out who and what needs further scrutiny. It presupposes that it is possible to identify elements in the flow non-disruptively that could pose a security problem and leave the majority of elements unchecked. The identified elements, then, have to undergo detailed security checks to establish whether they do actually pose a threat. Risk-management is a technology that tries to estimate the risk that a person or object poses before the threat materializes in order to fulfill its goal. It is, therefore, necessarily future-oriented and tries to tame the future, by making it actionable in the present (see Section 4.7).

8.1 Greedy Data Collection

In order to estimate the purported risk, risk-management crucially depends on information as a basis for calculation[1].

> Border risk analysis is a governance tool to normalize border and migration risks. It is based on an automated analysis of large databases (SIS II, etc.) to extract useful information about people and their activities in order to identify behavioral patterns that may point to suspicious activity. (Abomhara et al. 2019, 264)

Information exchange between different agencies, therefore, becomes very important.

> Appropriate sharing of this data and of risk-relevant information and control results among EU customs authorities is crucial. Through the common framework the EU and its Member States must ensure this information can be made available and exploited fully for risk management purposes while complying with the data protection provisions in force. (European Commission 2014a, 3)

Information exchange is, therefore, an important aspect of cooperation with third countries and between Member States. The non-territorial nature of global circulation and the

[1] Abomhara et al. (2019) and Abomhara et al. (2020) are part of the empirical data, both papers were financed via the Horizon 2020 research project *A Smart Mobility Approach of European Border Security* (SMILE).

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resulting global nature of threats requires global information exchange, if the technology of risk-management is to be deployed effectively. Consequently, the *EU Strategy and Action Plan for customs risk management* "refers to the international context of risks and the importance of international cooperation in risk management" (European Commission, 2014b, 3) and urges to "[t]ap the potential of international customs co-operation" in order to ensure "better identification of risks, more effective risk mitigation and cost reduction for operators and authorities" (European Commission, 2014a, 5). What the Commission calls the "security dimension of addressing radicalisation", a collection of strategies and issues related to the governing of terrorist circulation as explored in Section 6.2, is firmly based upon information exchange.

> Information sharing is key in this respect. The EU's border management, migration and security cooperation frameworks and information tools need to be joined up, strengthened and fully used to effectively prevent EU citizens from travelling to conflict zones for terrorist purposes and detecting those that pose a risk upon their return. These and other frameworks and tools need to be used to exchange information of those suspected of radicalization in order to facilitate the work of the relevant authorities across borders in taking the appropriate measures against persons representing a high security risk. (European Commission 2016l, 13)

The logic of risk is also present in the identification of "terrorist financing" and, therefore, requires information exchange on financial transactions:

> The Union also needs greater cooperation between competent authorities, across borders and with relevant EU agencies to improve the dissemination of information and track down those who finance terrorism. (European Commission 2016g, 2)

The same need also appears in the "fight" against "irregular" migration:

> Preventive action against the facilitation of irregular migration requires better information gathering, sharing and analysis. (European Commission 2015c, 18)

The European Union operates a vast array of databases that can be and are used as sources of information for the calculation of risk (see Section 8.8). Consequently, there is a constant urgency directed at national authorities to use these databases "to the fullest", by feeding them as much information as possible.

> The tools of the EU security framework will only take full effect when national law enforcement agencies feel confident in existing instruments and share information readily. (European Commission 2015c, 6)

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As analysed in Chapter 7, the danger exposed by the different threats is not territorially confined and spans the space of multi-level governance. Meaning that in order to provide an "accurate" estimation of risk, information exchange has to happen internationally and between Member States. It also has to happen across the different sectors and agencies, military and civilian alike.

> Improved decision making capacity can only be achieved if all communities contribute. For instance, the information exchange must be two-directional between civilian authorities and defence forces, while respecting information security related rules. (European Commission 2009, 5)

Risk management is greedy with respect to information collection, logically resulting from its use as a preemptive technology. Threats need to stopped before they materialize, meaning that once a crime is committed, or someone overstays their visa and thereby turns into an "irregular" migrant, that person's risk was wrongly estimated. In the logic of risk, however, a failure of risk management does not emanate from the impossibility of knowing the future, but rather from a lack of information. It results from a failure to properly "connect the dots" (see Section 4.7).

> In other words, the more personal data border authorities, for instance, can obtain about individuals, the better the risk prediction and thus overall risk analysis results will be. (Abomhara et al. 2020, 264)

There is, therefore, no limit to the data that needs to be accessed.

> Ways and means have to be found to enable the exchange of information between sectoral systems both operational and those currently being developed by the European Union and its Member States supported by EU agencies such as EMSA [the European Maritime Safety Agency], CFCA [the European Fisheries Control Agency], FRONTEX and EDA [the European Defence Agency]. (European Commission 2009, 4)

EMSA is an EU agency tasked with preventing maritime accidents and pollution (European Maritime Safety Agency). The CFCA is tasked with monitoring the seas according to the Common Fisheries Policy which regulates how many fish each Member State is allowed to catch (European Fisheries Control Agency). Frontex is tasked with border control, whereas the EDA is an EU agency tasked with facilitating defense, i.e. military, capabilities of the Member States and the European Union (European Defence Agency). In the case of the quote above, all of this data is deemed necessary "for monitoring and surveillance activities in preventing and managing in a comprehensive way all such situations, events and actions [that could impact the security, safety, economy, or environment of the European Union and its Member States] related to the EU maritime domain" (European Commission, 2009, 2). The greediness of the technology of preemptive

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risk management results in the collection of data from every source available. After all, almost anything "*could* impact the security, safety, economy, or environment of the European Union and its Member States" (European Commission, 2009, 2, emphasis added).

8.2 Interoperability

Therefore, information exchange takes center stage in EU security strategies. The focus on information exchange, however, is not only a result of preemptive risk management, but also of the political structure of the European Union. As EU agencies work in addition to national agencies, their job is often largely confined to the coordination of activities that are then carried out by agencies of the different Member States. EUropean policing is, therefore, largely "informationalized", "in fact so 'informationalized' that this aspect has over time developed into a policy domain in its own right, dubbed 'management of large-scale IT systems'" and a corresponding agency, the *European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice* (eu-LISA) (Jeandesboz, 2017, 259). Furthering information exchange between different existing and future IT systems, in the language of the European Commission, is called "interoperability". The greediness of risk estimation implies an "ambition to set up one integrated [European] Union information system" (Brom and Besters, 2010, 461). Legal and technical limitations prevent the creation of this super-database and, therefore, "the European Commission opts for the second best solution: realizing synergy by promoting the interopability between the current and future information system, thus anticipating a 'network of European databases'" (Brom and Besters, 2010, 461). As the document *Stronger and Smarter Information Systems for Borders and Security* explains, there are "four dimensions of interoperability":

> - a single search interface to query several information systems simultaneously and to produce combined results on one single screen;
> - the interconnectivity of information systems where data registered in one system will automatically be consulted by another system;
> - the establishment of a shared biometric matching service in support of various information systems;
> - a common repository of data for different information systems (core module).
>
> (European Commission 2016k, 14)

8.3 Shining a Light on the Digital Dividual

The problem that "interoperability" is set out to solve, is that of "knowledge gaps caused by the complexity and fragmentation of information systems at the European

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level" (European Commission, 2016k, 15). This fragmentation leads to "inconsistency between databases and diverging access to data for relevant authorities. This can lead to blind spots notably for law enforcement authorities, as it may be very difficult to recognise connections between data fragments" (European Commission, 2016k, 3-4). As the words "blind spots" suggest, the central concern, here, is that of visibility. Every governmentality exposes its own "field of visibility", its own way to make visible to power what and who is to be governed (Dean, 2010, 41). It employs techniques to "make it possible to 'picture' [...] how different locales and agents are to be connected with one another, what problems are to be solved and what objectives are to be sought" (Dean, 2010, 41). They are ways of forming and making actionable the ontological objects that the governmentality is concerned with by "shining a light" on them (Deleuze, 1988, 47-69). They work in combination to allow for the technology of preemptive risk management to estimate the level of supposed risk exposed by the traveller, the commodity in the supply chain, or the financial transaction. Tazzioli and Walters argue that these fields form "regimes of visibility", similar to Foucault's notion of regimes of truth. Simply put, Foucault termed regimes of truth the set of discursive rules that allow for some statements in the discourse to be judged as true and others to be judged as false. Regimes of visibility, then, produce "spaces of visibility and spaces of invisibility, and determin[e] from time to time the thresholds of what can be seen and what remains unseen" (Tazzioli and Walters, 2016, 449). A crucial consequence of this is that visibility is not understood as a single gaze emanating from the sovereign, like the panopticon, but as a space of struggle and resistance between different forms of visibility. Clandestinity with respect to the eyes of power, becomes a form of power itself. Or as Tazzioli and Walters (2016, 451) put it, "to be visible is to be an object of control, to be invisible is to strengthen one's power". The aim of information exchange and the technique of "interoperability" is to make flows visible, based on the assumption that "absolute visibility [...] implies complete control" (Brom and Besters, 2010, 460). Control in the sense, that visibility allows to "identify, isolate and deflect the *mala fide* from the *bona fide*" (Brom and Besters, 2010, 459). Hence, control that allows for the governing of circulations. Some forms of visibility, however, can also be used strategically and circumvent this logic, like migrants who travel from Lybia to Europe over the Mediterranean Sea, using satellite phones to send an emergency call to the coast guard, once they are no longer in Lybian waters. They actively make themselves visible to power, in order to demand rescue. This tactic has been picked up by some migrants, after the European Union started rescue missions in the Mediterranean Sea due to the high amount of deaths (Tazzioli and Walters, 2016, 459).

What characterizes the unwanted flows examined in Section 6.4, then, is that they are lacking this visibility. From the perspective of the Commission, "routes" of "irregular" migration, encrypted messages and anonymous payments lay in the dark, as they prevent the estimation of risk that each of the objects in these channels might pose. They have to be made visible to allow power to act on them if necessary. The category of the "irregular" migrant, then, is simply "an invention [...] to identify and isolate a flux of immigrants that is invisible for the EU" (Brom and Besters, 2010, 460). The concern

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with governing these circulations requires their visibility, which in turn requires different strategies to make the objects in these "channels" visible and thereby amenable to power. As Tazzioli and Walters (2016, 460) write, these strategies try to spy on circulations in order to deduce future strategies of control.

The "dimensions" of "interconnectivity" and that of the "common repository" are meant to remove those gaps in visibility, allowing for "data fusion".

> Fusion: Fusion of data can fill information gaps and reduce the uncertainty in information received from various sources. (European Commission 2009, 8)

By combining different data sources, the certainty of the data is seen to increase. The *Horizon 2020 Work Programme 2016-2017* explains it thusly:

> "Fusion" may refer to "intelligence correlation to produce higher level (or more accurate) information". It may involve, inter alia:
>
> - mixing several homogeneous data to produce another data of superior quality;
> - pre-processing raw data and associating heterogeneous data, produced by different types of sensors, that refer to the same actual object or event, to produce information of superior quality;
> - overlapping surveillance pictures produced by different sources and generate a picture without redundant objects/tracks and allowing to deal with faulty sensors and data;
> - combining data acquired at different points in time through sensors (e.g. radars and camera) installed on the same platform or on different ones (underwater or surface vessels, drones or aircraft, satellite systems (including but not exclusively Copernicus, Galileo, and EGNOS);
> - combining offline with realtime data.
>
> (European Commission 2016f, 44)

8.4 Dreaming of Seamless Borders

Since the aim of "interoperability" is to connect multiple large-scale databases, the task of analysis can only be accomplished through IT systems.

> While fully taking into account the competences of national authorities as established by national and Community legislation, such architecture should be designed as a cost effective interconnection of different information layers based on interoperability and common standards. These layers should provide

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> the user with the best technical solution for information access, powerful data mining, correlation processes and harmonised criteria for detection of normal and abnormal patterns. (European Commission 2009, 7)

The sources for this data are, essentially, all sources of data that are available. For example, when the European Border Surveillance (EUROSUR) system is proposed, the idea of what should become the Common Information Sharing Environment (CISE) is promoted. A system that combines a large variety of heterogeneous data sources which are then "fused".

> Further actions will be taken to encourage the progressive development of an integrated network of maritime reporting and surveillance systems, in which information from different systems set up to meet European and international organisations (Vessel Monitoring System, Automatic Identification System, Long Range Identification and Tracking System, SafeSeaNet, etc.) as well as from national surveillance systems (e.g. SIVE, SPATIONAV, Vessel Traffic Management and Information System etc.), jointly operated surveillance services (e.g. radar satellites, UAVs), and intelligence sources are collected, fused, analysed and disseminated in a structured manner at local, Member States' or European level as appropriate. The analysis of this data should serve to recognise patterns, analyse trends and detect anomalies and thereby predict risks. (European Commission 2008, 9-10)

Interoperability, then, aims to combine a large variety of data sources to calculate risk estimates "of superior quality". Consequently, this is very helpful with regards to the problem of disruption.

> [...] interoperability with other border information systems is greatly promising in terms of enhancing the speed, efficiency and flow of border crossing mobility as well as border security. (Abomhara et al. 2020, 261)

Border control is, therefore, envisioned to become more and more automated, to a point where border guards would only need to watch and intervene should a "threat" appear.

> The increasing number of travellers crossing European borders is putting a mounting pressure on the everyday handling of border checks. On one side, border control authorities have to process a higher number of checks in an increasingly reduced amount of time to avoid congestion or cope with limited resources. As a consequence, the experience of both European and third country travellers is deteriorating due to the extra time they have to spend at the border checkpoints. Such a continuous need calls for flexible, automated and scalable "no-gate" border security solutions. (PERSONA 2018)

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Broeders and Hampshire call these fully automated border crossing points the dream of "seamless borders". A vision promoted by IT companies, which security practitioners picked up on and which promises border crossings without disruptions and with a minimum of human labor required (Broeders and Hampshire, 2013, 1204-1205). This dream resonates with the security officials as it promises to provide the dual function of governing circulation. Speeding up the wanted elements in the flow and providing a seemingly "efficient" way of sorting out the unwanted ones. The "Smart Borders Initiative" of the European Commission, which planned to develop and install two technical systems, the Entry-Exit System (EES) and the Registered Travellers Programme (RTP), was the first attempt to move towards the dream of "seamless borders". Its description is accordingly enthusiastic, highlighting its capacity to handle the dual function of governing circulation.

> A new phase would come with the "Smart Borders" initiative to increase the efficiency of border crossings, facilitating crossings for the large majority of "bona fide" third country travellers, whilst at the same time strengthening the fight against irregular migration by creating a record of all cross-border movements by third country nationals, fully respecting proportionality. (European Commission 2015b, 11)

That the dream of "seamless borders" is also a dream of targeted governance, is showcased by the necessity to record *all* cross-border movements by third country nationals, in order to pick out those who are unwanted. The EES intends to create a record of all cross-border movements by third country nationals in order to automatically calculate whether their visa is still valid. It thereby tries to target so-called "visa-overstayers", persons who are able to acquire a visa to a Member State of the European Union and then stay in the European Union after their visa has expired. A population that makes up the majority of "irregular" migrants. By recording every cross-border movement of third country nationals, the EES is envisioned to calculate the duration of the remaining stay automatically, in order to identify "overstayers". The current system of stamps in a passport is seen as "slow and unreliable", in need of replacement through a system that allows for "precise information, rapidly delivered on demand" (European Commission, 2016e, 2). Humans are seen as error-prone and as easy to fool, as the stamps in the passport might be forged. They are also seen as unreliable, slow and expensive. Abomhara et al. argue in their paper *How to do it right: A framework for biometrics supported border control* that "a human border guard is usually very efficient shortly after the start of its shift, then diminishing appears as the officer gets tired", but Automated Border Control (ABC) gates "don't get tired" (Abomhara et al., 2019, 3,4). To further tackle the problem of tiredness, the research project *C2 Advanced Multi-domain Environment and Live Observation Technologies* (CAMELOT) aims to "reduce the mental workload of border guards" via automated "mission planning and replanning" amongst other things (CAMELOT, 2019). In short, humans are the very opposite of the "seamless border", which is reliable, objective and cost-efficient.

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> An EES would allow the accurate and reliable calculation of authorised stay as well as the verification of the individual travel history for both visa holders and visa exempted travellers as an essential part of first line risk-assessment. (European Commission 2011b, 4)

Handling the increase in travel numbers by hiring more border guards, therefore, does not appear as an option.

> Seeking to increase security and to speed up travel flows just by increasing the number of border guards is not a viable option for many Member States as they strive to curb budget deficits. [...]
>
> [The Smart Borders initiative] would enable border guards to cope with the ever-rising number of border crossings - without an *unrealistic* increase in human resources needed for border control and without compromising security. (European Commission 2011b, 4, emphasis added)

Since the risk assessed dividual forms the source of truth for the governmentality in question, a problem emerges, as the data that forms the basis for the assessment is necessarily disconnected from the non-digital world. To bridge this gap, biometrics are employed as the technique of choice to match digital dividuals with actual bodies. They are, furthermore, beneficial to the project of seamless borders, as they can take up the formerly human task of matching state-issued documents to the body at the border in an automated fashion. They are deemed to provide an "automated, rapid and highly secure border clearance process, such that increasing passenger throughput does not compromise border control reliability" (Abomhara et al., 2019, 1-2). Biometrics are seen as a fail-safe "anchor" for the digital dividual and the state-issued identity documents associated with it. They are integral to the project of seamless borders and, therefore, the whole database landscape is altered to allow for biometric identity matching (see Section 8.6). Abomhara et al. see biometrics as an accurate solution from which everyone benefits, even suggesting that using biometrics makes travel more enjoyable for wanted travellers.

> Biometrics enable accurate identification since each person has their own unique physical characteristics. [...] Multimodal biometrics-integrated border management benefits all stakeholders, including governments concerned with securing national territory, immigration authorities managing controls at ever more crowded borders, and simply travelers who want to enjoy the journey to their destination (Abomhara et al. 2020, 261)

Furthermore, it also seen to "reduce the risk of mistaken identities, and of discrimination and of racial profiling" (European Commission, 2016k, 4). In general, biometrics are seen to speed up the border control process, while reducing what is seen as errors of

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individual humans, such as racial profiling and discrimination, and providing a solution to the problem of document fraud, secondary movements of asylum seekers and the detection of "visa-overstayers". "Seamless borders", then, are the vision of a system that handles surveillance, identification and risk assessment automatically, with a minimum of human intervention.

8.5 Visualizing the Digital Dividual

Interoperability is also linked to a related form of visibility, termed the "situational picture", allowing for "situational awareness". As the document *A common information sharing environment for the EU maritime domain* explains in the context of maritime situational awareness:

> Maritime situational awareness is the effective understanding of activity associated with the maritime domain that could impact the security, safety, economy, or environment of the European Union and its Member States. On the basis of clearly defined user needs and rights, it assists the authorities responsible for monitoring and surveillance activities in preventing and managing in a comprehensive way all such situations, events and actions related to the EU maritime domain. (European Commission 2009, 2)

The situational picture, then, allows for intervention into these events.

> Access to timely and accurate information and intelligence is crucial for the establishment of a common maritime awareness picture which in turn leads to better operations and a more efficient use of scarce resources. (Council of the European Union 2014, 11)

> Improvement of maritime situational awareness using space assets can support operations carried out by civilian and military authorities such as monitoring of maritime traffic, sea pollution and the fight against illegal activities at sea. (European Commission 2009, 9)

Situational pictures are related to the technique of interoperability as they too are "data hungry".

> The more information is aggregated and integrated, the more complete is the maritime picture created and more value is delivered to the operational end-users, in a cost efficient way. (Council of the European Union 2014, 11)

A lack of information exchange, then, becomes a problem.

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> For many user communities, at present, this picture does not include complementary information gathered by other sectoral users due to the lack of mutual exchange. Developing the necessary means to allow for such data and information exchange should enhance the different users' awareness picture. (European Commission 2009, 3)

These "necessary means" come in the form of "interoperability" (European Commission, 2009, 4). Although these examples all stem from the maritime domain, the idea of situational awareness and pictures is by no means limited to it. On the contrary, as Walters shows in his short genealogy of situational awareness, the concept has a long history (Walters, 2017, 802-805). Originating in the military context during World War I, it spread to a variety of areas of governing, becoming "a mobile political technology that today traverses, interacts with, and reshapes a whole swathe of institutional and functional domains" (Walters, 2017, 804). For Ellebrecht situational pictures, then, "can quite generally be described as tools for making decisions" (Ellebrecht, 2020, 114). The idea is, therefore, not limited to EUropean territory, as explained in the context of the problem of "radicalisation".

> The EU and its Member States must be better equipped to cooperate with law enforcement agencies in third countries. To this end, the EU will further expand expertise and refine situation awareness in countries that present the highest risks. For example, in the Middle East and North Africa support will be provided to establish effective criminal justice systems to cooperate regionally and internationally in fighting radicalisation. (European Commission 2016l, 14)

Additionally, it functions as an instrument for guiding policy, as the *Agenda on Migration* explains:

> The relevant agencies should develop an effective situational picture to feed into policy-making and response preparation at national and European levels. (European Commission 2015b, 11)

But what is the idea behind the situational picture in this context of border control? According to Walters, the situational picture is a technique for what he calls "live governance". Live governance tries to "monitor and act on processes and events in near real time" based on the "time-space" of the situation (Walters, 2017, 797). Governing this time-space requires surveillance technologies that allow "distant" authorities to "follow specific events in 'near real time'" and "technologies of action" that allow to "initiate and coordinate intervention in these events as they unfold" (Walters, 2017, 797).

> The combination of a variety of arrays of sensors, new operational methods, and improved data management techniques can support appropriate law

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> enforcement responses and enable better, transnational, interagency access to reliable and secure situational intelligence and information, on a real-time and cost-effective basis. (European Commission 2016f, 38)

(Maritime) situational awareness, then, requires "cross-sectoral cooperation and interoperability at national and EU level", "cross-border cooperation and information exchange" and the support of "maritime surveillance in the EU and the global maritime domain and the planning and conduct of CSDP missions and operations" (Council of the European Union, 2014, 12).

One of the major sites where information is exchanged and stored are the European Union's three large-scale databases: the Schengen Information System (SIS II, formerly SIS), the European Dactyloscopy System (EURODAC) and the Visa Information System (VIS). A newer generation of technical systems, the "Smart Borders Initiative", consisting of the Entry-Exit System (EES) and the Registered Traveller Programme (RTP), and the Electronic Travel Information and Authorisation System (ETIAS) build upon this previous generation.

8.6 SIS, VIS, EURODAC

The SIS was established under the 1990 Convention Implementing the Schengen Agreement (CISA), incorporated into EU law with the Treaty of Amsterdam and became operational in 1995 (Vavoula, 2017, 218). Its original objective was to support national authorities in "maintain[ing] public order" and allowing for automated searches of information on "persons and objects" registered in SIS for the purposes of "border control and police investigations, control and other searches" (Vavoula, 2017, 219). It, thus, "served as both an immigration and a criminal law instrument", institutionalizing the securitization of migration and creating a system that lacks any "unitary and limited purpose" (Vavoula, 2017, 219, 220). SIS allows national authorities to issue so-called alerts on persons and objects[2], thereby functioning as a trans-national form of visibility. It should be noted that, as of 2017, 77% of alerts were entered for the wrong reasons, showcasing that how someone or something is being made visible can be quite arbitrary[3] (Vavoula, 2017, 221). The corresponding recording of alerts has been harmonised since, but there are still divergencies (Vavoula, forthcoming 2021, 16). Access was granted to police, immigration and customs authorities (Vavoula, 2017, 220) and SIS, therefore, is a part of the "cross-sectorial", "inter-agency" and "cross-border" strategies explored

[2]Vavoula (2017, 219) lists the following: "people wanted for arrest for extradition, missing persons, witnesses or persons summoned to appear before the judicial authorities or to serve a penalty, persons or objects subject to discreet surveillance or specific checks and objects sought for the purpose of seizure or their use as evidence in criminal proceedings [and] information on third-country nationals to be refused entry into the Schengen area."

[3]This refers to the 77% of entries entered by Germany and Italy at the time, with Germany registering all rejected asylum seekers and Italy registering "persons en masse [...] simply because they are unwelcome immigrants" (Karanja, 2008, 213).

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in Section 7.1. In light of the enlargement of the Schengen area, SIS was expanded as well, being legally established as SIS II in 2006 and becoming operational "after years of delay" in 2014 (Karamanidou and Kasparek 2018, 25; Jones 2017, 26). Most importantly, SIS II brought the possibility to store biometric identifiers (photographs and fingerprints) in the system both for comparing someone's biometric identifiers with those of the corresponding name in the database to establish identity, as well as a proposal "for searches where biometric data of one person will be compared against the whole system" (Vavoula, 2017, 230, 231). Biometrics are also introduced to "reveal links to other alerts" (Vavoula, 2017, 231). Regulation (EU) 2018/1862 of 28 November 2018 foresees the inclusion of DNA data in the SIS II and specifies the inclusion of fingerprint data of unknown persons in case that they can be strongly linked to a terrorist offense or other serious crime (European Parliament and the Council of the European Union, 2018, para. 23).

In parallel to the SIS, plans for EURODAC were developed, with EURODAC being legally established in 2000 and starting to operate in 2003 (Vavoula, 2017, 221). It is a centralized database that stores fingerprints of asylum seekers and persons apprehended "while irregularly crossing the EU external border" over the age of fourteen (Karamanidou and Kasparek, 2018, 26). In 2006 EUROPOL and national police authorities gained access to this fingerprint collection and in 2016 a new directive was proposed that aimed at longer data retention periods of "irregular" migrants, "the addition of facial images, the fingerprinting of children over 6 years old and access to the authorities of third countries" (Karamanidou and Kasparek, 2018, 51, 61) In addition to the collection of additional biometric data, the reformed system is to be used for "wider immigration purposes", such as deportations (Vavoula, 2017, 241, emphasis removed). EURODAC is part of the information exchange tools on the EUropean level and by allowing law enforcement and border control authorities in different Member States access to the biometric data it serves as a tool to make visible and act against secondary movements, multiple asylum applications and as support in the facilitation of deportations through making visible "irregular" migrants inside EU territory. The proposal to share this biometric data with authorities of third countries is an attempt to make EURODAC part of the strategy of border externalization explored in Chapter 7. Its original use was to aid in the implementation of the rules of the Dublin regulation, although by allowing law enforcement agencies access to the data as well, it serves as an institutionalization of the securitization of migration (Karamanidou and Kasparek, 2018, 51). It now also serves as support for "fighting crime and terrorism", although its original purpose was that of controlling secondary movements and multiple asylum applications (European Commission, 2016k, 5). Especially its use for wider immigration purposes, such as deportations, detaches EURODAC from its original purpose and Vavoula labels EURODAC "a powerful tool of mass surveillance of movement, with the aid of which national authorities shall be able to track third-country nationals whose data are recorded within the EU for as long as they remain on EU territory" (Vavoula, 2017, 242). Even Abomhara et al. identify EURODAC as a "famous example of a large-scale biometric function creep" (Abomhara et al., 2019, 8).

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Shortly after 9/11 a third database was conceived, the Visa Information System (VIS), storing "all the data of all visa applicants [of short-stay visas, MS] for five years" (Karamanidou and Kasparek, 2018, 26) (see also Vavoula (2017, 224)). Visa holders were constituted as a "risky population" and visas became a security issue (Vavoula, forthcoming 2021, 6). The data include "bibliographic information, biometrics - a full set of fingerprints and a photograph -, information on persons who have issued an invitation and/or are liable to pay for the applicant's subsistence costs, purpose of the travel, residence and occupation" (Vavoula, 2017, 227). Access to national immigration and police authorities, as well as Europol, is given in 2006, making the VIS another institutionalization of the securitization of migration (Karamanidou and Kasparek, 2018, 61). In 2011 the VIS becomes operational for North African countries and fully operational in 2016 (Karamanidou and Kasparek, 2018, 26). VIS works as an information exchange tool at the EUropean level, with national visa authorities entering visa data and sharing said data transnationally with other Member States, immigration and law enforcement authorities (Karamanidou and Kasparek, 2018, 35). VIS stores data on visa applications and on "issued, refused, annulled, revoked or extended" visas (Karamanidou and Kasparek, 2018, 35). And as of 2017 it constitutes "the largest information exchange scheme in the EU with the capacity of storing and further processing up to 70 million applications" (Vavoula, 2017, 226). In 2018 a reform of VIS was proposed to include further, as yet invisible, populations by including holders of resident permits, residence cards and long-stay visas, as well as lowering the age for fingerprinting to six years (Vavoula, forthcoming 2021, 12).

Whereas SIS and EURODAC were linking asylum applicants, "irregular" migrants and crime, VIS targets every visa applicant, as well as the EU citizens that "issued the invitation", completely devoid of any reference to a crime being committed. The VIS is a prime example of a database used to govern circulation, with its main purpose being the facilitation of the exchange of visa data and seven ancillary goals:

> a) Facilitating the visa application procedure; b) Preventing "visa shopping"; c) Facilitating the fight against fraud; d) Facilitating checks at external border crossing points and within national territory; e) Assisting in the identification of persons that do not meet the requirements for entering, staying or residing in a Member State; f) Facilitating the implementation of the Dublin mechanism for determining the Member State responsible for the examination of an asylum application and for examining such applications; and g) Contributing to the prevention of threats to Member States' internal security. (Vavoula 2017, 227)

The VIS, therefore, supposedly facilitates wanted movement (a, d), whereas (b-g) are (also) concerned with preventing unwanted movements. This is in contrast to the SIS and the EURODAC system, which are solely concerned with visibility and stopping unwanted movement and not facilitation. All three of them, however, do not fully expose the security logic of counter-terrorism, although they certainly do support it. Law enforcement access to these three databases is only possible under certain restrictions

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and these databases are mostly targeted at individuals, not at dividuals risk-profiled through algorithmic techniques. All three of them contribute to the stopping of unwanted movement and work as trans-national forms of visibility, enabled by the strategy of information-exchange. VIS, furthermore, contributes to the strategy of prevention, by denying visas to those not deemed eligible, but traditional visa systems form part of this strategy as well. EURODAC and SIS are, furthermore, part of the strategy of deportation to remove unwanted persons from the EU territory. If EURODAC data is shared with third countries, as proposed in the amendment whose procedure is still ongoing at the time of writing, it will become part of the preventive strategy and facilitate the externalization of the border.

Most importantly for our analytical purposes is that these systems are not static and not built once for a specific purpose, but continuously change and transform. As Brom and Besters (2010, 463) state, SIS II was developed via "latent development", meaning that, in lack of a political consensus on which functions should be available in SIS II, simply every envisioned function was implemented, waiting for a fitting legal framework to be activated. This conditions the political through the technical, with SIS II not being "a means to a particular end", but having the potential to "direct the political decision-making and redefine the goal of SIS II" (Brom and Besters, 2010, 463). The proposals mentioned above all modulate the functionality of these databases, gradually expanding their reach and redirecting them towards new targets. We should, therefore, not see these technical systems as static entities, but as assemblages, as "fluid, experimental and uncertain arrangements" shaped and redefined by the changes in governmental technologies (Walters, 2017, 810).

8.7 EUROSUR and CISE

The development of a European Border Surveillance System (EUROSUR) which was proposed in 2008, began as a pilot project in 2011 and was legally established in 2013 (Karamanidou and Kasparek 2018, 17; Walters 2017, 799). It is termed the "system of systems" as it connects different border surveillance systems located at the southern and eastern external borders (Walters, 2017, 799). Through "National Coordination Centers" (NCCs) located in the Member States and built as part of the EUROSUR project, information is shared and coordinated between the Member States' authorities, such as Navies and coast guards, and Frontex (Walters, 2017, 799). The network connecting the NCCs, Frontex and the national authorities, as well as the necessary legislation were developed between 2008 and 2013 (Ellebrecht, 2020, 10). It also builds on research done through the precursor of Horizon 2020, the Seventh Framework Programme (Jones, 2017, 21). The information is combined into what is called "situational pictures" with a national version created at each NCC and a EUropean version created by Frontex (Karamanidou and Kasparek, 2018, 47). Each picture contains three layers: the events layer, containing information about "the movement of suspicious or unidentified vessels [and] potential illegal border crossings" (Walters, 2017, 806). The operations layer, containing information on "deployed assets and environmental information" and the analysis layer, containing,

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among other things, "reports, risk analyses, intelligence reports and further information such as images or maps" (Karamanidou and Kasparek, 2018, 47). It "maps insecurities, hotspots of migratory pressure, and risks as they culminate into an accumulation of incidents marked as traffic signs or colored-in border sections" (see Figure 8.1) (Ellebrecht, 2020, 114). All information is collected from a variety of agencies, supposedly enabling

Figure 8.1: EUROSUR Situational Picture

Source: Ellebrecht (2020, 88)

a "near real-time" picture of the EU's external borders (Karamanidou and Kasparek, 2018, 47). In practice, however, this is not the case. The data sources are filtered at different points by different agencies, selecting which data should be sent to EUROSUR and which data should not, as for example, the Navy does for some vessels, as it is a military agency, and some data points appear only 24 hours later (Tazzioli and Walters, 2016, 458, 457). EUROSUR, therefore, also exemplifies the field of (in)security as a field of struggle (see Section 3.4.2). This also entails that EUROSUR only shows a selection of events, a selection that is further filtered by the operators themselves, because, as one official put it, visualising all vessels would render the map "unreadable and the Mediterranean would appear as a coloured undistinguished space" (Tazzioli and Walters, 2016, 458). Visualized events are then assigned a "risk level" by the national authorities in cooperation with Frontex (Walters, 2017, 807). What constitutes a risk, however, is not dependent on the number of people on a boat, for example, but rather on the governability of the event. A boat travelling towards Italy with 150 people from Nigeria on board would be assigned a lower risk level then a boat with 100 people from Eritrea, as Italy has a repatriation, i.e. deportation, agreement with Nigeria. The latter boat is, therefore, associated with higher financial costs and more forces are needed in order to manage it (Tazzioli and Walters, 2016, 456). It, therefore, does not depict "the mere movement of suspect vessels or locations of incidents, but rather projections about likely outcomes built, in part, from past experiences" (Walters, 2017, 807). In other words, EUROSUR provides "lines of sight" into potential futures, making them governable and thereby "taming" them (Amoore, 2009). It serves a twofold function. On the one hand, the situational picture is a technique for "live governance", which, as we mentioned earlier, requires a combination of surveillance technologies and technologies of action. EUROSUR coordinates both of these technologies through the technology of risk, guiding interventions into the border areas. But, as we have seen, not all events actually arrive

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in "near real time", but are fed into the system nonetheless. This is due to EUROSUR's second functionality as a "living migration data repository" in order to "produc[e] maps about possible future migration crisis scenarios and implemen[t] new migration policies to anticipate and respond to it" (Tazzioli and Walters, 2016, 457, emphasis removed). Surveillance works in conjunction with information exchange and interoperability, and by marking the governability of futures through a logic of risk. At the present moment, however, EUROSUR is not automated and risk scores are assigned manually by the operators in the NCCs.

From the moment of its conception, EUROSUR was envisioned to be part of the Common Information Sharing Environment (CISE) (European Commission, 2008, 9-10)[4]. The aim of CISE is to "enhance the different users' awareness picture" through the sharing of "maritime surveillance information", including third countries' data "whenever deemed appropriate" (European Commission, 2009, 3,4). Concretely, CISE should ensure "interoperability", "improv[ed] situational awareness", "efficiency" and "subsidiarity" (European Commission, 2009, 4, 5). It envisions information provision from national, international, regional, community, military and internal security systems to allow "individual user-defined situational picture[s]" with "access to as much information as possible" (European Commission, 2009, 5). Furthermore, "due care should be given to the potential of sharing selected parts of information with third countries" (European Commission, 2009, 6). The technical system is proposed as a combination of different "layers", which "should provide the user with the best technical solution for information access, powerful data mining, correlation processes and harmonised criteria for detection of normal and abnormal patterns" (see Figure 8.2) (European Commission, 2009, 7). CISE is explicitly constructed as part of the military-civil cooperation strategy, stating that " the gathering and analysis of high resolution satellite images, air patrolling, the operation of unmanned platforms, the detection and analysis of underwater sounds, which so far are typical defence capabilities, are increasingly perceived as being valuable for civilian use", and vice versa (European Commission, 2009, 9). The document that properly introduces CISE also clearly exemplifies how interoperability and the entailed data mining and estimation of risk scores is seen as a general technology of governing, applicable to all sorts of different phenomena while, at the same time, enhacing wanted flows.

> The potential savings at EU level are significant given the growing need to detect, identify, track and intercept amongst others illegal migration, illegal fishing as well as to prevent accidents at sea, to safeguard the environment and to facilitate trade. The benefits to flow from this process will positively affect national security, maritime security and safety, the protection of the marine environment, border control and, in general, law enforcement. (European Commission 2009, 12)

[4]There is a curious lack of critical literature on CISE. If it is mentioned, it appears in relation to EUROSUR (see, e.g. Walters (2017, 810) or Jeandesboz (2017, 275-276)). The only exceptions seem to be Carrera and den Hertog (2015) and Rothe (2017). However, CISE seems to be one of the earliest attempts at establishing interoperability.

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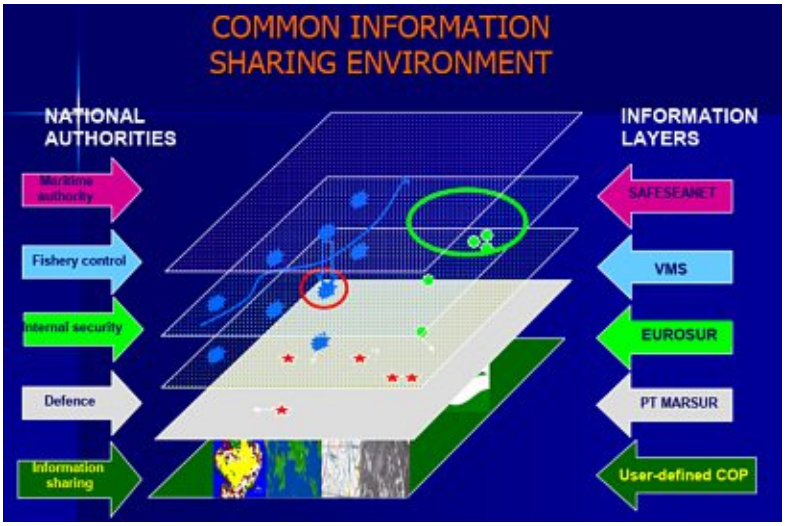

Figure 8.2: CISE layers example (non-hierarchical)

Source: European Commission (2009, 8)

CISE, therefore, is part of the strategy of interoperability, allowing for the exchange of information on every level and across sectors in order to counter "[c]ross border threats" (European Commission, 2009, 3). It is, furthermore, explicitly designed to allow for algorithmic risk scoring.

8.8 EES and ETIAS

The logic of seamless borders has been properly established by the Entry-Exit System (EES) and the European Travel Information and Authorisation System (ETIAS). The EES was originally proposed in 2013, in conjunction with the Registered Traveller Programme (RTP), the latter of which aimed at facilitating the travel of pre-screened wanted travellers. The RTP, however, was abandoned due to privacy concerns (Vavoula, 2017, 236). In 2016 the Commission, therefore, released a revised proposal for a modified version of EES without the RTP, that was agreed upon by the European Parliament and Council in 2017, "after speedy negotiations in view of the urgency to promote internal security" after the terrorist attacks in France in 2015 (Vavoula, 2017, 237). The EES is aimed at so-called "visa-overstayers", i.e. persons on EU territory whose visa has expired. Its functionality, however, surpasses this focus by registering all border crossings by all third-countries nationals admitted for a short stay, irrespective of whether a visa is required or not (Vavoula, 2017, 237). Hence, the EES is a technical system for governing circulations:

> The [Entry-Exit] system will collect data and register entry and exit records with the view to both facilitating the border crossing of bona fide travellers,

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> and better identifying overstayers. The EES will also record refusals of entry of third country nationals falling within its scope. (European Commission 2016e, 5)

By replacing the "unreliable" practice of stamps in a passport, the EES also tackles the problem of disruption.

> An EES would allow the accurate and reliable calculation of authorised stay as well as the verification of the individual travel history for both visa holders and visa exempted travellers as an essential part of first line risk-assessment. It would do so by replacing the current system of stamping passports with an electronic registry of the dates and places of third country national [sic] admitted for short stays. While the main purpose of the system would be to monitor respect of the authorised stay of third country nationals, the system would also contribute to optimising border check procedures and enhance the security at the moment of the crossing of the external borders. (European Commission 2011b, 4)

Hence, "the new systems [EES and RTP, MS] would offer significant opportunities to contribute to meeting the dual objective of enhancing security and facilitating border crossing" (European Commission, 2011b, 13). Furthermore, the original proposal saw the EES as "the precondition for allowing full automation of the border checks for registered travellers" (European Commission, 2013a, 3). Although the plans for the RTP were discarded, which would contain data on said registered travellers, the revised proposal still states that "the EES will ensure [the] possibility for automated border controls for third country nationals" (European Commission, 2016e, 2). The EES would also "provide the Union with accurate data on travel flows in and out of the Schengen area at all parts of its external borders and on overstayers" and facilitate deportations (European Commission, 2011b, 12). The latter is interesting, as the stated main functionality of the EES is simply the automatic calculation of the remaining duration of the visa in question, but there are no concrete plans on how this data would actually be used to identify the location of "over-stayers" if they are not crossing an external border crossing point (BCP) (Vavoula, 2017, 238). The proposal only suggests that "Member States' authorities will be able to identify any undocumented irregular migrant found within the territory that crossed the external border legally" by using the biometrics stored in the EES (European Commission, 2016e, 3). The EES is, therefore, part of a strategy that facilitates a further inwards proliferation of borders, as discussed in Section 7.2, by "support[ing] controls within the territory" (European Commission, 2016e, 3). It is also a prime example of constituting a biopolitical border, where "political authorities can acquire biopolitical knowledge about populations" and "the border actually contributes to the production of population as a knowable, governable entity" (Walters, 2002, 573). This is evidenced by the EES' role as a policy tool:

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> The implementation of an EES would provide the Union with accurate data on travel flows in and out of the Schengen area at all parts of its external borders and on overstayers. Evidence- based evaluation of visa liberalisation measures, visa facilitation agreements, and roadmaps for future such initiatives would become possible. (European Commission 2011b, 12)

The EES is also part of the strategy of information exchange in the form of interoperability (here termed "interconnectivity"):

> The concept of interconnectivity is inbuilt in the future EES system. The future EES will be able to communicate directly with the VIS at the central level and vice versa. (European Commission 2016k, 16)

That EES and VIS "interoperate" and, thereby, essentially form a single system, is because EES collects biometrics on visa-exempt travellers (fingerprints and facial images), whereas the VIS collects biometrics on travellers that require a visa (European Commission, 2016e, 5). Alphanumeric data is collected as well, by storing 26 data items, such as name, type of travel document, date and place of entry and exit (European Commission 2016e, 5; European Commission a). A "significant reduction" from the original 36 data items proposed in the 2013 proposal (European Commission, 2016e, 5).

As crime prevention is reduced to the governing of circulations, the EES suits this purpose as well:

> Criminal activities such as trafficking in human beings, people smuggling or the smuggling of illicit goods involve numerous border crossings, which are facilitated by the absence of registration of the border crossings of the third country nationals concerned. Likewise, terrorist organisations and radicalised individuals can benefit from the absence of registration of border crossings. (European Commission 2016e, 3)

The registration of border crossings is provided by the EES, moving the original purpose of targeting "visa-overstayers" further into the background. National law enforcement agencies and Europol, therefore, have access to EES data (European Commission, 2016e, 6). And as the EES widens suspicion towards *every* travelling third-country national and third countries form the major source of threats (see Section 6.3), it is envisioned to "support the reliable identification of terrorists, criminals as well as of suspects" and, interestingly, of "victims" (European Commission, 2016e, 3). Furthermore, since a system aiding in the identification of criminals already exists, interoperability should be extended to this system as well.

> As a next step, the Commission and eu-LISA will analyse if the central-level interconnectivity between the future EES and the VIS can be extended to the

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> SIS, and whether interconnectivity can be established between EURODAC and SIS. (European Commission 2016k, 17)

The European Travel Information and Authorisation System (ETIAS) further targets visa-exempt third-country nationals. ETIAS was established after visa policy was liberalised and is seen to complement this liberalisation:

> These figures [showing an increase in visa-exempt travel, MS] demonstrate the need to put in place a system that is able to achieve objectives similar to the visa regime, namely to assess and manage the potential irregular migration and security risks represented by third country nationals visiting the EU, yet in a lighter and more visitor-friendly way, in line with the objectives of the EU's visa liberalisation policy. (European Commission 2016c, 2)

The problem with a more liberal visa policy is that it introduces a "missing layer of information and risk assessment on visa free visitors", as visa data is no longer collected (European Commission, 2016c, 2). Hence, visa-freeness creates a foreign population that is invisible to power and ETIAS is a way to re-establish this visibility. Visa regimes are, of course, themselves part of the strategy of prevention, allowing for the selection of wanted and unwanted travellers. ETIAS is a technical system that tries to perform the strategy of prevention without this traditional method by prescreening applicants in the same manner as the prescreening performed via a visa application. Additionally, however, ETIAS tackles prescreening through the logic of automated risk assessment.

> Therefore, the key function of ETIAS would consist in checking the information submitted by visa-exempt third country nationals, via an online application ahead of their arrival at EU external borders, if they pose certain risks for irregular migration, security or public health. This would be done by automatically processing each application submitted via a website or a mobile application against other EU information systems, a dedicated ETIAS watchlist and clearly defined screening rules. This examination would allow to determine that there are no factual indications or reasonable grounds to prevent a travel authorisation being issued. (European Commission 2016c, 4)

It is also part of the outsourcing of border controls examined in Section 7.2, indicated by the statement that ETIAS "will also reduce the costs for carriers to return passengers from sea and air borders" by allowing carriers to check the traveller's status (European Commission, 2016c, 5). Application is done via a website or mobile application where a vast array of data is collected:

- Surname (family name), first name(s), surname at birth, usual name(s); date of birth, place of birth, country of birth, sex, current nationality, first names of the parents of the applicant; home address;

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- Travel document;
- If applicable, any other nationality;
- Permanent residence information;
- Email address and phone number;
- Member State of intended first entry;
- Education and current occupation details;
- Answers to a set of ETIAS background questions (as regards conditions with epidemic potential or other infectious or contagious parasitic diseases; criminal records; presence in war zones; and any previous decision to return to borders or orders to leave the territory of an EU Member State),
- If the applicant is a minor, the identity of the person responsible for the minor,
- If the application is submitted by a person different of [sic] the applicant, the identity of the person and company that he or she represents (if applicable).
- For family members to EU citizens/third country nationals benefitting from free movement without residence cards: their status as family member; the identity details of the family member with whom the applicant has ties; their family ties.

(European Commission 2016c, 7-8)

Via automated processing, ETIAS, then, "within minutes, proceed[s] to a fully automated cross-checking of the information provided by the applicant against other information systems, a watchlist established in ETIAS and against ETIAS' clearly defined screening rules" (European Commission, 2016c, 8). The check is performed against the majority of EUropean databases, but also against international databases such as the Stolen and Lost Travel Document (SLTD) and the Travel Documents Associated with Notices (TDAWN) databases by Interpol (see Figure 8.3). Besides the EES, SIS, VIS and EURODAC systems, the European Criminal Records Information System (ECRIS) is queried. ETIAS is, therefore, part of the strategy of information

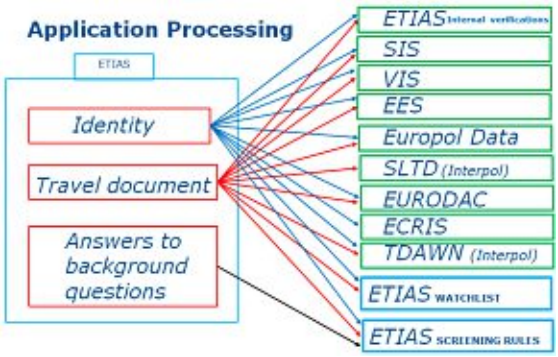

Figure 8.3: Automated Application Processing

Source: European Commission (2016c, 9)

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exchange through interoperability with the existing databases. Not only on the EUropean level, but also on the international level through querying Interpol databases.

ETIAS also performs automated risk assessments, indicated in Figure 8.3 as the application of the "ETIAS screening rules". "These rules will consist of an algorithm which will compare the data recorded in an ETIAS application file, and specific risk indicators pointing to identified irregular migration, security or public health risks" (European Commission, 2016c, 10). It, therefore, tries to automatically assess and preempt irregular migration *before* the person in question starts travelling.

The estimation of risk is determined on the basis of:

> - EES statistics on abnormal rates of overstays or refusals of entry for specific groups of third country nationals;
> - ETIAS statistics on travel authorisation refusals due to irregular migration, security or public health risks associated with specific groups of third country nationals;
> - Statistics generated by both EES and ETIAS showing *correlations* between the information collected through the ETIAS application form and overstays or refusals of entry.
> - Information provided by Member States concerning specific security risk indicators or threats identified by those Member States.
> - Information provided by Member States as well as the European Centre for Disease Prevention and Control (ECDC) concerning specific public health risks.
>
> (European Commission 2016c, 10, emphasis added)

This shows again how EES works as a biopolitical border, providing knowledge about a population to the ETIAS system, which in turn uses it to produce further knowledge on a population previously invisible through its legal status of visa-freeness. Should the algorithm decide that the potential traveller is high risk, the application is transferred to so-called ETIAS National Units, where a human would review whether the identity of the traveller matches the one assumed by the algorithm and can request additional documents. The ETIAS National Unit then decides whether a travel authorisation is given or denied and a negative decision can be appealed by the potential traveller (European Commission, 2016c, 10-11). Why and how a worker at an ETIAS National Unit should be able to assess that someone does *not* pose an "irregular" migration, terrorism or health risk remains unanswered. The only option left to the worker is to request additional documents, but the burden of proof has already shifted from the state to the potential traveller. As a further source of truth the "ETIAS National Units are allowed to use information available in national databases or other decentralised systems to which they have access" and "the responsible authorities of other Member States and Europol would also be consulted and would receive access to the relevant additional information or documentation, if

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they are responsible for data having triggered a hit in the course of the cross-checking of other information systems" (European Commission, 2016c, 11). A negative decision by the algorithm would, therefore, allow for further information exchange between the EU databases and "national databases or other decentralised systems". Similarly, the use of what is simply labelled "Europol Data" is due to "Europol's role as an EU information hub and core security cooperation tool" and, therefore, its "unique position to combine information that is not available to individual Member States or in other EU databases" (European Commission, 2016c, 13). This suggests that any further information exchange that Europol is part of would be accessible to the system if it comes in the form of a name, or identity document number. This is crucial, as Europol is framed as the primary "information hub" for the EU. The *Agenda on Security*, for example, promotes information sharing between Europol and Frontex:

> The revised cooperation agreement between Europol and Frontex, once implemented, will allow such synergies by enabling the two agencies to share personal data with appropriate data protection safeguards. (European Commission 2015c, 9)

It also "supports the exchange of information between national police authorities" (European Commission, 2016k, 6). Member States should also "*proactively* exchange all relevant information with other Member States, and Europol where appropriate, on released convicts *suspected* of radicalisation or known radical individuals, in order to ensure close monitoring of those representing a high risk" (European Commission, 2016l, 14, emphasis added). Furthermore, Europol operates the European Counter Terrorism Centre, the European Migrant Smuggling Centre and the European Cybercrime Centre[5] which share information with a variety of organisations. The European Counter Terrorism Centre, for example, cooperates with the "EU-US Terrorist Financial Tracking Programme (TFTP)" (European Commission, 2015c, 11). Additionally, Europol currently holds so-called operational agreements in order to "preven[t] and comba[t] organised crime, terrorism and other forms of international crime [...], in particular through the exchange of information" with the countries of Albania, Australia, Bosnia and Herzegovina, Canada, Colombia, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, the United States of America and Interpol (European Police Office, 2013, 3)[6]. Information is defined, here, as "personal and non-personal data" and is shared via so-called National Contact Points with the "competent authorities" of the partnering state (European Police Office, 2013, 3, 4). In the case of the agreement with Albania, the "competent authorities" are the Albanian State Police, the Ministry of Finance, the National Intelligence Service, the General Prosecution Service, the Army Intelligence Service and the Ministry of

[5] Note that there is no "Organised Crime Centre", which supposedly links all these phenomena (see Section 6.1).

[6] See https://www.europol.europa.eu/partners-agreements/operational-agreements for the list of agreements

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Justice (European Police Office, 2013, 22). Although currently this information is used as a block list for specific names, the Europol Programming Document for 2019–2021 allocates €20.7 million "for operational ICT services and programmes" (European Police Office, 2019, 28). A budget which "prominently includes the New Environment for Operations programme, which drives Europol's evolvement from collecting to connecting operational information, integrating innovative technologies like machine learning and artificial intelligence" (European Police Office, 2019, 28). As Europol is part of the ETIAS Screening Board (which defines the rules applied for risk assessment) and has access to ETIAS data under certain restrictions (European Commission, 2016c, 14), ETIAS works both as an information source for Europol and, in the future, it might supply ETIAS with data that is itself risk assessed through the vast amounts of data it collects. This allows for the establishment of the same screening rules it developed through the use of other systems. The proposal does not contain any form of independent oversight of these screening rules, meaning the law enforcement units are expected to "self-monitor" any impact on fundamental rights (Alegre et al., 2017, 27). It has, furthermore, been reported that Europol already uses a data mining tool called Palantir (Monroy, 2020).

ETIAS, therefore, is one of the first large-scale EUropean information systems that fully exposes the logic of automated risk assessment and is part of almost all strategies identified in the empirical data. It works as a technical system for governing circulations, preempting unwanted travellers through automated risk assessments, supposedly facilitating border crossings, proliferating the border outwards through the practice of remote control, feeds on the data of the EES, which proliferates the border inwards and receives information in a cross-sectorial, inter-agency and cross-border fashion from the EUropean, national and the international level. It does, however, not collect any biometrics. Interestingly, we can see the development of such a system in the context of the population of *visa-exempt* travellers, a population defined via a legal agreement that signifies a level of mutual trust between nation-states. As Bigo and Guild write:

> The visa obligation denotes a suspicion towards a country or a nationality as a whole. The granting of the visa is an exception to the exclusion. It is a re-establishment of confidence in an individual notwithstanding that his or her country of nationality is one which as a whole has been designated suspect. (Bigo and Guild 2005, 236)

Thus, it is exactly the population defined by an agreement of increased confidence upon which the logic of automated risk assessment is deployed.

8.9 All Systems Go!

Another information system targeting third-country nationals was adopted in 2019. The European Criminal Records Information System for Third-Country Nationals (ECRIS-TCN) allowing information exchange on previous convictions of third-country nationals to

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be used in visa procedures, acquisition of citizenship and migration procedures, including asylum procedures, but also for security clearance and employment vetting (Vavoula, forthcoming 2021, 11). In May 2019 two proposals regarding interoperability were adopted foreseeing four components very similar to the four "dimensions" explored in Section 8.2. A European Search Portal (ESP), allowing for simultaneous queries of the different interoperable databases and for displaying the results on a single screen (Vavoula, forthcoming 2021, 13). A Shared Biometric Matching service (BMS) that will "generate and store templates from all biometric data recorded in the SIS II, VIS, Eurodac, EES and ECRIS-TCN" (Vavoula, forthcoming 2021, 13). A Common Identity Repository (CIR) storing an individual file for each person registered in any of the databases, containing biometric and biographical data, envisioned to be primarily used for identification purposes, detection of "multiple identities" and for "streamlin[ing] law enforcement access" (Vavoula, forthcoming 2021, 13). And a Multiple Identity Detector (MID) using the alphanumeric data from the CIR and SIS II to detect "multiple identities" (Vavoula, forthcoming 2021, 14). The issues arising from problems such as "spelling errors, lack of documentation, insufficient language skills, technical deficiencies, incorrect transcription of names into the Latin alphabet, recording of birth dates when the precise date is unknown [and] lack of training" on a system that automatically processes a variety of data sources and especially on a system that automatically tries to detect identity fraud, through the component that is called MID, should be obvious (Vavoula, forthcoming 2021, 19).

With the above systems in place, lacking "substantial fundamental rights assessments" by the Court of Justice of the EU (CJEU), essentially the entire non-EU population is subject to surveillance through at least one of the above mentioned databases, which are combined into a larger system through the strategy of interoperability (Vavoula, forthcoming 2021, 14, 15). The underlying logic is now clear, namely to

> fill all "information gaps", rather than address clear evidence-based operational needs. In this logic, necessity is based on data greediness, technological availability and an evolving understanding of travel as an *a priori* suspicious activity performed by risky individuals that legitimises the intervention of the EU as a norm creator. The new generation of databases is thus being created with a view to completing, through systematic personal data processing, the "puzzle" of third-country nationals interacting with the EU in any way, be it administrative or law enforcement. (Vavoula forthcoming 2021, 16)

8.10 Targeted Governance of Global Circulation

Risk management has to be seen as part of what Valverde and Mopas call "targeted governance" (Amoore and De Goede, 2005, 150). As explored in Section 4.7, targeted governance is reluctant to govern "too much *all at once*", yet exposes the authoritarian tendency to "successfully target *everything*" (Valverde and Mopas, 2004, 247-248, 247). As explored above, the aim of the technology of risk management is to collect as much

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data as possible, allowing for the estimation of risk of possible futures. It, therefore, clearly tries to target "everything". Or, as the marketing video for Maritime (CISE) puts it:

> The EU's maritime domain and interests stretch the world and by helping the actors involved in its surveillance increase their interconnectivity Maritime CISE will reduce the threats to European interests *anywhere, at any time*, and the costs and efforts involved. (European Commission d, emphasis added)

But this massive data collection serves a specific purpose, as the *EU Strategy and Action Plan for customs risk management* describes it, it aims to "[put] in place methodologies and procedures to allow that risk-based controls are carried out at the most appropriate time and place in the supply chain" (European Commission, 2014a, 4). Hence, risk management is the solution to "efficiently" and "cost effectively" intervene in the flow by enacting controls where they are "needed" and without any undue disruptions. The governing of circulation through the technology of risk management entails the (purported) necessity of data collection and exchange on a global scale to estimate the level of threat for each element of the flow.

> Ideally, a "continuous, uninterrupted exchange of data", as the eu-Lisa report formulates it, will guarantee constant production and sharing of information about individuals, leaving their digital traces when they travel; not just at the territorial entry point but also long before the territorial frontier. (Trauttmansdorff 2017, 118 quoting eu-LISA 2014, 6)

It promises the estimation of riskiness of each individual element in the flow and, thereby, appears as the solution for reconciling the conflicting aims of the dual function of governing circulations. The authoritarian tendency of targeting "everything" reconciles the liberal dogma of non-intervention in the economic forces with the desire for security. The European Commission is right in stating that "the concept of 'borders' has changed". As the definition of border control as "detection, identification, tracking and interception" explored in the last chapter now shows, the keeping of territoriality and governing global circulations through risk can only be reconciled by multiplying the border on a global scale. The "border is *re-territorialized* every time at the many locations where digital control becomes possible, beyond the territory, at the territorial frontier or at the airport, on a bus or train, at stations, or even on the city streets"(Trauttmansdorff, 2017, 121). With Lyon we can truly say, that "the border is everywhere". However, this "constantly mobile and mobilisable borderspace", although "increasingly mobilised away from the territorial border itself", is "not everywhere for everyone" (Mose and Wriedt, 2015, 290). It is "instantiated" along cross-cutting hierarchies of sex, class, race and gender (Mose and Wriedt, 2015, 290, 300).

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CHAPTER 9

Extending the Biopolitical Border

Now that the main strategies and existing technical systems have been examined, the Horizon 2020 research projects that formed the starting point of the analysis can be analyzed. Eight such projects were chosen for analysis, the goals of which were set out in the Horizon 2020 "Secure Societies" Work Programme 2016-2017. All of the projects are part of the discourse explored in the previous chapters and their specific place and contribution to that discourse will be highlighted. The projects are shortly discussed in light of their contribution to the strategies described in Chapters 7 and 8. The main focus, however, is on highlighting how these projects extend and go beyond the technical systems examined in Chapter 8 in order to gain a glimpse of what future EUropean technical systems might look like. Since these are research projects, many of which are still ongoing, changes in the overall approach to governing circulations can only manifest once the projects are deployed and properly become part of EUropean governing. Changes in techniques and strategies are, therefore, necessarily sketches of possible outcomes and can (and most likely will be) modulated depending on the concrete incorporation into practices of governing. This does not mean that everything presented in this chapter is pure speculation, but that changes in techniques and strategies have to be seen as moves by the agent of the European Commission, the moves of which are themselves the result of the struggle of a subset of agents in the field of security professionals. Depending upon the moves of other agents in the field of security professionals and in the field of EUropean politics, the strategies and techniques can become part of how EUrope is governed. By comparing the identified strategies and techniques exposed by the research projects with those analyzed in the previous chapters, it is, thereby, possible to sketch an intended change in EUropean governing practices, without stating any necessary change in those practices.

9.1 PERSONA

> A pivotal element of PERSONA project is to design and establish [sic] unified and tailored impact assessment method to appropriately assess the effects of new border-controlling technologies and ensure that these solutions meet the requirements and expectations of both governments, LEAs [Law Enforcement Agencies] and border crossing individuals. PERSONA will carry out comprehensive assessment [sic] of the acceptability of wide range [sic] of contactless crossing point technologies, taking into account human behaviour, gender, legal frameworks, privacy concerns, societal issues and potential risk of discrimination [sic]. (PERSONA 2018)

PERSONA (*Privacy, ethical, regulatory and social no-gate crossing point solutions acceptance*) aims to develop a methodological approach to assess the impact of seamless border techniques. Impact is understood as both the perception of the technical system, i.e. its acceptance by the public, and its compliance with broader ethical principles (Casiraghi et al., 26-29). The method will "provide important information for decision makers [...] in order to drive the innovation and deployment of future solutions by industry and border authorities" (PERSONA, 2018). PERSONA, thereby, stands outside the strategies elaborated thus far and contributes to the project of seamless borders solely by inspecting the acceptance of this technology in the population. The issue of "acceptance" plays a part in the governmentality under scrutiny, in which technical systems are mostly framed as necessitating "acceptance" by EUropean citizens. As the *Horizon 2020 Work Programme 2016-2017*, publishing the call under which PERSONA would then be funded, describes it:

> However, in the intensive use of technologies that this will require bears the risk to invading people's privacy, and the societal and political acceptance of technologies for "no gate solutions" is required prior to their implementation. (European Commission 2016f, 43)

This suggests that what is standing in the way of the implementation of these technical systems is a lack of acceptance and not any form of conflict with fundamental values, although there is a "risk to invading people's privacy". The issue of acceptance has to be seen in a larger context, with the discourse around citizens revolving around the issues of safety, security, threat and a view of the political centering around demand, supply and trust. Although this particular view of the political is not a major issue in the discourse and not particularly pronounced, it is worth a brief exploration in the context of "acceptance", as it too centers around an understanding that does not clearly involve issues of fundamental rights, or broader social impacts caused by political decisions. For example, one of the five major principles of common action proposed by the *Agenda on Security* is that of democracy, transparency and accountability (although this issue is not

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discussed in any of the other documents and makes up only a paragraph of the Agenda itself).

> Second, we need more transparency, accountability and democratic control, to give citizens confidence. (European Commission 2015c, 3)

Democratic values are necessary not because of problems that are intrinsic to an approach to securing the population via information exchange across a variety of agencies and sectors, sharing data in an automated fashion and assessing automatic risk scores, which would demand these values in order to ensure their functioning in accordance with fundamental rights. Democratic values are seen as necessary because citizens need to feel confident, the flip side being a corrosion of confidence in the system.

> Unsuccessful asylum claimants who try to avoid return, visa overstayers, and migrants living in a permanent state of irregularity constitute a serious problem. This corrodes confidence in the system. (European Commission 2015b, 7)

"Confidence in the system", then, constitutes a goal and many practices are seen to be "expected" by the population of EUropean citizens (see, e.g. Council of the European Union (2014, 2)). However, as stated above, all these issues are at the fringes of the discourse and further research is needed to properly confirm these interpretations. I only mention them here to provide some understanding of the context in which the PERSONA project has to be placed. A context which stands apart from the rest of the projects. The following projects are concerned with issues that are at the center of the discourse.

9.2 Extending the Situational Picture

The projects CAMELOT, FOLDOUT, MARISA and ROBORDER are aiming to contribute to the strategy of live governance through enhancing situational pictures based on the strategy of interoperability. They form an extension of this strategy, going beyond the promises of EUROSUR and moving into the direction of further automation.

9.2.1 CAMELOT

> CAMELOT proposes to develop and demonstrate different advanced command and control service modules for multiple platform domains, based on a SOA [Service Oriented Architecture] architecture that specifies internal and external interfaces, allowing the development of a modular and scalable command and control station, customisable to the user needs. (CAMELOT 2020)

CAMELOT is the abbreviation of *C2 Advanced Multi-domain Environment and Live Observation Technologies*, a project that aims to reduce the costs of central command and

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control infrastructures for surveillance equipment. Concretely, "unmanned land, maritime and aerial vehicles" (UXVs, i.e. different drones and robots) should be able to exchange data via a cheap, backwards-compatible infrastructure in order to control the different vehicles and create "an integrated situational picture" (CAMELOT 2019; CAMELOT 2020). Additionally, CAMELOT wants to "reduce the mental workload of border guards" via "automatic tasking and control; mission planning and replanning; visualisation and display modules; and sensing and detection modules" (CAMELOT, 2019). Lastly, it aims to "integrat[e] with external systems" to ensure that the resulting command and control infrastructure can be used in conjunction with Maritime CISE (CAMELOT, 2019). Hence, CAMELOT is part of the strategy of interoperability.

> To achieve interoperability among all platforms, in spite of their domain, the consortium proposes the existence of an adaptor layer, which converts proprietary protocols [...] to the CAMELOT data model. (CAMELOT 2019)

Its goal is to provide a situational picture.

> These can be manned or unmanned, ranging from sensors (optical, radar, IR) to unmanned platforms (UAV, UGV, USV or UUV), and need to be combined to offer an integrated situational picture of the area under surveillance and of their location. (CAMELOT 2020)

CAMELOT, therefore, contributes to the strategy of live governance by allowing the control of live surveillance equipment. What becomes visible is an increase in automation and a change in visualization. Whereas EUROSUR operates on the data collected by different maritime agencies, CAMELOT tries to move beyond that by using unmanned vehicles that are controlled remotely. The command and control infrastructure's aim is to become independent of the concrete models of UXVs under operation and understands them as a "variety of sensors" that can be deployed to collect data at a defined location (CAMELOT). Furthermore, the different sensing vehicles should become mostly independent from human intervention through "a cooperative behaviour algorithm" that allows them to surveil areas autonomously (CAMELOT). This includes communication between the vehicles to, e.g. "enable platforms to confirm detections by other sensors and platforms" as well as allowing the users of the command and control infrastructure to agree on a "common set of actions" (CAMELOT). The logic of risk is also present in the automated control of the vehicles, the "mission planning and replanning module for unmanned vehicles can quantify different types of risks and incorporate them into a tool that generates routes with a given probability of success, based on the prediction of certain risks occurring" (CAMELOT). Visualization is extended by supplementing two-dimensional maps with three-dimensional displays to enable a local perspective on situations. This is supplemented further by Augmented Reality displays (CAMELOT). By "fusing" different data sources (sensors, UXVs, satellite data, etc.) their data can be fed into machine learning algorithms in order to automatically track and identify the

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type of object appearing visually, i.e. whether a moving object is a car or a person, or which type of boat it represents (CAMELOT). The situational awareness at "EU borders, high at sea and on unpopulated or scarcely populated land areas" is seen as insufficient and only three-dimensional visualizations are seen as apt for the task, as the description of the corresponding call explains.

> Only enhanced command and control systems using advanced 3D computer graphics technology may allow to represent accurately the position of surveillance assets – including autonomous agents – and external objects in such complex environments. (European Commission 2016f, 46)

9.2.2 FOLDOUT

> FOLDOUT will build a system that combines various sensors and technologies and intelligently fuses these into an effective and robust intelligent detection platform. (FOLDOUT 2020b)

FOLDOUT (*Through-foliage detection, including in the outermost regions of the EU*) is targeted at "irregular" migration, stating that it is "no longer manageable with existing systems" FOLDOUT (2020b). It tries to solve the unmanageable situation by creating a surveillance system for "[d]etecting people through dense foliage in extreme climates" (FOLDOUT, 2020b). Since a single "penetration technology" is understood as "prone to high fault rates", FOLDOUT will "combin[e] various sensors and technologies and intelligently fus[e]" them (FOLDOUT, 2020b). In this case, "intelligent" fusion of data means that the different sensors should influence each other, depending on the data received by each of them. Furthermore, data "from outside the immediate border area" is integrated, such as vehicle traffic in order to detect "pre-events"[1] (FOLDOUT, 2020b). By using machine learning, the system is seen to be able to continuously self-improve and "to fuse and reliably interpret all data to derive alarms on the presence of persons or critical situations in the surveilled area" and "to filter unusual from usual behavior" (FOLDOUT, 2020a). Again the tasks of border guards should be made "simpler and faster" by giving a "complete situation threat assessment with suggested reaction scenarios" (FOLDOUT, 2020b).

As can be seen in Figure 9.1 the system does not only combine sensors on the ground that should be able to detect a variety of events (e.g. footsteps or mobile phone signals), but also satellite, drone, helicopter and StratoBus data. The StratoBus is a Thales product, a 100 meters long and 33 meter in diameter "stationary stratospheric airship" which "is neither a drone nor a satellite, but a bit of both at the same time!" (Thales Alenia Space, 2016) That the StratoBus is promoted as part of the research project is not surprising, as Thales Aenia Space France SAS and Thales Aenia Space Italia SPA are both participants,

[1] The term "pre-event" is not explicitly defined in the descriptions of the research projects, but appears to refer to events taking place "outside the immediate border area", as the quote suggests.

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receiving € 225 308,75 and € 350 228,75 in EU contribution respectively FOLDOUT (2020b). Interestingly, the overview picture seen in Figure 9.1 shows people involved in smuggling activity, whereas the description is only concerned with "irregular" migration.

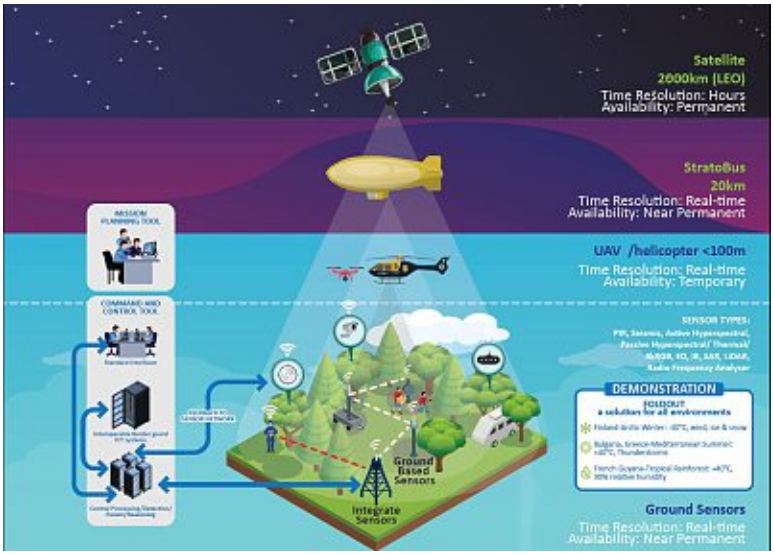

Figure 9.1: FOLDOUT Overview

Source: FOLDOUT (2020a)

Three prototypes were deployed, each in extreme weather conditions. As seen in Figure 9.1 these prototypes operated in Finland at -40°C during weather conditions described as "wind, ice and snow". In Bulgaria and Greece at +40°C during thunderstorms and in the French Guyanan rainforest in South America, also at +40°[2].

FOLDOUT contributes to live governance by using similar techniques as CAMELOT. Different data sources are understood as sensors that communicate autonomously, the data of which are fed into machine learning algorithms that then try to detect movement in the surveilled territory. In this case, the ground sensors are not mobile, but span horizontal and vertical space and track persons on the move. The introduction of the "pre-event" follows the logic of the "Common Pre-frontier Intelligence Picture" (CPIP) in EUROSUR, which incorporates data from "outside the immediate border area" as well (see Jeandesboz (2017, 273-277) for a discussion of the CPIP). This is clearly not a brick in the wall of "Fortress EUrope", but an open space that becomes "intelligent" through the addition of sensors. The intention is to let things "play out", intervening only once a certain threshold of risk is reached, keeping things in movement for as long as possible. The terrain is seemingly kept open, allowing for unhindered circulation of the wanted elements while providing, at the same time, the ability to intervene in the flow. Another aspect is, of course, not having to deploy personnel in these weather conditions, but, as can be seen in Figure 9.1, FOLDOUT is "a solution for all environments".

[2]That the project tries to enable surveillance during these conditions is either a marketing stunt or shows the extreme conditions people go through when migrating to EUrope.

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9.2.3 MARISA

> The large amount of "raw data" available today are not usable by systems supporting maritime security since they are not accessible at the same time and, often, they are not interoperable. Therefore, the overarching goal of [sic] MARISA project is to provide the security communities operating at sea with a data fusion toolkit, which makes available a suite of methods, techniques and modules to correlate and fuse various heterogeneous and homogeneous data and information from different sources, including Internet and social networks, with the aim to improve information exchange, situational awareness, decision-making and reaction capabilities. (MARISA 2020b)

MARISA (*Maritime Integrated Surveillance Awareness*) is a project aimed at providing further data sources for the CISE. The data is not combined, however, in the way in which EUROSUR gathers information to produce a risk-based analysis based upon human risk estimates. It promises to "get insights from any big data source" using "techniques to search for typical and *new* patterns that identify *possible* connections between events, explore predictive analysis models to represent the effect of the relationships of observed object [sic] at sea" through Artificial Intelligence and machine learning algorithms (MARISA, 2020b, emphasis added). The possibilistic prediction is then visualized, in order to create "improved situational awareness" (MARISA, 2019). MARISA, quite literally, creates "lines of sight" (see Figure 9.2) (Amoore, 2009).

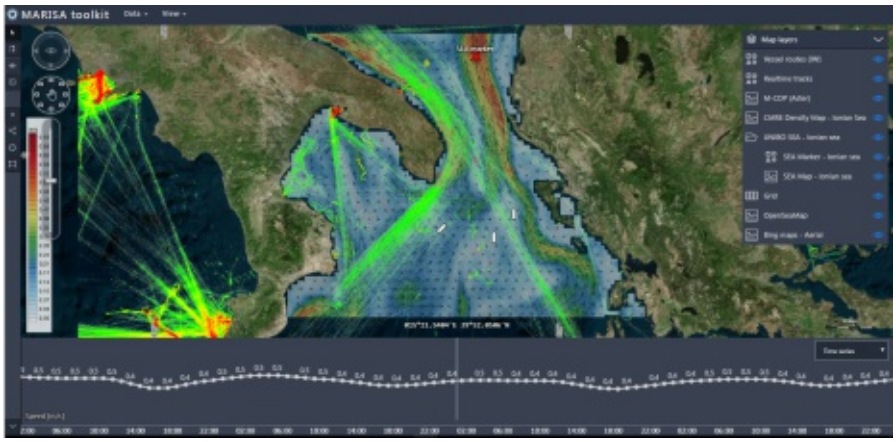

Figure 9.2: MARISA Console

Source: MARISA (2019)

Like FOLDOUT, MARISA is a live governance system, combining a variety of data sources to produce "situational awareness" in order to allow seemingly efficient interventions in the flow.

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> The services will enhance early detection of irregular immigration and human trafficking, and enforce rapid response through cooperation on search and rescue operations between authorities, agencies and Frontex – the EU agency primarily responsible for coordinating border control efforts. (MARISA 2020a)

And, like FOLDOUT, MARISA gathers data from sources beyond those supplied by EUropean authorities. It promises to integrate any open source data available, most prominently social media data, "identifying events for multiple languages" (MARISA, 2019). Although not explicitly mentioned, it, therefore, operates via the same ontological entity of the "pre-event" already encountered in the section on FOLDOUT.

Furthermore, as the MARISA marketing video explains, it is also concerned with automating "reaction capabilities" and "scenario planning" (MARISA). It automates the deployment of assets to the events identified at sea, allowing users to pick a time-frame and place for deployment and then calculates the "optimal asset deployment", a technique similar to the one exposed by CAMELOT (MARISA).

9.2.4 ROBORDER

> ROBORDER aims at developing and demonstrating a fully-functional autonomous border surveillance system with unmanned mobile robots including aerial, water surface, underwater and ground vehicles, capable of functioning both as standalone and in swarms, which will incorporate multimodal sensors as part of an interoperable network. (ROBORDER 2020)

Figure 9.3: ROBORDER VR and AR UI

Source: ROBORDER (2019a, 14)

ROBORDER (*autonomous swarm of heterogeneous RObots for BORDER surveillance*) aims to be an "intelligent holistic solution" for border control authorities facing "the heterogeneity of threats, the wideness of the surveyed area, the adverse weather conditions and the wide range of terrains" (ROBORDER, 2020). Again, this solution comes in the form of "a complete and detailed situational awareness picture" (ROBORDER, 2020).

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Like FOLDOUT, ROBORDER deploys a variety of what can be called sensing devices, such as unmanned vehicles and a variety of sensors ("passive radar", "RF signal sensor", "photonics-based radar") (ROBORDER, 2019b).

ROBORDER is, furthermore, interoperable with data from Maritime CISE, the system that MARISA is interoperable with. The surveillance data acquired via "swarms" of robots, fed into the same system as MARISA operates on, clearly converges with MARISA's ability to deploy assets. CAMELOT features as a "related project" on the ROBORDER website[3], which is not surprising, as it develops command and control infrastructures necessary for the deployment of "swarms" of unmanned vehicles. Furthermore, Figure 9.3 shows the proof of concept for controlling drones via the Microsoft HoloLens and it is quite easy to imagine the base map being replaced by the "lines of sight" into possible futures, displayed in Figure 9.2. Either way, ROBORDER exposes the same expansion of visualization from two-dimensional to two- and three-dimensional space as CAMELOT, in order to provide both a global overview and a local view for potential intervention into situations.

9.3 Extending the Seamless Border: PROFILE, SMILE and TRESSPASS

Whereas live governance is the strategy used to govern circulations between BCPs, the seamless border is the aim of technical systems deployed at BCPs. Both technologies complement each other and are based on the *dispositif* of risk, requiring information exchange in order to operate and allow interventions into the flow. They, therefore, share more similarities than differences, but live governance is not concerned with biometrics, whereas the seamless border is built around biometric identification.

9.3.1 SMILE

> [SMILE] leverages the capabilities of the smart mobile devices in biometric control for secure and trusted authentication, and elaborates on their exploitation as part of a multimodal biometric verification process that supplements / complements existing approaches. (SMILE 2020)

SMILE (*SMart mobILity at the European land borders*) wants to enable pre-registration for border crossings via a smartphone application where passengers enter "passport information, biometrics, border crossing point and time of arrival, vehicle information, VISA information" (SMILE, 2018). The biometrics are then leveraged at the BCP to match the pre-registered traveler to the pre-registration. It also aims to "recognise groups of travellers", which is used to recognise pre-registered travel groups (SMILE 2018; SMILE). SMILE is not developing any risk assessment techniques itself, but is

[3] See https://roborder.eu/related-projects/.

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solely concerned with biometric identification and the pre-registration step. It, thereby, would contribute to the strategy of prevention should it become mandatory. Viewed on its own, SMILE mainly contributes to establishing other technical systems that rely on biometric identification, such as the TRESSPASS project analyzed below. This is corroborated by the interoperability of the system.

> [T]he SMart mobILity at the European land borders (SMILE) interoperability with other border information systems is greatly promising in terms of enhancing the speed, efficiency and flow of border crossing mobility as well as border security. (Abomhara et al. 2020, 261)

9.3.2 TRESSPASS

> TRESSPASS will leverage the results and concepts implemented and tested for airport security within the H2020 FLYSEC and FP7 XP-DITE projects and for land border control in [sic] H2020 iBorderCtrl project, and expand them into a multimodal border crossing risk-based security solution within a strong legal and ethics framework. (TRESSPASS 2019)

TRESSPASS (*robusT Risk basEd Screening and alert System for PASSengers and luggage*) operates in the four-tier access control model of the EU. The four-tier access control model includes, in the words of TRESSPASS, "(1) measures undertaken in, or jointly with third countries or service providers; (2) cooperation with neighbouring countries; (3) border control and counter-smuggling measures, and (4) control measures within the area of free movement" (TRESSPASS, 2020). As can be seen in Figure 9.4, it collects data from neighbouring countries (Tier 1), tracks people's movement across borders (Tier 2), "fuses" data to estimate risk as a border control measure (Tier 3) and uses Passenger Name Record (PNR) data (Tier 4). However, their objective is to develop a "single cohesive risk-based border management concept that covers the entire scope as described above, i.e. a four-tier trans-national, multi-modal security tunnel, including the accompanying concept of operations" (TRESSPASS, 2019). PNR data is a set of data points that is transmitted before flights from and to third countries with which the EU holds a PNR agreement. Member States can choose to do this for internal flights as well, if they decide to do so, and EUROPOL has access to this data as well. PNR data consists of a variety of "mundane" data points, such as the language(s) spoken by the passenger, means of payment and telephone number(s) (Karamanidou and Kasparek, 2018, 36-37). It is purposefully designed to allow for the preemption of potential terrorists, trying to find the unknown threat (Hall and Mendel, 2014, 373).

Contrary to the previous projects, TRESSPASS is not concerned with border crossings happening outside BCPs, but tries to implement a seamless border. TRESSPASS, also, clearly demonstrates how the understanding of borders has changed:

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> Risk-based border management is about using border crossing points (BCPs) as a risk management measure that supports flow-, border- and national security. (TRESSPASS 2019)

When border management operates on the logic of risk, BCPs turn from gates, marking the end of the national territory, into points in a flow that can be used strategically in the overarching goal of governing circulations. Although TRESSPASS tries to solve the problem of disruption at BCPs, its approach is quite similar to the ones described above, as it tries to provide "an extended situational awareness by the effective use of heterogeneous data from different sources such as external sources, legacy systems of the involved authorities and sensing systems" (TRESSPASS, 2019). It aims to create a network of nodes that share data with each other, integrating external sources such as social media data and EUropean surveillance databases, such as the VIS and the SIS (TRESSPASS, 2018). It also aims to "[p]repare for the further development of this concept beyond this project by linking to other known risk-based border management projects" (TRESSPASS, 2019).

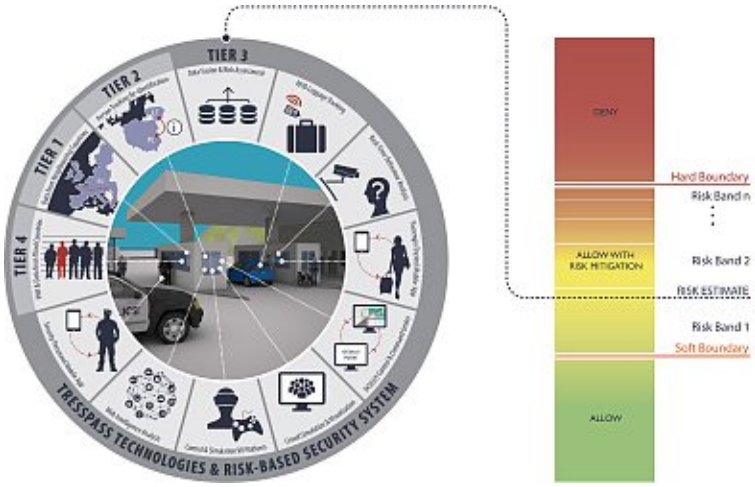

Figure 9.4: TRESSPASS

Source: TRESSPASS (2019)

All information sources are combined into "a single cohesive risk model", following an "ethics and data protection 'by design'" approach (TRESSPASS, 2019). Furthermore, it aims to include "trustful" passengers "as a proactive and trustworthy source of voluntary information" in order to optimize the risk management model (TRESSPASS, 2019). By using biometrics, "sensing technologies" (such as CCTV, body and cargo scanners) and external data sources, the system tries to estimate risk to assess traveller identity, possession of threatening objects, *capability*, which is described as "specific skills of people with which they can/cannot impose threat", and, lastly, the "intent" of the person, "from which the presence or absence of a threat can be derived" (TRESSPASS, 2018). This is done, for example, by utilizing "machine learning and signal processing techniques to evaluate a person [sic] behaviour based on facial cues (using remote heart rate detection, facial valence / arousal, action unit detection, blinking rate and eye movement) and body language, in order to remotely detect abnormal behaviours" (TRESSPASS, 2019).

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Essentially, it aims to calculate a "signature" of the person arriving at the BCP by detecting behaviour that does not adhere to the mobile norm, targeting persons that are in any way out of the ordinary (Agamben 2009; Hall and Mendel 2014, 372-373). What it means to detect "abnormal" behaviour is symbolized by the title page of a brochure of the project SAMURAI (*Suspicious and Abnormal behaviour Monitoring Using a netwoRk of cAmeras for sItuation awareness enhancement*) funded via the Seventh Framework Programme (see Figure 9.5). The brochure, unironically, displays a person doing a handstand or doing a cartwheel, that is highlighted in red, with the words "abnormal behaviour" written across them, in front of a crowd of people that are supposedly acting "normal".

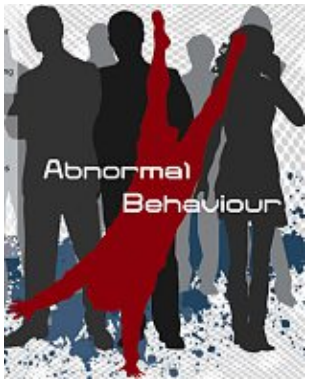

Figure 9.5: SAMURAI brochure

Source: SAMURAI

TRESSPASS builds on the existing work of three projects. XP-DITE is a research project funded via the Seventh Framework Programme, which provides a prototyping system for security checkpoints at airports, balancing the "so-called Performance areas (Customer and Ethics, Security and Compliance, and Cost and Operation)" by making each of them "quantifiable, measurable and predictable" (XP-DITE, 2017). FLYSEC follows very similar goals as TRESSPASS itself, providing a "seamless risk-based security process", by "integrating new technologies on video surveillance, intelligent remote image processing and biometrics combined with big data analysis, open-source intelligence and crowdsourcing" (FLYSEC, 2017). Risk is then assessed by "combining the aforementioned technologies with behavioural analysis and innovative cognitive algorithms" (FLYSEC, 2017). TRESSPASS is also based on the project iBorderCtrl, which garnered some attention[4], because it tries to automate border crossings by making travelers pass an automated lie detection test. By providing answers to a "virtual agent" powered by artificial intelligence and facial recognition software, travellers are risk assessed automatically. The risk assessment is based on "pre-existing authority data", "publicly open data" and the automated lie detection test based on "micro gestures" that largely influences the traveller's risk score (iBorderCtrl 2017; Gallagher and Ludovica 2019). This assessment is done in advance, before the traveler starts their journey via a smartphone application or a web browser. It is seen as a "voluntary form of a Registered Traveller Programme and an auxiliary solution for the Entry/Exit System based on involving bona fide travellers" (iBorderCtrl, 2017). According to their website, SMILE is also a related project of TRESSPASS (TRESSPASS).

[4]See https://iborderctrl.no/archive:start.

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9.3.3 PROFILE

> PROFILE seeks to accelerate the uptake of state-of-the-art data analytics and incorporation of new data sources for more effective and efficient European customs risk management. The project provides tailored solutions, that build on modern methods in machine learning, graph-based analytics, and natural language processing, to help targeting officers and strategic analysts to collect and organise unstructured data, data-mine large datasets, apply semi-supervised machine learning that utilises feedback of control results, and to visualize complex data sets. (PROFILE 2020)

PROFILE (*Data Analytics, Data Sources, and Architecture for Upgraded European Customs Risk Management*) tries to combine information from external data sources in order to improve customs risk management, an expansion of data collection similar to that of MARISA, firmly rooted in the strategy of interoperability. It tries to extend the available data sources for automated risk assessment by including data repositories that are seen as "under-utilised and under-exploited for risk management purpose [sic]" (European Commission, 2016f, 41). The aim is that of "facilitating legitimate trade" while stopping unwanted movements of goods (European Commission, 2016f, 41). This requires an inter-agency approach including "not only customs but also law enforcement, transport, security and border control agencies" and international information exchange (European Commission, 2016f, 41).

> Risk management of the movement of goods through the international supply chain requires identifying, evaluating and analysing the full range of largely diverse threats and risks associated with goods and their movements, at the EU, national, and intercontinental levels. (European Commission 2016f, 41)

Enhancing access to further customs data is also, somehow, expected to contribute to the "[r]eduction of terrorist threats; [...] irregular border crossing [and] trafficking in human beings" (European Commission, 2016f, 42).

9.4 A Glimpse of the Future

We can see a development from the "situational picture" at the heart of EUROSUR towards something new. The "situational awareness" produced by these projects aims to further automate tasks which are done manually in EUROSUR, for example the assignment of risk levels, in line with the governing of possible futures. What EUROSUR and CISE try to accomplish in the Mediterrenean Sea is moved into the context of land borders, in order to automatically surveil border regions through automated risk assessments. The sovereign decisions move further away from the human operator and become more embedded in the decisions taken during the design stage of the system. The automated deployment of surveillance equipment implies a move away from the data

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collected by human operators towards an automated investigation into situations that are assigned a level of risk through the "fusion" of various data signals via machine learning algorithms. The inclusion of "pre-events" further expands the spatio-temporal horizon of prediction *before* the "event" becomes observable through live surveillance equipment in both a temporal and a spatial manner. Information from "outside the immediate border area", such as footsteps, or social media data, is incorporated, trying to predict events before they appear on the map with data that is both spatially and temporally outside the surveilled area and, thereby, identify "pre-events" that may materialize into events on the map.

Amoore (2013, 105-126) suspects RFID tags as a novel mode of addressing persons on the move. While this might hold true for travelers equipped with, for example, RFID-tagged luggage, as in TRESSPASS, the development of sensor networks seems to be a developing strategy of addressing and making visible those persons and things traveling clandestinely. On the one hand, the biopolitical border is enhanced with a variety of threat assessment tools, including basic body signals, which are used to assess a level of threat. The greediness of risk assessment pulls in more data sources that are available, such as social media data and "untapped" information networks, as in the case of PROFILE. On the other, there seems to be an attempt to move the technology of the "threatprint" into the governing of situations. The various sensing networks, composed of UXVs and sensors for all types of signals, feed data into machine learning algorithms that try to array possible futures not of the potential terrorist, but of the potential situation. The terrain between the BCPs is equipped with sensing networks that decompose the life in the border area into data points and then reassemble them via machine learning algorithms into emerging situations that are then assigned a level of threat. Sensors deliver new data points for a border that does not only produce knowledge about populations, but also situations.

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CHAPTER 10

Rebordering Subjectivities

This chapter presents the deontological and teleological dimension of the analyzed governmentality. The primary focus, however, is on the classifications resulting from the interpretive schemes (see Chapter 5). As these classifications tend to coalesce with deontological assertions, the chapter does not draw a clear distinction between the deontological dimension and the examined classifications. These classifications form subjectivities as part of a process of rebordering, resulting from the discrepancy between a metageographic understanding based on nation-state territories and an ontology of flows.

10.1 Visions of Many EUropes

As Walters and Haahr propose, the European Union has to be seen as one particular form of European Integration amongst other attempts to do so and studies of governmentality, therefore, have to ask how different policies imagine EUrope (Walters and Haahr, 2004, 7). EUrope has to be denaturalized to become a proper object of study free from essentialism (see also Walters (2002)). This section is, therefore, concerned with these imaginations, or visions, of EUrope exposed in the empirical data, some of which are in conflict and some of which complement each other. These visions are related to different goals (teleologies) and deontic attributes. Their division is, however, merely analytical and whether they can be traced back to agents in the field that articulate a particular vision, or a combination of them, would require sociological research. It is, furthermore, merely analytical in that the documents necessarily expose an assemblage of these visions. But I contend that it is more fruitful to identify conflicting goals and deontological attributes and keep them analytically separate than to presuppose a unified vision echoed in the documents, especially in light of the sociological theories explored in Chapter 3.

The main deontic attribute of the European Union, its agencies and institutions is that of support. Examples abound where the EU, EU agencies and institutions “support”

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either Member States, EU citizens or third countries.

> The EU can play a supportive role by mobilising its policies, its coordination capacity and its financial instruments, to assist national actions and provide real added value on the ground, within the limits of its competences. (European Commission 2016l, 16)

> Citizens and Member States expect the EU's support in fighting terrorism and radicalisation and facilitating coordination and cooperation between relevant authorities. (European Commission 2015c, 13)

> One way in which the EU can help to ensure that countries of origin benefit from migration is through facilitating cheaper, faster and safer remittance transfers. (European Commission 2015b, 17)

If support is not actively given, there is the possibility to request it.

> Countries particularly affected by an influx of migrants and asylum seekers may also request assistance as appropriate from the EU civil protection mechanism. (European Commission 2015b, 6)

The same is true of "those in need", to whom the EU "must continue to offer protection" (European Commission, 2015c, 7). The European Commission, however, has a dual role of not only supporting, but also monitoring developments, to ensure their implementation at the national level.

> The Commission and the European External Action Service will cooperate with the EU Counter-terrorism Coordinator to maintain an overview of all the instruments at the Union's disposal and will closely monitor their implementation. (European Commission 2015c, 16)

The second major deontic attribute of the European Union is that it must be ready to act.

> Such action [against migrant smuggling] under international law will be a powerful demonstration of the EU's determination to act. (European Commission 2015b, 3)

As already indicated by this quote, these actions are not confined to EUropean territory.

> In situations of maritime crises, such as natural and man-made disasters, the EU and its Member States will use all related instruments and capabilities on a global scale. (Council of the European Union 2014, 13)

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And, as indicated by the former quote, these actions are lawful and, furthermore, also in compliance with human rights.

> Based on the EU's founding values of human rights, freedom and democracy, the purpose of this Strategy is to secure the maritime security interests of the EU and its Member States against a plethora of risks and threats in the global maritime domain. (Council of the European Union 2014, 3)

When these practices of support and (global) action are connected with the goal of protection, a particular vision of EUrope emerges. It imagines a EUrope that protects those in need, be they citizens or otherwise. It supports different actors and appears as an altruistic force.

> It is important to have adequate tools in place to protect EU citizens and all people living in the EU [...]. (European Commission 2015d, 2)

> The EU has obligations towards those in need of international protection, who need to be channelled towards the asylum system. (European Commission 2016b, 3)

EUrope is a force for good, not only because it offers protection, but also because its actions are driven by its "founding values of human rights, freedom and democracy". The corresponding vision is that of EUrope as a "Union of Values" and the goal of promoting these values globally. Here, EUrope appears as an actor composed of different societies that are connected through a common set of values.

> The EU stands for societies in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between men and women prevail. (European Commission 2016l, 11)

This Union therefore functions as a role model for societies and individuals, both globally and internally to the Union itself.

> Migrants who have been legally admitted by Member States should not be faced with reluctance and obstruction – they should be given every assistance to integrate in their new communities. This should be seen as central to the values Europeans should be proud of and should project to partners worldwide. (European Commission 2015b, 7)

> The EU response to extremism must not lead to the stigmatisation of any one group or community. It must draw on common European values of tolerance, diversity and mutual respect, and promote free and pluralist communities. (European Commission 2015c, 15)

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> EU bodies such as the EU Agency for Fundamental Rights (FRA) and the European Data Protection Supervisor have an important role in assisting EU institutions and other EU agencies to uphold and promote our values. (European Commission 2015c, 3)

EUrope takes up the quest of being a global role model, promoting and upholding its values and allowing others to follow its example.

> The development of high standards inside the EU will also make it easier for Europe to support third countries developing their own solutions to better manage their borders. (European Commission 2015b, 11)

It is seen as a composition of "open societies" which promote their practices abroad.

> The Union's approach is based on the common democratic values of our open societies, including the rule of law, and must respect and promote fundamental rights, as set out in the Charter of Fundamental Rights. (European Commission 2015c, 3)

But as Karl Popper already knew: open societies have enemies (Popper, 1943). Terrorism is one such enemy that directly attacks the values that hold EUrope together.

> Acts of terrorism constitute one of the most serious violations of the universal values of human dignity, freedom, equality and solidarity, the enjoyment of human rights and fundamental freedoms and one of the most serious attacks on the principles of democracy and the rule of law on which the European Union is founded. (European Commission 2015d, 2)

This Union is, therefore, not only held together by the values that its societies share, but also by the common threat it faces. And in the case of terrorism, by a threat that is understood to directly target this shared band and features as the antithesis of these "universal values". And with Butler, we have to understand "terrorism" as exceeding its legal definition, describing "the violence committed by non-state-centered political entities" in general (Butler, 2004, 88).

> The EU single market and customs union, together with the transnational dimension of threats, underscores the mutual reliance of Member States and the need to tackle risks effectively with the necessary consistency and uniformity across the EU. (European Commission 2014a, 2)

Its Member States need to acknowledge "that the internal security of one Member State is the internal security of all Member States and of the Union as a whole" (European

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Commission, 2016b, 2). They, therefore, "bear responsibility for the entire Union when they control their part of the external borders" (European Commission, 2015c, 6). This Union of Solidarity is connected with the EUrope that protects through their shared goal of providing protection. Only that the former does not provide and support in order to offer protection, but acts against threats by "fighting" them in order to ensure security for EU citizens. Its strength to protect those in need requires the individual actors, the Member States, to work together to ensure the security of the population.

> The EU can use the opportunities for a common approach to build a powerful system harnessing its scale to bring citizens more security. If the EU uses its law enforcement and border control tools to the full, exploits the potential of inter-operability between information sources to identify any security concerns from a common pool of information, and uses the stage of entry into the EU as a key point for security checks to take place, the result will negate the ability of terrorist networks to exploit gaps. (European Commission 2016b, 4)

And since the local and the global are thoroughly linked, this too requires global action.

> The Union stresses the importance of its assuming increased responsibilities as a global security provider, at the international level and in particular in its neighbourhood, thereby also enhancing its own security and its role as a strategic global actor. (Council of the European Union 2014, 8)

> Where possible, EU support is framed within wider reforms aimed at strengthening security capacities in partner countries since organised crime, smuggling and illicit trafficking as well as weak border management have proven links with violent radicalisation. The EU and its Member States must be better equipped to cooperate with law enforcement agencies in third countries. To this end, the EU will further expand expertise and refine situation awareness in countries that present the highest risks. (European Commission 2016l, 14)

Threats, however, are not the only thing that require cooperation between the Member States. The EU single market and the associated Schengen area do as well. Ensuring their further existence and smooth operation is the goal of the vision of Open EUrope. This EUrope is competitive and innovative, open to business and sees itself as a "mobile society" that ensures smooth operation of the financial, commodity and labor flows (European Commission, 2016k, 2). As the *Agenda on Migration* states, the EU's internal market is "underpinned by labour *mobility*" (European Commission, 2015b, 16).

> Europe should continue to be a safe haven for those fleeing persecution as well as an attractive destination for the talent and entrepreneurship of students, researchers and workers. (European Commission 2015b, 2)

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> Today, around 1,4 billion people from around 60 countries worldwide can benefit from visa-free travel to the European Union. This makes the EU the most welcoming destination in the industrialised world, and based on the principle of reciprocity, benefits also EU citizens by facilitating visa-free travel abroad. (European Commission 2016c, 2)

> Free movement of EU citizens and the abolition of checks at the internal borders of the Schengen Area are among the most tangible achievements of the European Union. (European Commission 2011b, 2)

> Smooth and safe trade flows are of critical importance to the economic growth and competitiveness of the European Union (EU) which is also the world's largest trading block. (European Commission 2014b, 2)

This vision is concerned with economy in the narrow sense and sees the internal market as the priority for governing EUrope. Consequently, this model of "success" can only benefit others and has, therefore, been promoted.

> To mirror the success of Europe in establishing a single market underpinned by labour mobility, the EU has also launched a EUR 24 million initiative to support free movement in the Economic Community of West African States. (European Commission 2015b, 16)

But, as stated in the beginning of this section, all of these visions do not necessarily coalesce and can work against each other. Vaughan-Williams (2015), for example, tries to theorize the assemblage of the EUrope that protects, with its concern for individual security, and the EUrope of Solidarity, that "fights" enemies and threats. This assemblage emerged historically after the Arab Spring in 2011, where, on the one hand, humanitarian discourses around migration emerged, but also a discourse centered around "irregular" migrants and policies that "severely compromised access to asylum and international protection and led to dehumanizing conditions and deaths" (Vaughan-Williams, 2015, 17). This assemblage led to what is generally called the "humanitarian border" and a dual function for Frontex of both targeting "irregular" migrants and saving them at sea through search-and-rescue operations. This entwinement is also part of the discourse around the technical system EUROSUR, where live governance practices are promoted as both "fighting" "irregular" migration and as saving those very migrants from drowning in the Mediterranean Sea (Vaughan-Williams, 2015, 28). But, as Ellebrecht puts it, "can your hunter be your helper?" (Ellebrecht, 2020, 9-10). This question rings especially true in light of the fate of "irregular" migrants *after* they have been rescued at sea. EUROSUR became part of the humanitarian discourse after a ship with 500 migrants capsized near Lampedusa on October 3rd, 2013. Only 155 survived and Ellebrecht describes the resulting course of action as follows:

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> During that night of October 3, 2013, the hunter had not surveilled well enough. A vessel jam-packed with more than 500 migrants had almost reached Lampedusa without being detected. Thus, the friend was sent out for rescue and condolences. Italian Prime Minister Enrico Letta declared the victims Italian citizens post-mortem and announced a state funeral. Meanwhile the hunter did what he had to do: the public prosecutors in Agrigento launched investigations into the infringement of the applicable migration law against each of the 155 survivors. (Ellebrecht 2020, 10)

This shows how these different visions can coalesce and co-exist although their goals might not be totally compatible. This also holds true for the vision of the Union of Values, which clearly exists and should be taken at face value. The proposals by the European Commission are generally concerned with "compliance with fundamental rights", but, at the same time, this "compliance" features as a side-issue and is generally not discussed further (European Commission, 2015c, 2). Bigo et al. highlight this in their analysis of the Seventh Framework Programme with regards to the technical systems developed thereunder and the EU security industrial policy where "the question of fundamental freedoms and rights is reduced to a matter of commercial considerations and as a limit to the acquisition of otherwise high-performance products" (Bigo et al., 2014, 7). Similarly, by outsourcing border practices, the EU effectively delegates sovereignty to third countries and private actors, without being responsible for any of their human rights abuses (Vaughan-Williams, 2015, 62). This goes hand in hand with legal and ethical concerns often being labelled "obstacles" or "challenges", i.e. something that needs to be overcome (European Commission 2009, 10; European Commission 2015c, 20). This does not mean that there is no vision of EUrope that does comply with fundamental rights and its "universal values". What it means, is that these different visions are part of the struggle in the field of security and the field of politics. Depending on these struggles, different outcomes emerge and the competing visions form assemblages. It is not surprising, then, that *The European Agenda on Security* starts with such an assemblage:

> The European Union aims to ensure that people live in an area of freedom, security and justice, without internal frontiers. Europeans need to feel confident that, wherever they move within Europe, their freedom and their security are well protected, in full compliance with the Union's values, including the rule of law and fundamental rights. (European Commission 2015c, 2)

This vision references the Area of Freedom, Security and Justice, the stated goal of which is to combine "free movement" and security measures, and the Schengen Acquis, which ensures that "[i]nternal borders may be crossed at any point without any checks on persons being carried out" (European Union, 2012, art. 3 para. 2) (European Union, 2000, art. 2 para. 1). It, thereby, relates to Open Europe and the Europe of Solidarity, but its "openness" is restricted to European citizens. This is exemplified by the statement that

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"Europeans need to feel confident [...], wherever they *move* within Europe", not where they *are*, or reside, because, as we have seen, EUrope is a "mobile society". The Union of Values is already relegated to the status of a side-note, as indicated by simply stating the "full compliance with the Union's values". This combination of Open EUrope and the EUrope of Solidarity is the dominant vision present in the empirical documents. But these visions do not coalesce naturally. Sparke calls the former "free market transnationalism" and the latter "securitized nationalism", two distinct forces that can form a temporary alliance through the vision of seamless borders (Sparke, 2008, 134). It is exactly this combination that leads to the problem of disruption that was explored in Chapter 8 and to the seamless border as its solution. This vision is beneficial to both Open EUrope and the EUrope of Solidarity, as already explored in Section 4.7, as the "worlds of economy and security [...] become elements across which the imagination of future possibilities resonates, vibrates, and intensifies" (Amoore, 2013, 4). Both the entrepreneur seeking economic risk and the field of security seeking the yet unknown security risk are interested in "uncertain futures" (Amoore, 2013, 6). Therefore, economy, where the practices of taming uncertain futures originate, "seeks out security precisely as a source of profit from uncertain futures" and "sovereignty and economy become newly and intimately correlated on the horizon of possible futures" (Amoore, 2013, 6). Or, in the words of the European Commission:

> A more competitive EU security industry will be able to offer technological solutions which will actively increase the security of European citizens and will contribute to the capacity of the European society to prevent and respond to security threats. (European Commission 2016d, 2)

10.2 Moral Subjects on Legal Pathways

The Union of Values plays an important role in the rebordering of subjectivities, because it provides what can be called a metageography for the EUropean territory. A metageography is "the set of spatial structures through which people order their knowledge of the world: the often unconscious frameworks that organize studies of history, sociology, anthropology, economics, political science, or even natural history" (Lewis and Wigen 1997, ix, as quoted in Mezzadra and Neilson 2013, 27). Metageographies can, therefore, be compared to what Balibar calls the overdetermination of borders. Meaning that a border is never "the mere boundary between two states", but always "sanctioned, reduplicated and relativized by other geopolitical divisions" and has a "world-configuring function" (Balibar, 2002b, 79). The paradigmatic example of an overdetermined border is the Berlin wall that separated the world into an Eastern and a Western bloc. However, these were not merely imaginations of supra-national territories, but also inscribed with certain values. From the "Eastern" perspective the imperialist-capitalist system in "the West" and the state socialist system in "the East" and from the "Western" perspective freedom and democracy in "the West" and dictatorship and suppression in "the East".

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Another example are the EU external borders, which are at the same time borders of particular Member States and common borders of EUrope. Borders, therefore, partition territories, cultures and identities configuring the global via the territorial (see Ellebrecht (2020, 44-47)). "Every map in this sense, is always a world map, for it represents a 'part of the world'" (Balibar, 2002a, 93). The Union of Values maps "universal values of human dignity, freedom, equality and solidarity, the enjoyment of human rights and fundamental freedoms" onto the EUropean territory (European Commission, 2015d, 2). Values which are, at the same time, the prerequisite for EUrope's function as a global role model. This section and the next inspect two subjectivities whose understanding results from a failure to uphold this vision.

The distinction between wanted and unwanted elements in the flow carries with it specific deontological attributes. Unwanted elements or elements in uncontrolled channels are regarded as taking immoral choices and the "bad" elements Foucault referred to are, therefore, seen as not only unwanted, but as immoral. This becomes particularly visible with regards to migrant smuggling. First, a connection is established between uncontrolled channels and inherit dangerousness, by casting the subjects moving along these channels as potentially dangerous. If there is movement that is not directly visible to the state, this movement is seen as potentially dangerous and threatening (see Sections 8.3 and 6.4). Irregular migration is, thereby, linked to a lack of visibility and, thereby, to danger. Second, irregular migration is rendered as immoral.

> Strengthening the Common European Asylum System also means a more effective approach to **abuses**. Too many requests are unfounded: in 2014, 55% of the asylum requests resulted in a negative decision and for some nationalities almost all asylum requests were rejected, hampering the capacity of Member States to provide swift protection to those in need. (European Commission 2015b, 12, emphasis in the original)

Negative decisions on asylum requests are connected to a value judgment by labelling them as "abuse". It is then further implied, that "asylum abusers" block the "swift protection" of those with positive decisions. If they "try to avoid return", they are, furthermore, at least partly responsible for eroding confidence in the system, anti-immigrant rhetoric and failures in the integration of legalized migrants:

> Unsuccessful asylum claimants who try to avoid return, visa overstayers, and migrants living in a permanent state of irregularity constitute a serious problem. This corrodes confidence in the system. It offers strong arguments for those looking to criticise or stigmatise migration. It makes it harder to integrate those migrants staying in the EU as of right. (European Commission 2015b, 7)

This establishes a series: illegal–dangerous–bad.

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On the other hand, the Commission states that "[t]he EU has obligations towards those in need of international protection", thereby establishing a category of subjects whose lives are qualified for protection and which are not threatening (European Commission, 2016b, 3). Using the uncontrolled channel is, however, still linked to dangerousness, only this time what is threatened are the travellers themselves.

> They look for legal pathways, but they risk also their lives, to escape from political oppression, war and poverty, as well as to find family reunification, entrepreneurship, knowledge and education. (European Commission 2015b, 2)

The moral subjects "look for legal pathways", but also use uncontrolled routes which are linked to the lack of visibility and, thereby, to danger. The logical conclusion from this point of view is to make visible what is not, thereby establishing "safe routes":

> The approach [to sustainable migration management] aims to end *irregular and dangerous* movements and the business model of smugglers, and to replace these with *safe and legal* ways to the EU for those who need protection. (European Commission 2016d, 2, emphasis added)

Thereby establishing the series: legal–safe–good.

This, however, raises the inherit problem that many asylum seekers do not enter the EU via "legal pathways" and that the "fight against irregular migration" has made travel along uncontrolled routes ever more dangerous and deadly (Vaughan-Williams 2015, 17; Brom and Besters 2010, 461). The simple series legal–safe–good and illegal–dangerous–bad break down and the metageographic mapping of EUrope as a force for good, that is in compliance with human rights, is threatened. This leads to a very specific rendering of the "migrant smugglers" as those who "exploit the vulnerabilities of people seeking protection or better economic opportunities" (European Commission, 2015c, 12). They are "quick to exploit new opportunities, even at the risk of human tragedy" and are, therefore, morally "responsible for the loss of lives in the name of profit" (European Commission 2016b, 11; European Commission 2015c, 12). This leads the Commission to state that "[t]he plight of thousands of migrants putting their lives in peril to cross the Mediterranean has shocked us all" and that "Europe cannot stand by whilst lives are being lost" (European Commission, 2015b, 2,3). When discussing the deaths in the Mediterranean sea, although the EU being the "deadliest migration destination in the world" (Musarò, 2017, 12), the description of the European Union suddenly changes from being an active and involved actor into a passive observer. If lives are being lost, the only possibility is that EUrope is not actively involved, as for EUrope "[t]he tragic death toll resulting from this kind of illegal immigration is unacceptable" (European Commission, 2016d, 4). The conclusion is that "[t]he more that such criminal smuggling can be stopped early, the less the risk of human tragedies as seen recently in the Mediterranean" (European Commission, 2015c,

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18). By establishing the "migrant smuggler" as a ruthless profiteer that exploits human tragedies and claiming that "[m]ost of the [migrant] smugglers are not based in Europe", the responsibility for these deaths is externalized (European Commission, 2015b, 8). This allows to uphold the metageographic border between a moral and progressive EUrope, that complies with human rights, and the ruthless, anarchic "outside" represented by the migrant smugglers.

Irregular migrants are, thereby, not rendered dangerous *per se*, but the activity of arriving on the territory "undetected" is seen as fundamentally threatening. This leads to the contradictory position of the irregular migrant as being "*both* a life to be protected and a security threat to protect against" (Vaughan-Williams, 2015, 3).

10.3 Sovereignty as Governmentality: Establishing Exteriority

If terrorists are antithetical to the values located on the "inside" (see Section 10.1), the understanding of the "radicalized" EUropean is of special interest, as these subjects are on the "inside", but violate the metageographic mapping. These take their most problematized form in the figure of the "Foreign Terrorist Fighters", which is the "primary cause of concern" (European Commission, 2015d, 2). The "Foreign Terrorist Fighter" is a person living on EU territory that takes part in an armed conflict outside EU territory. As Bhatia argues, naming and discourse are "a battleground and contested space in contemporary conflict", with the aim of "attain[ing] a victory of interpretation and ensure that a particular viewpoint triumphs" (Bhatia, 2005, 6, 7). And that "[o]nce assigned, the power of a name is such that the process by which the name was selected generally disappears and a series of normative associations, motives and characteristics are attached to the named subject. By naming, this subject becomes known in a manner which may permit certain forms of inquiry and engagement, while forbidding or excluding others" (Bhatia, 2005, 8). Names function as a "type of 'word magic'" that not only connects name and named object, but also inscribes the object with qualitative aspects "'[...] that are believed to inhere in the relevant aspects of the world to which the word refers'" (Bhatia 2005, 9 quoting Hertzler 1965, 268ff). The "foreign" aspect of the "Foreign Terrorist Fighter" is by no means the defining property, this attribution only makes sense from the point of view of the territory that the "Fighter" travels to. But inscribing "foreignness" into a subject, at the point where they have not yet travelled and are EUropean citizens or residents, simply obscures their very "EUropeanness". The fact that they spent significant parts of their life in a EUropean member state. Thereby, concealing the fact that EUropean society most likely had a significant impact on them. As Inda (2006) argues, and as is described in Section 4.4.3, if the technologies of citizenship fail, technologies of anti-citizenship are applied. Both approaches are present in the empirical material, with the Communication *Supporting the prevention of radicalisation leading to violent extremism* describing the technologies of citizenship, that are applied to give the individual that is in the process of becoming radicalized

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a chance to exercise their freedom in the "correct" way, i.e. de-radicalize and properly become citizen again. When those policies fail and the subject becomes successfully radicalized and turns into the "Foreign Terrorist Fighter" it becomes a threat that needs to be fought. The label "Foreign Terrorist Fighter", thus, has to be seen as a form of externalization from the group of citizens. It functions as a label for those to which the technologies of anti-citizenship apply, forming an "abject population" that is excised from the EUropean community (Walters, 2006, 192). It, thereby, also re-establishes the territorial link provided by the vision of the Union of Values. If EUropean values could result in the creation of a terrorist, the vision of EUrope as a global role model would become questionable, as promoting EU values could effectively lead to terrorism. It would also imply, that those who form the antithesis to EUropean values would be the result of those very values. Radicalization, therefore, has to be a result of "social exclusion" (see also Section 6.3), as EUropean society is based upon "universal values" and inclusion into the majority of the population can, therefore, not lead to anti-EUropean values.

> The EU response to extremism must not lead to the stigmatisation of any one group or community. It must draw on common European values of tolerance, diversity and mutual respect, and promote free and pluralist communities. The EU must cut the support base of terrorism with a strong and determined counter-narrative. [...] Education, youth participation, interfaith and intercultural dialogue, as well as employment and social inclusion, have a key role to play in preventing radicalisation by promoting common European values, fostering social inclusion, enhancing mutual understanding and tolerance. Inclusive education can make a major contribution in tackling inequalities and preventing marginalization. Youth work, volunteering, sport and cultural activities are particularly effective in reaching out to young people. (European Commission 2015c, 15, emphasis removed)

The potential threat of "young people" becoming radicalized can be countered, among other things, via a "counter-narrative" that promotes EUropean values. This narrative of "universal values" counters those of terrorists, because they are fundamentally opposed to said EUropean values. Hence, what leads to radicalization is a lack of education, participation, employment and inclusion, as EUropean society is based on "universal values" and a lack of those values can only be explained through a lack of interaction with EUropean society. It is recognised, that "young people" are "drifting to the margins of society" because of "xenophobia and marginalization", but as the latter are not seen as EUropean values, it is exactly their position at the "margin", their lack of interaction with EUropean society, that radicalizes them in combination with a narrative contrary to EUropean values (European Commission, 2016l, 10, 3). They are, in a word, lacking in "EUropeanness". This is what Bigo (2001a, 115) calls the "Klein bottle" model of security (see Figure 10.1). As a result of the clash of the ontology of global flows, i.e. "[o]nce freedom of movement of persons has been accepted", with the upholding of the understanding of sovereignty linked to territory, linked to borders, the "outside" of the

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cylindrical model is suddenly also on the "inside" (Bigo, 2001a, 115). The "Foreign Terrorist Fighter" is exactly the phenomenon of something that is understood to be "outside" appearing on the "inside". Thus, the particular construction of the "Foreign Terrorist Fighter", a subjectivity reached through processes of "marginalization", fulfills the function of reversing this process and that which appears on the "inside" is moved to the "outside". It is, then, unsurprising that, after analyzing the legal implications of the "fight against terrorism" and "Foreign Terrorist Fighters" in particular, Vavoula reaches the conclusion, that the "response has essentially led to [...] the end of EU citizenship as we know it" (Vavoula, 2018, 24). She reaches this conclusion mainly because different border control and surveillance techniques are now being applied to EU citizens that where previously reserved for non-citizens and that, thereby, the "concepts of citizenship and trust seem to undergo a gradual transformation, whereby the difference between a citizen and a foreigner is steadily eliminated towards the uneasy direction of citizens becoming 'foreigners'" (Vavoula, 2018, 23). That the logic of risk, once it encounters an uneasy subject such as the "Foreign Terrorist Fighter", who is, at the same time, "inside" and "outside" the territory, starts to encompass also those firmly on the "inside" is to be expected and was already touched upon in Section 3.4.2. What is more interesting, are the ongoing debates about whether the citizenship of "Foreign Terrorist Fighters" should be revoked, which indicates that the technologies of (anti-)citizenship reverberate in the legal space and have the potential to turn into technologies of *literal* (anti-)citizenship. Mantu lists Austria, Belgium, Denmark, France, the Netherlands, and the United Kingdom as states that have made it "easier to take away citizenship from persons engaged in terrorist activities" (Mantu, 2018, 28) (see Epstein (2008, 181) for this process in the context of the USA). She examines citizenship deprivation laws in France and the United Kingdom in detail, stating that they pursue the goal of "physically remov[ing] the 'terrorist' citizen from state territory" in both countries (Mantu, 2018, 36). Hence, the Klein bottle model of security results in the drawing of new lines between the citizen and anti-citizen even on the level of formal citizenship. Governmentality surpasses sovereign power in changing the legal landscape according to its logic of circulation, meaning that sovereignty is reconfigured *as* governmentality.

In the UK, for example, citizenship can be revoked even if the person in question becomes stateless as a result, provided that they acted "in a manner seriously prejudicial to the vital interests of the UK" and that the "nationality was obtained through naturalization" (Mantu, 2018, 34). Reasonable grounds have to be provided that the person can acquire a new nationality, but this can, of course, not be guaranteed, meaning that the possibility of statelessness remains. If the case is based upon threats to national security, appeals "are decided by a special court [...] and involve a partially secret procedure, whereby the executive's evidence of terrorist involvement remains undisclosed to the party concerned" (Mantu, 2018, 32). Most of the cases, thus far,

Figure 10.1: Klein Bottle

Source: Yinweichen (2015)

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are targeted at Muslim men, "most cases relate to national security [and] only a fraction of them have been prosecuted for criminal terrorist acts" (Mantu, 2018, 35). But as of 2018 no-one has been made stateless (Mantu, 2018, 35). However, the possibility of turning the "Foreign Terrorist Fighter" into a literal anti-citizen, and a stateless one at that, remains. But what are stateless persons other than *homini sacri par excellence*? The phenomenon of the "Foreign Terrorist fighter", therefore, shows that sovereignty as governmentality is intimately related to the state of exception and the sovereign ban. To be more precise, sovereignty as governmentality is sovereignty as governmental tactic, as spectral sovereignty.

10.4 Sovereignty as Governmentality: Establishing Interiority

Another group where the series presented in the last section break down, are visa overstayers. Visa overstayers enter the EU through controlled channels but do not leave the territory after their visa has expired, thereby turning "irregular" and violating the series legal–safe–good. Because there is an imperative to increase the speed of those people who are travelling through "controlled channels", those "turning irregular" pose a special problem, as the initial binary separating the regular from the irregular channels reproduces itself in the regular channels and the subjects have to be further divided. There is an imperative to lift visa restrictions, but maintain security at the same time.

> The Commission confirmed [...] the need to strike the right balance between ensuring mobility and enhancing security, while facilitating legal entry into the Schengen area without the need for a visa. (European Commission 2016c, 2)

Visa policy is relegated to the status of a tool for establishing good relations with third countries, devoid of its function in controlling travel to the sovereign territory.

> Visa liberalisation has proved an important tool in building partnerships with third countries, including as a means of ensuring effective systems of return and readmission, and to increase the attractiveness of the EU for business and tourism. (European Commission 2016b, 8)

This leads to the paradox situation that people from countries that do not require a visa to enter EU-territory become problematized exactly because they do not require a visa.

> Issues remain for border controls of specific categories of travellers, such as third country nationals holding a long-term visa. Also, there is an information gap prior to arrival at the borders as concerns third-country nationals who are exempt from holding a visa. (European Commission 2016k, 3)

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In a section titled "Information gap prior to arrival of visa-exempt third-country nationals", the Commission states:

> While the identity, contacts and background information of visa-holders are registered in the VIS, the only information on visa-exempt persons comes from their travel document. (European Commission 2016k, 13)

The European Travel Authorisation and Information System (ETIAS) tries to remedy the fact that mobility borders and political borders no longer match. Its aim is to collect information on travellers from visa-exempt countries before they start their journey (i.e. an electronic visa) while maintaining the bi-lateral agreement of visa-freeness.

> By requiring a valid travel authorisation for all visa-exempt third country nationals, regardless of their mode of travelling or their point of entry, the EU will ensure that all visitors are checked prior to arrival while fully respecting their visa-free status. (European Commission 2016c, 4)

This information is then used to divide the travelling population biopolitically by estimating the risk each traveller poses of "turning irregular", or of becoming a security or health risk (see Section 8.8). Again, we are seeing sovereignty as governmentality, but this time the lifting of visa requirements works as a way of opening up the legal space to allow for circulation to happen, effectively creating *in*clusion, whereas the ETIAS system is put in place to ensure the security of said circulation, drawing new border lines between individuals no longer based solely upon sovereign territory. Sovereignty as governmentality, therefore, works both ways. Not just as a method of exclusion, but also as a method of inclusion. Traditional conceptions of sovereign territory no longer appear as a viable means of controlling mobility as territorial borders no longer seem to match the borders that the control of mobility necessitates. The governing of global circulations leads to sovereignty as governmental tactic, excluding the unwanted through the sovereign ban, opening up new territories through inclusion based on the seeming opportunities provided by the technology of risk and the technical means of calculating it.

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CHAPTER 11

Conclusion

For Walters and Haahr, EUropean Justice and Home Affairs "constructs the EU as an endangered community, the site of a safe(r) domestic inside that is juxtaposed with a dangerous and sometimes chaotic outside, with EU frontiers as the dividing line between them" (Walters and Haahr, 2004, 94). They analyze EUropean security practice as transnational liberal policing. Liberal in the sense, that policing in transnational networks is seen as the economic and "lighter form of governing" in contrast to a "centralized policing superstate" (Walters and Haahr, 2004, 105). The "dream", that these practices are aiming at, is the construction of a new kind of territory, of "securing a smooth, seamless social and economic space which traverses national regimes [...] to promote greater mobility for the legal while channeling the mobility of the unwanted into the passages marked 'returns' and 'readmissions'" and a place where "the border is to become a strategic node within a wider network of control, opposing itself to the networks of crime and terror" (Walters and Haahr, 2004, 106, 107). A territory that Walters and Haahr call "Schengenland". The rendering of citizenship in Schengenland, then, is "not as a participatory practice but as a right to protection from alien threats" (Walters and Haahr, 2004, 111). While this analysis fits almost perfectly with the analysis in the previous chapters, they present the different governmentalities, that they analyzed in their work, as separate entities and do not engage with their assemblage[1]. It is, however, exactly the assemblage of two analytically seperable governmental teleologies that form the basis of the technical systems analyzed in this thesis. Even further, the teleology of what I have called the Union of Values partakes in the drawing of governmental

[1]Walters and Haahr analyze, for example, in more detail, what I have called Open Europe as the governmentality of the Common Market (Walters and Haahr, 2004, 42-64). This governmentality is, however, presented as analytically separable from the governmentality exposed by EUropean Justice and Home Affairs. I do not want to suggest that these governmentalities are not independent, but that engaging with the differences and commonalities between them is necessary to gain a fuller picture. It should be highlighted, however, that this is likely an issue of presentation, rather than a difference in analytical approach.

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borderlines, while being relegated to the status of a sidenote in the discourse. We can, therefore, extend Walters and Haahr's analysis by picking up the relationship between the imagination of territory and governmentality, as we did in Chapter 10, and emphasise that Schengenland not only constructs the EU as a juxtaposition between a "safe(r) inside" and a "dangerous outside", but that this imagination picks up a metageography, that, in turn, transforms these connotations into governmental borders based upon a specific understanding of the sovereign territory. Citizenship is still the "protection from alien threats", but these "alien threats" can also come in the form of EUropean citizens, with the "dividing line" of EU frontiers running inside and outside the EU's sovereign territory.

The practices of "security", in the context of the Horizon 2020 research projects on border security, then, are first and foremost concerned with the reconciliation of a fundamentally conflicting ontology based on trans-national flows of money, goods and people, on the one hand, and static territories, on the other. Engaging with Foucault's distinction between the art of government as concerned with the facilitation and management of circulations and sovereignty as concerned with territory (Butler, 2004, 93), this fundamental conflict, in the case of the EU, takes the form of the return of sovereignty in its spectral form, drawing sovereign lines based on automated risk assessments. This logic of opening a state of exception through data mined risk profiles, allowing for the governing of circulations, is slowly developing and transforming the existing IT infrastructure in its wake. These systems, as Walters suggests, have, therefore, to be seen as assemblages. Unfinished and adapted based on the current governmental technologies, these technical systems are regeared towards the fight against terrorism (Vavoula, 2017, 247), expanding their former role of making visible, and thereby governable, the parts of the migratory population that is not immediately visible to the state, to include the emerging unknown threat. The "layering" model of CISE[2], incorporating previously autonomous technical systems into a combined system through their "interoperability" (Jeandesboz, 2017, 277), can be seen as a general approach of developing technical systems in the EU. Borders are becoming gradually biopolitical by combining layer after layer into a new system, as currently exemplified by ETIAS[3]. At the same time, the "layers" are assemblages that are constantly modulated and expanded, best exemplified by EURODAC's[4] almost complete detachment from its original goal. This is not to suggest, that technical systems are "neutral" tools that can be wielded for any governmental purpose. On the contrary, technologies of government and technical systems form a complex interrelationship, with technical systems being deployed for governmental strategies, but also transforming practices of

[2]The *Common Information Sharing Environment* is an information exchange system that combines "layers" of different data sources. More information on CISE can be found in Section 8.7.

[3]The *European Travel Information and Authorisation System* establishes a visa-like registration procedure to enter the EU from visa-free third countries. By using data from a variety of already existing databases, it allows for the automated risk assessment of (potential) travellers, before they start their journey. A detailed description of ETIAS can be found in Section 8.8.

[4]The *European Dactyloscopy* System is a database storing the fingerprints of asylum seekers that was originally developed to aid in the application of the Dublin Regulation, but now serves other purposes as well. See Section 8.6 for a description of EURODAC.

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governing. In accordance with Feenberg's critical theory of technology (Feenberg, 2009, 164), we can describe these technical systems as embodying "socially specific" values and to have, to paraphrase Balibar (2002a, 79), "a world-configuring function". The logic of algorithmic governance of the terrorist threat, as described by Amoore, seems to develop into a technology of government suitable for the live governance of situations in their emergence. In the analyzed research projects we can see how the vertical extension of the borderspace through Unmanned Aerial Vehicles (UAVs) (Mose and Wriedt, 2015) transforms the visualization of this space into a combination of two-dimensional and three-dimensional visions through augmented and virtual reality devices. The sources for data traces of the emergent threat are further expanded to include social media data, whereas the live governance of situations outside risk assessed channels is enhanced through sensors and UXVs[5] in a borderspace that is, at the same time, both open and automatically risk assessed to allow for intervention and circulation. Sovereignty works as an inclusionary governmental tactic, opening up the legal space to allow visa-free mobility from certain national territories while, at the same time, subjecting exactly this population to a risk based redrawing of border lines, turning geopolitics into biopolitics. On the other hand, spectral sovereignty tries to exclude parts of the "risky" population from the sovereign territory by depriving certain subjects of their citizenship and by then removing them from said territory. Other parts of the "risky" population are excluded from the channels of circulation by preempting their travel inside the EUropean territory, as well as to the outside of said territory. As much as this form of sovereignty is transformed according to the rules of governmentality, it is still based upon a metageography of the sovereign territory, showing, on the one hand, the lack of reconciliation between the ontological objects of flow and territory, and the irreconcilability of sovereignty to biopower on the other. A contradiction that is, nonetheless, held together by the dream of seamless borders.

[5] "UXVs" refers to unmanned vehicles without specifying whether they operate on land, in water or in the air.

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